

Karnaphuli needs urgent policy attention

Saving rivers and people who depend on them should be a top priority

It's alarming to see the direction in which the Karnaphuli river in Chattogram is headed, with years of negligence, unbridled greed, and lack of protection reducing it to a cautionary tale of what not to do with rivers – both on individual and institutional levels. Just as it has been subjected to indiscriminate pollution and encroachment in many parts – creating a suffocating condition for its ecosystem – it has, in other parts, also been witness to unchecked erosion thanks to lack of efforts from the authorities. Karnaphuli, thus, never seems to be far away from something bad threatening its existence or that of those who depend on it.

The latest development, as reported by this daily, saw a crucial project that could protect its banks around Chattogram's Boalkhali upazila being stuck in limbo. The project, proposed by the Bangladesh Water Development Board (BWDB), involves constructing a 7.4km-long sustainable dam as well as 2.4km-long dams on both banks of the river. In addition, dams will be built to guard the banks of five branch canals of the river. There are, of course, questions over whether BWDB can actually pull it off to get desired results. But the long delay in approving the project shows its lack of priority to the higher authorities.

Reportedly, the project proposal is currently stuck at the planning wing of the water resources ministry, which is reviewing its estimated cost of Tk 144 crore in line with the government's cost containment policy. We understand the importance of prioritising important projects given the ongoing economic crisis, but this project, if implemented properly, will be tremendously beneficial for the at-risk communities. River erosion in Boalkhali upazila has been wreaking havoc on the lives of at least 120,000 people, a number that may rise if preventive action is not taken soon. Also at risk are 150 small industrial structures, 45 roads, 20 bridge culverts, 3,750 homes, 140km electric lines, five markets, 12 schools, 2,500 hectares of agricultural land, etc.

The question is, why are we so slow or reluctant to act when it comes to saving rivers? Even when well-meaning initiatives are taken – to dredge, construct dams, evict encroachers, prevent pollution, etc. – often they are marred by mismanagement and irregularities by the relevant state departments. These attempts are also so poorly planned and uncoordinated that any resultant effect fizzles out before it can be visible. Chattogram itself has been the site of a number of such initiatives. Yet, 40 percent of the city's plastic waste is ending up in Karnaphuli, while the Rupsha river in the south-west is taking in 31.7 percent of such waste. As a result, a large number of aquatic species from the rivers have vanished. Karnaphuli's 40km-long banks, from Kalurghat to Patenga, have also been the subject of frequent grabbing attempts.

We urge the higher authorities to reverse this destructive trend. Rivers, in Chattogram and elsewhere in the country, are crying for proper policy attention. We must save our rivers and also save people and properties from the wrath of mismanaged rivers. BWDB, the National River Conservation Commission, and other relevant institutions must all do their part.

What's the point of a ceremonial ACC?

Red tape, non-cooperation remain major hurdles for its function

It's quite frustrating that even after two decades of its establishment, the Anti-Corruption Commission (ACC) remains ill-equipped to deal with money laundering cases. It is failing to make progress in such cases because of several factors including lack of cooperation from foreign countries, bureaucratic complexities, and a shortage of skilled lawyers. According to its director general for money laundering, the developed countries where a huge sum of money is laundered are not only reluctant to divulge information, but also make "unnecessary" queries to delay the process. While such an approach can definitely be a big problem for the ACC, lack of cooperation from relevant state agencies can also have a deterring effect.

Apparently, since 2018, the ACC has made 34 requests for information on the wealth of 24 persons to foreign countries, but it hasn't received any effective response till date. The question is, why? Apparently, the entire process of seeking and receiving information is very cumbersome, and is often mired in bureaucratic tangles. Reportedly, the ACC has to request the Bangladesh Financial Intelligence Unit (BFIU) to confirm the information on wealth laundered abroad. But the information BFIU collects from abroad cannot even be used before court because of an embargo on its public disclosure. In such cases, the ACC has to file Mutual Legal Assistance Requests (MLAR) to the respective countries. But here, too, the ACC cannot file the MLAR directly. In all, there are 12 steps involved in obtaining information from foreign countries, indicating a very cumbersome process.

While these problems are surely slowing down the pace of ACC investigations, it is also a fact that the agency itself has failed to live up to its mandate due to the inefficiency of its officials, self-imposed limitations, as well as political influence. Over the years, its power has been curtailed significantly. Its recent decision to hand executive power to its secretaries to transfer and promote its deputy directors and assistant directors – who are mainly involved in investigation related tasks – also amounts to clipping its own wings.

