

## The Daily Star

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# Medical waste poses a big threat

### A comprehensive waste disposal mechanism is the need of the hour

The dismal state of medical waste management in the country is no secret, but of late it has become a serious public health concern. According to a new study of the Transparency International Bangladesh (TIB), conducted over a period of 18 months, around 60 percent of hospitals do not have bins to store medical waste, let alone segregate them, while 83 percent of the hospitals have no waste treatment system in place. The study has also found irregularities and corruption in every step of waste management, including collection, storage, transportation, and treatment. One of the scariest revelations is that a group of unscrupulous contractors, with the help of a section of medical staffers, are selling unrefined and harmful medical waste as "fresh" medical equipment.

Such neglect and exploitation of dangerous clinical waste is really unfortunate, especially in a country that is one of largest generators of such waste in the region. This is despite having disposal guidelines in the form of Medical Waste Management and Processing Rules 2008, which, it goes without saying, remains mostly unenforced. According to these rules, there should be seven divisional authorities in seven divisions of the country as well as a separate dumping zone in each division. Medical waste should be kept separate from other kinds of waste at all stages of their management: collection, wrapping, storing and transportation. Sadly, over a decade has passed since these rules were formulated, but proper enforcement still remains elusive.

Reportedly, a majority of the hospitals still dispose of their waste along with non-medical waste without even sterilising them. Even though third-party organisations are employed by some of the hospitals and clinics to dispose of their waste in the right way, their capacity is still very low compared to the amount of waste generated.

Moreover, the rules do not clarify the responsibilities and accountability of city corporations and municipalities concerning the management of such waste. Therefore, they have no developed action plan in this regard. The absence of a coordinated system has led to growing concerns over the build-up of medical waste at the landfills. And since these landfills are situated near rivers and other water bodies, the hazardous waste is polluting our vital sources of water as well as contaminating the soil, which is a serious cause for concern.

The question is, how long will this issue be neglected? The TIB has made a number of recommendations involving coordination, monitoring, and supervision of institutions related to waste management. These deserve to be considered seriously. In addition, we need to make necessary amendments to the relevant laws to make them more effective and to close all possible loopholes. The need for coordination among all stakeholders – including the Department of Environment, Directorate General of Health Services, hospitals, city corporations and municipalities – cannot be stressed enough. We will be able to address the issue only if all stakeholders and responsible authorities work together in light of existing rules, and if violations of such rules are properly addressed.

# Intellectualism must be fostered

### More effort should be put into filling the gap created in 1971

We join the nation in paying our tribute to the intellectuals who were systematically killed near the end of the Liberation War in 1971, in what was a clear attempt to intellectually cripple the newly emerging country. We must say that even after 51 years since those dark days, the void created by the heinous actions of the Pakistani army and their collaborators has yet to be filled. The killings, which followed a careful selection of talented civilians from different professions that formed the intellectual bedrock of the nation, have left a deep mark on our collective psyche, and they will be missed forever.

Those who were targeted as part of this conspiracy were well-known and well-respected figures – representing various fields such as arts, education, literature, science, medicine, and so on – and could have contributed hugely to the development of the new country. They were, one can say, some of the greatest assets of this country at that point in our history. The enemy, clearly, wanted to destabilise the country and impede its future progress even before it was born, and we continue to bear that brunt even to this day. In this connection, it should be mentioned that even after all these years, Bangladesh still does not have a completed list of those who were killed; we are still in the dark about the exact number of martyred intellectuals. This is very unfortunate.

We call upon the government to step up and complete the list at the earliest possible time, so that people can know about all those who sacrificed their lives for us. We also urge the authorities and relevant stakeholders to take steps to foster the development of new intellectuals in the country, including through creating a proper environment for intellectual exercises and making proper investments in education and research. They should also undertake programmes and scholarships that may help young Bangladeshi scholars to thrive and prosper.

Intellectuals of this land were historically recognised for their influence, but today, for reasons stated above as well as the overall socio-political environment at present, our intellectual contribution seems to have gone down significantly.

Currently, conditions that might foster intellectual growth are being stifled, as the atmosphere for free, critical thought is absent. As such, we do not have many intellectuals to depend on to guide us through these times. Other than a few examples of scholars in some specific fields at home or abroad, much of our intellectual realm still remains empty. We must address this. We must foster an environment in which intellect can thrive, because without doing so, we may never fill the gap that the Pakistanis had left us with in 1971. We must not let their vicious plan become a permanent reality for us.

# Data localisation will cost Bangladesh



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NIGEL CORY

Bangladesh's digital future is at a critical juncture as its draft Data Protection Act includes requirements to compel firms to store data locally – a concept known as data localisation. Localisation would create a lose-lose situation for Bangladesh. It undermines Bangladesh's ability to get the most out of the data and digital tools that drive digital development. New econometric analysis shows that its trade and economy will suffer severely. Localisation also doesn't do the things its supporters say it does in terms of privacy and cybersecurity.

While there is still a long way to go, Bangladesh has made remarkable progress in helping more people and businesses get online and benefit from data, digital technologies, and global connectivity. Since the 2008 launch of the government's "Digital Bangladesh" vision, internet subscribers have surged to nearly 124 million, as of December 2021. Bangladeshi content creators and entrepreneurs are showing what's possible via cooking channels on YouTube and education tech. A 2019 UN study estimated that Bangladesh's IT sector had increased an astonishing 40 percent a year since 2010.

Bangladesh has also taken advantage of the digitalisation of trade, which allows services work to be broken apart and done remotely. Bangladesh is home to the second largest group of global gig workers (15 percent) involved in creative and multimedia work who earn, according to Bangladesh's ICT ministry, an estimated USD 500 million annually.

Because of this, Bangladeshi policymakers have a lot at stake in enacting data policies. They face one central question: do they follow a smart data governance strategy (that holds firms accountable for following local laws when they move data abroad, a principle most countries embrace) or do they pursue data localisation in a misguided pursuit of digital control and protectionism?



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Both paths allow for data privacy, cybersecurity, law enforcement, and national security policies, but the latter will be much more costly to the digital economy.

Unfortunately, Bangladesh has started down the latter path in enacting or considering multiple localisation policies. The main one is in its draft Data Protection Act (Sections 44 and 45). Together, these localisation policies will be costly to Bangladesh's economy. A new report by the US based public policy think tank Information Technology and Innovation Foundation (ITIF) shows that after five years, Bangladesh's trade volumes and imports will decrease by an estimated 6 and 7.7 percent, respectively. Localisation also increases import prices by two percent. Bangladesh's overall trade volumes decreasing in line with imports suggests that exports are also affected by such policies. Our findings are consistent with other recent econometric research, including a

study specifically on Bangladesh. Bangladeshi officials have fallen for the false promise of "data nationalism." Data localisation mandates do not increase commercial privacy or data security. In the case of surveillance, localisation makes it easier to undermine privacy and other human rights. Data localisation also doesn't improve cybersecurity as

the confidentiality of data does not generally depend on which country the information is stored in – only on the measures used to store it securely. In protecting government data, governments can require that IT service providers use international cybersecurity best practices and technical measures in procurement contracts. If the concern is access to data for law enforcement, there are better tools. Localisation is no silver bullet – the globalisation and digitisation of crime means there will more than likely be data in other jurisdictions. Bangladesh should pursue new legal agreements to help local law enforcement request and receive data from other jurisdictions.

Bangladeshi policymakers that choose data localisation policies are setting their digital economy up for failure. It's a fact that international trade involving consumers cannot occur without collecting and sending personal data across borders – such as names, addresses, billing information,

etc. The few jobs and investments in local data centres are far outweighed by the larger economic costs of more expensive and fewer digital services. This ripples through the whole economy as firms in every sector are increasingly getting dependent on digital goods and services.

Localisation also puts Bangladesh's growing digital exports at risk as

there is global competition between countries to capture a growing share of this work. There's enormous room to grow: Bangladesh's services export-GDP ratio is just 1.5 percent, compared to around 40 percent in India, the Philippines, and Sri Lanka. Never mind the trade impact if other countries retaliate against Bangladesh for enacting localisation, which the US has done against India and Indonesia in the past.

With misguided localisation policies, Bangladesh's early progress and future promise are at risk. What path will Bangladesh's policymakers take as they conduct a final review of the country's Data Protection Act? The path to a false and costly promise of digital protectionism and control? Or will they choose one that's based on targeted and balanced laws that reflect global data-policy norms that keep Bangladesh integrated with the global digital economy? Hopefully, it's the latter.

# RTI's decline in the face of global autocratisation

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SHAMSUL BARI and RUHI NAZ

The global surge in the adoption of right to information (RTI) or freedom of information (FOI) laws since the fall of the Soviet Union and the breakup of Eastern Europe three decades ago appears to have died down. Once regarded as the democratic "rite of passage" for nations, the law's use is in last decline, and the main reason for that is the growing autocratisation of governance. The promise of the law – increased transparency in governance through independent access to government-held information, exposing corruption and maladministration and encouraging citizens to participate more fully in the political process – has failed to live up to expectations. Citizens increasingly fear that their RTI interventions in probing questionable government actions may land them in trouble.