The question is, what is the point of having a dedicated anti-graft body if it is not equipped to investigate corruption cases properly? According to the Global Financial Integrity report, Bangladesh is one of the top 30 countries in terms of illicit financial flows. A GFI report published in 2021 said that around Tk 5 lakh crore was laundered to different countries in the five years since 2015. Money laundering is evidently destabilising the country's economy. Can the ACC afford to be a "toothless tiger" in such a situation?

It is high time the government removed all the loopholes and barriers that the ACC faces while investigating money laundering and other corruption cases. If needed, the ACC law should be amended to properly empower it to carry out its mandated duty.

EDITORIAL

Ordinary citizens' vulnerability to custodial torture



ON THE SHORES OF (IN)JUSTICE

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Within a fortnight of celebrating Police Week, two incidents have brought to fore the question of extrajudicial excesses of the force. In one incident, a youth protestor was subjected to police brutality in custody in Chattogram, while in the other, a trader allegedly died due to custodial torture in Gazipur.

From a tender age, Mohammad Mostakim has faced the hard realities of life. After his father passed away years ago, the 22-year-old madrasa student has been the anchor of the family. Mostakim has to look after his 55-year-old mother (a kidney disease patient requiring dialysis three times a week) and a 10-year-old physically challenged sister. He meets challenges with fortitude and as a conscientious citizen who is actively engaged in local efforts to combat the Covid-19 virus.

It is no surprise that Mostakim became part of the group of kidney patients and their relatives protesting the price hike of dialysis treatment and reduction in subsidies. On the fifth day of the protest, when protestors blocked the road in front of the Chattogram Medical College and Hospital, the police used force to disperse them. Subsequently, police filed a case in which alleged victims of police assault were charged with "obstruction of government work and attacking police." Mostakim was arrested along with 50 to 60 others. Five days after his arrest, Mostakim was granted bail and the police's application for a five-day remand was denied by the magistrate.

The police's heavy-handed approach in dispersing a crowd that was peacefully protesting the price hike of a medical service, and its subsequent slapping of cases against a number of the protestors, has appalled citizens. The situation dipped to a new low as Mostakim was beaten in custody purportedly to get a lesson for "disrespecting" the officer-in-charge of the local police station. Photographs of his bruised left leg aptly conveyed the brutality Mostakim had to endure.

The treatment of Mostakim and his fellow protestors by the police raises the question of whether the state has effectively abrogated the constitutionally guaranteed citizens' right to protest. The administration also needs to make clear in what ways this group of aggrieved citizens violated the laws of the land, triggering such violent and disproportionate response from the police. Even if the group was impeding the flow of traffic, were there no non-violent and civilised ways of tackling them?

The vicious bodily harm inflicted on Mostakim in custody betrays the intensity of contempt that some members of the force hold against citizens who still dare to exercise their rights to express and assemble.

The second case of Rabiu Islam of Gazipur shed light not only on alleged custodial torture leading to the death of the victim, it also revealed how members of law enforcement agencies allegedly fabricated stories to cover up

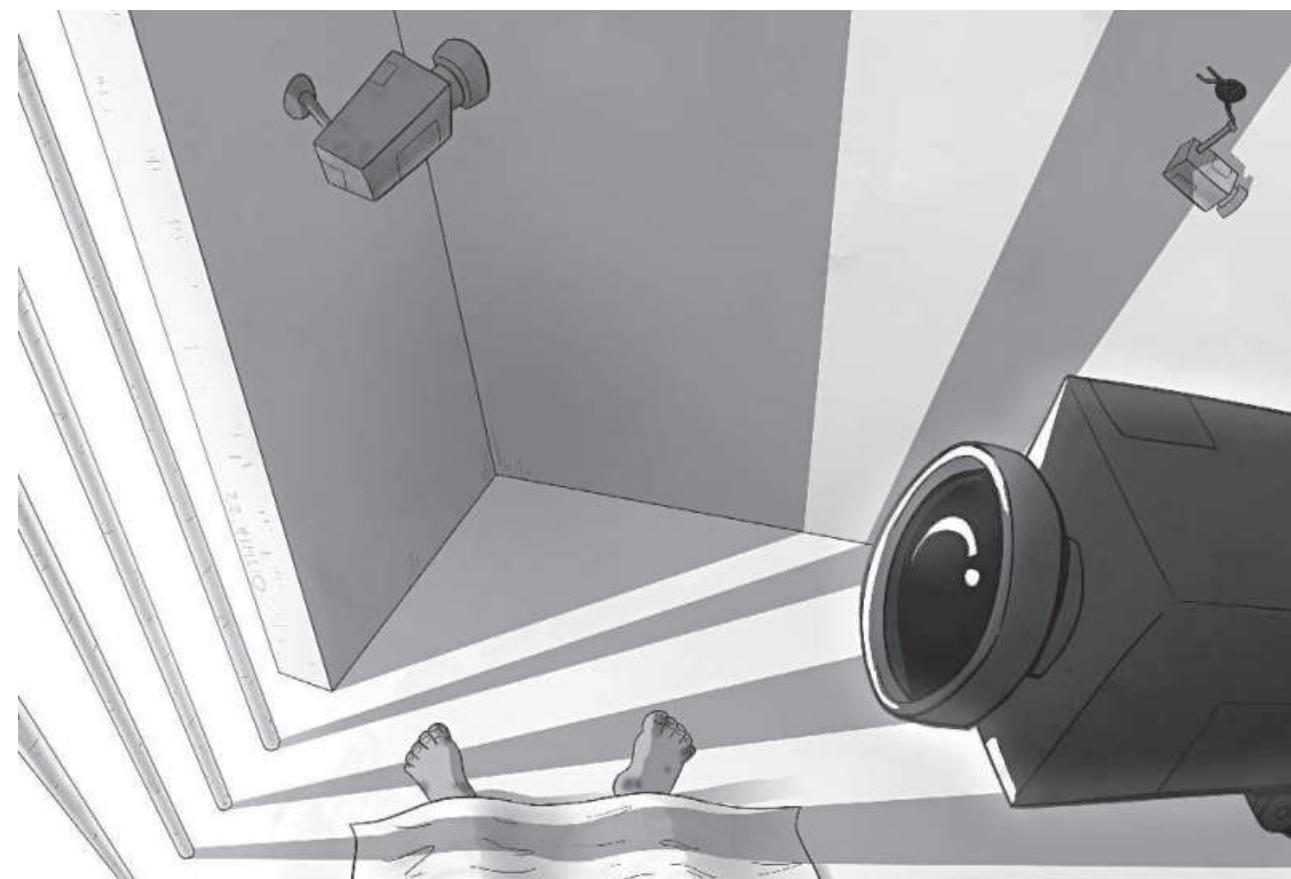


ILLUSTRATION: OISHIK JAWAD

their misdeeds.

On the evening of January 17, Nurpur was informed by the police that her husband Rabiu had died in a road accident following his release from custody. Family sources inform that days earlier, along with three others, Rabiu was picked up by two assistant sub-inspectors of the local police station on charges of gambling.

The 45-year-old victim was detained in the police station while the three co-accused were released. When police personnel demanded money for releasing Rabiu, on January 17, Nurpur handed over Tk 35,000. After securing the amount, instead of discharging Rabiu from their custody, police demanded an additional sum of Tk 5 lakh. Subsequently, they promised to release the detainee when Nurpur complied with their instruction to put her signature on a blank sheet. On the same evening, she was informed by the police that Rabiu had been hit in a road accident and shifted to Dhaka Medical College Hospital (DMCH). When the family arrived at DMCH, they found the body of deceased Rabiu. Refuting the police narrative, his family and people of the locality have asserted that Rabiu was tortured to death.

Rabiu's death, allegedly a result of police torture, triggered spontaneous protest in the area leading to road blockade, vandalising of police boxes, and torching of three police motorcycles. The police's claim that Rabiu's brother Mohidul had filed a case against the truck driver that allegedly hit Rabiu also turned out to be sham. Mohidul denied lodging the case, providing evidence that he was

gambling. Demanding and accepting money for releasing a detainee proves that extortion was the sole purpose of bringing the accused under custody. Securing the signature of a next of kin on a blank sheet also points to the covering up of the offence being planned. The family deserves an explanation as to why Rabiu was not handed over to them.

The cooked up police narrative of Rabiu's death also falls flat as the force failed to provide evidence of any such road accident in the area on the evening of January 17. Also, the police's inability to furnish any evidence, including CCTV footage, of Rabiu's release from custody further strengthens the argument that there was institutional complicity to cover up the custodial torture that led to the detainee's death.

Mostakim and Rabiu's experiences are not isolated cases. The media and rights organisations frequently report on cases of custodial torture, some of which lead to death of detainees. In many instances, the families of the deceased contested the police claim that the detainees had committed suicide in custody. Three cases from last year illustrate the pervasiveness of custodial torture.