Such fears affect the use of the RTI law. The expectation was that people would avail of the law as they became more aware of how it could monitor the work of government bodies. However, the reality is rather disappointing. Some governments have even sought to scale down the scope of the law and limit its operations. Others leave a large number of information requests unanswered. The use of exemption clauses to refuse information without justification is equally rampant. Instead of opening up, secrecy seems to be sneaking in. Information commissions are often reluctant to step in.

The good news, however, is that in Bangladesh, the law has been kept alive by many NGOs, diehard activists and ordinary users by putting it to use for purposes that are less likely to incite government wrath.

RTI law's use in Bangladesh has been largely limited to matters of personal or professional interest, or for the collective benefit of society. They range from safeguarding personal

entitlements, such as safety net and other government benefits, to ensuring proper administration of government services benefiting society at large, such as public work, sanitation, education and health.

While the creation of a culture inspiring citizens to use the law for its larger objectives of holding the government to account remains a distant dream, there is still room for hope if we can deepen the process of citizen-government interaction that has already begun. In states emerging from long-standing colonial rule, citizens inevitably inherit a subservient mentality towards rulers and a willingness to accept official secrecy as an essential tool for governance. They find it difficult to accept the new reality where they are considered the actual owners of state power and, as such,

indigent and underprivileged in the country. Among its various activities, it also seeks to promote respect for the laws and policies of the land. BLAST's use of the RTI Act has yielded results in a wide range of areas.

**Prevention of sexual harassment at public places and educational institutions:** BLAST wished to find out whether the 2009 directive of the High Court for the formation of a sexual harassment prevention committee was being respected by public bodies. Its RTI intervention in May 2022 with the Bar Council revealed that a complaint committee was indeed formed recently, perhaps following the intervention, and measures were taken to deal with complaints. The intervention apparently led to the subsequent order of the Supreme Court to form sexual harassment prevention committees in

with public education between 2017 and 2020. It asked for information relating to implementation of the High Court judgment as well as the ministry directives. The purpose was to discover if the subject was discussed at school meetings and measures undertaken to sanction teachers for failing to follow the High Court directives. It appeared that concrete measures were undertaken by the relevant authorities only after BLAST intervened. The subject was subsequently included in Teacher's Training manuals, and school inspectors were required to include their findings on the subject in their reports. In addition, the topic was reportedly included in the monthly coordination meetings of deputy commissioners.

**Birth registration of children from separated families or without known parents:** As birth registration in Bangladesh was made mandatory for all citizens and the process was digitised in recent years, it caused severe difficulties for many groups, including many of BLAST's clients. To deal with them, BLAST submitted RTI applications to the authorities in several districts seeking information on the need for registration numbers of both parents and informing them about difficulties it created for orphans, street children or those whose parents' information were unavailable. The intervention resulted in the eventual removal of the mandatory requirement of birth certificate of parents for birth registration.

These examples should help citizens to use the RTI Act for similar improvements in other areas of governance. We must remember that the basic objective of the act is to provide citizens with an instrument to partake in efforts to promote good governance in the country. While election laws allow citizens to influence governance indirectly by choosing their representatives, the RTI Act provides them a direct role to play in that regard. These are the two main pillars of democracy.

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commanding the right to know how their governments work. For the same reason, it is equally difficult for public officials to accept that they are now accountable to the citizens.

Unless there is a drastic change in the mentality and attitudes of citizens and public officials alike about the new reality, RTI cannot flourish. To achieve that goal, it is important to pursue the path of close interaction between citizens and public officials – the information seekers and information providers – through continuous use of the RTI process.

Such an approach may be pursued on many issues of public interest that are of importance to the government and people alike. Some such areas were brought to our attention recently by the Bangladeshi NGO, BLAST, which provides legal aid and services to the

every district court, in some of which BLAST was included as a member. Similar intervention with 45 public and private universities in the country led to commitment to form such committees.

**Abolishing corporal and psychological punishment in educational institutions:** A 2011 judgment of the High Court declared all forms of corporal and psychological punishments in educational institutions as "illegal and unconstitutional." In compliance with the ruling, the education ministry issued a circular prohibiting corporal punishment in educational institutions in 2010, and new guidelines prohibiting both physical and psychological punishments in 2011. Several years later, as BLAST began to utilise the RTI Act, it decided to submit RTI requests to various government entities, dealing