On March 1 of 2022, Laboni Akhter (23) had a miscarriage after she was brutalised by sub-inspector Ruma Akhter in Kashimpur police station. On July 17, Abdul Salam of Sreepur, Magura was allegedly beaten up and kicked in the chest, which the family believes resulted in his death at Magura Sadar Hospital. On August 21, a video went viral that showed two 13-year-old boys tied to an iron pole in Kulshi,

Lalkhanbazar by a three-member police patrol and being subjected to torture.

Custodial torture continues to afflict the country's law enforcement system despite the framing of the Torture and Custodial Death (Prevention) Act 2013, the ratification of the UN Convention against Torture and other Cruel, Inhuman and Degrading

Treatment and Punishment, and firm directives from the higher judiciary. At a time when policymakers are deeply concerned about the image of the country, they must acknowledge that every person has the right to be treated with dignity and only in accordance with the law. They ought to ensure that egregious violation of human rights, such as custodial torture, no longer takes place. There is also the need for impartial investigation into all allegations of custodial torture to hold the perpetrators to account. There is an urgent need for an unambiguous political commitment at the highest level of the government to not tolerate torture and ill treatment under any circumstances or against any person.

In the past, demands have been made by vested quarters to amend the TCD (Prevention) Act and weaken its efficacy. The government must remain resolute and commit that it has no intention of limiting the applicability of the said Act and ensure that the Act is applicable to all forces. It must also commit that all officials engaged in acts of torture and ill treatment will be prosecuted and punished with penalties commensurate to the crime of torture – including those with superior or command responsibility – and that measures will be taken to ensure that confessions obtained from criminal suspects through torture or ill treatment are not accepted as evidence of guilt. There is also the need for the collection of systematic statistical data on the implementation of the TCD (Prevention) Act on the number of complaints, investigations, prosecutions, and trials and convictions.

Can air pollution affect our mental health?

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It is common knowledge that mental health issues can be products of a number of complex and often interconnected issues, ranging from traumatic events, intrusive thoughts, abusive environments, unhealthy relationships, and even spending too much time on social media. A lot of people, however, aren't aware of the fact that air quality can also affect our mental wellbeing.

The studies have confirmed that air pollution can lead to cardiovascular, respiratory, and neurovascular diseases. Examples include lung cancer, stroke, chronic obstructive pulmonary disease (COPD), and pneumonia. When it comes to mental

illnesses, however, recent research has shown that air pollution and depression share a strong link. Air pollutants (specifically, particulate matter) are said to increase oxidative stress and inflammation in the brain which can further lead to depression. Additionally, a cross-sectional study in the *International Journal of Hygiene and Environmental Health* has revealed that for each 10 $\mu\text{g}/\text{m}^3$ increase in the nitric oxide level, the rate of depression would be twice as high. Multiple studies have also found that women who become exposed to particulate matter during pregnancy (or even after they give birth) are at a higher risk of becoming depressed.

Additionally, research has also linked prenatal exposure to particulate matter (including traffic-related air pollution) with increased anxiety in children of 6 to 7 years.

Although limited studies have explored the connection between anxiety and air pollution, the results show that both short- and long-term

exposure to particulate matter can result in symptoms of anxiety. One study in the journal *Toxicological Sciences* found that air pollution contributes to heightened stress cortisol levels, which leads to anxiety. Another study found that people who were exposed to air pollution caused by traffic during early childhood are at a greater risk of developing anxiety later on.

Suicide ideation and deaths by suicide were also found to be associated with air pollution. In a case crossover analysis from 2018 that investigated the link between suicide and air pollutants in 10 large cities in Japan, South Korea, and Taiwan, researchers found that higher levels of nitrogen oxide, sulfide dioxide, and particulate matters were associated with higher risks of suicide. A US study of 1,546 completed suicides in Salt Lake County, Utah also found that single day and cumulative exposure to particulate matter and nitrogen dioxide was associated with an increased risk of suicide.

It must be noted, however, that suicide is very complicated. Several factors (such as genetics, lifestyle choices, and mental health conditions) typically have to play a role before an individual falls victim to suicide. Environmental factors alone don't cause people to contemplate suicide or go through with it.

Nevertheless, the immediate attention of the Bangladeshi government should be drawn to the seriousness of this matter because Bangladesh has been ranked first for having the worst air quality multiple times. A 2013 study titled "Air pollution by Fine Particulate Matter in Bangladesh," published in *Atmospheric Pollution Research*, supports this claim as it was revealed that high concentrations of particulate matter were found in Dhaka. Hence, it is very possible that, along with other factors, such high levels of air pollution may be contributing to worsening the existing mental health conditions of Bangladeshi citizens.