

## Brick kiln for hills? Not really a choice

Authorities must step up efforts to protect hills from being ravaged

We need bricks to build and trees to breathe. We need development to ensure our progress as a nation, just as we need nature to ensure our survival as a species. Can there be a way for a seamless integration of these two needs? That, for a development-hungry Bangladesh, is a question that should be addressed urgently. What is beyond question, however, is that if it comes down to a choice between development and nature, it's not a choice, really. Nature should, and eventually will, always get the upper hand.

The reason we feel obligated to repeat this obvious truth is a front-page photo of *The Daily Star* that captures the pitfalls of our questionable development policy that allows for mindless destruction of nature. In the picture, you can see hills and trees being razed to make way for a brick kiln at the Lama upazila of Bandarban. You can also see rows of freshly baked bricks in the foreground, and a furnace emitting toxic fumes in the distance – a reminder that much has already been lost. These brick kilns are mostly responsible for the debilitating air pollution in the country. But more to the point, demolition of hills, be it on private land or on land owned by the government, is a punishable offence if done without the approval of the authorities concerned.

While the provision of such approvals is itself questionable, what is more worrying is that pictures of brick kilns destroying nature or polluting the environment have become quite common over the years. The drive to modernise brick kilns and make them environment friendly is evidently not getting enough traction. Part of the reason for that is the involvement of politically connected businessmen. We have recently seen how ruthless they can be when, in late December, a journalist was brutalised after he sought to collect information on illegal brick kilns at the Rangunia upazila of Chattogram. He was held by a local UP member at gunpoint, kept hostage for over an hour, and beaten repeatedly.

This is just an example of the length to which brick kiln owners can go to protect their interests, aided in no small part by the complicity or lack of response of the officials at the department of environment. As a 2021 study by Stanford University in the USA has shown, more than three-fourths of brick kilns in Bangladesh were illegally constructed within 1 kilometre of a school. These not only pollute the air and hurt local farmers, but also reduce life expectancy in general.

We must ask, is the unusually high demand for bricks – and development – making it impossible to control the proliferation of brick kilns? The authorities must take a critical look at their present development policy to address this issue. We need strong political will and a national policy to ensure sustainable, environment-friendly development in the country. But right now, the priority is to stop all illegal brick kilns, modernise this industry, and make sure those operating legally follow environmental rules at all times. The hills must be protected at any cost.

## Why this negligence in saving wildlife?

Authorities must punish those responsible for Rema-Kalenga wildfire

We are appalled by the news that dozens of wild animals were killed in a fire caused when the Hatimara Tea Garden in Habiganj's Chunarughat upazila set the trees ablaze on a land that it had leased, which then spread to a nearby forest. As well as wildlife, the fire also reportedly significantly damaged its flora. What's more shocking, the local administration was yet to intervene even three days after the incident. This raises concerns about whether the authorities concerned are really sincere about saving the wildlife in the area.

The Rema-Kalenga sanctuary, where the wildfire took place, is frequented by birdwatchers and wildlife enthusiasts from around the country. While visiting the area on Sunday, our correspondent saw charred bodies of capped langurs, barking deer, Indian civets, hilly mynas, squirrels, herons and countless other wild animals lying in different places of what was once their home. Locals reportedly buried many of them over the past three days. We cannot help but ask: Why was the fire allowed to spread to the forest? What's stopping the authorities concerned from taking appropriate action? Who will answer for what appears to be a case of premeditated wildlife culling?

There is no doubt that the responsibility to protect forests and their wildlife falls squarely on the government, but it also falls to a large extent on private actors using forested land or nearby areas. As such, if any private actor does something that harms the forests and their natural inhabitants, they must be brought to book to ensure that nothing like this is repeated in the future. Unfortunately, what happened at the Rema-Kalenga sanctuary shows how negligent both the state and private actors have been in performing their duties.

Forests and their wildlife are precious assets of our country. Bangladesh is duty-bound to end and reverse deforestation by 2030, according to a pledge signed by the government in COP26. Bangladesh has signed and ratified all important international biodiversity treaties, conventions, and accords. Our constitution expressly demands the protection and improvement of the environment, as well as the preservation of natural resources, biodiversity, wetlands, forests, and wildlife. The government, therefore, must take appropriate action to protect forests and their biodiversity and wildlife, including by stopping private actors like the Hatimara tea estate from setting forests ablaze.

It is time for us to reassess the strength of our state apparatuses in providing proper protection to the diverse flora and fauna of our country. We often see reports on deforestation, animal culling, and the leasing out of forest land to private enterprises that harm the environment. This should not be allowed to continue any longer. We urge the administration to stay alert and increase efforts to protect our natural resources, including hills and rivers that remain equally at risk of encroachment and undue interferences.

# Can a bureaucrat-heavy ACC really be independent?



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The Anti-Corruption Commission (ACC) was established with the vision of an independent institution with a specific legal mandate, based on the ACC Act of 2004, to effectively control and prevent corruption in Bangladesh. No law is perfect, nor is any institutional capacity ideal. Nevertheless, based on fairly close engagement with it since the early days of its establishment, and drawing upon successive research conducted over the years, it can be reasonably concluded that its legal and institutional structure provides the potential to deliver anti-corruption in Bangladesh with moderate success.

The reality, however, is quite different. There has always been a wide gap between the commission's potential and delivery, which can be attributed to a twin challenge faced from a very early stage. One, an endemic deficit of courage and commitment to deliver the mandate without fear or favour, and two, a long-nourished stranglehold of bureaucratic control.

The rationale behind creating the ACC – replacing the former Bureau of



VISUAL: TEENI AND TUNI

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Anti-Corruption (BAC), which used to be attached to the office of the head of the government – were the exact same factors of lack of operational independence and bureaucratic control.

However, the ACC started out as “old wine in new bottle” thanks to the absorption of almost all of the BAC staff into the commission, carrying the baggage of BAC's organisational culture and practices. Whereas, it was hoped that it would be run by fresh blood under the executive authority of commissioners, headed by a chair who would be appointed based on a proven track record of professional and personal excellence, integrity, courage and commitment, free from partisan or bureaucratic influence.

Under successive regimes, everything necessary was done to maintain bureaucratic control

through deputed officials at the senior management level and appointment of commissioners on the basis of partisan political choice. While governments have often treated it as part of themselves, the ACC itself has also operated largely as a government agency. Both have ignored the fact that, although set up by the government, the ACC's main job is to hold the government and its officials to account in case of allegations of corruption.

The ACC and the government have even been on common ground when it comes to curtailing the ACC's operational independence, especially with regard to investigating public officials alleged of corruption. The ACC, for instance, found no problem in the repeated attempts, as under the Public Service Act 2018, to create obligations for the ACC to seek prior government approval before taking into custody public officials for corruption investigations. This is despite the fact that this has been strongly protested by civil society, on the grounds that it is contradictory to the constitutional provision of equality of all before law.

Against this backdrop, an office order on the delegation of administrative and financial authority, issued on January 18, 2022, has sweepingly assigned to the commission Secretary – who is part of the government bureaucracy – some key elements of the ACC's executive power. This includes postings and

now be controlled by government bureaucracy, represented by the Secretary. In addition, the order includes a provision (chha/4) that transfers all powers of implementing section 16 of the ACC Act to the Secretary, which practically invalidates section 3(2) of the Act, which stipulates that the ACC is an independent and impartial organisation.

This set of decisions, if enforced, may be the final nail in the coffin of any prospect of independent and operational flexibility in investigations, the core function of the ACC. The law provides executive authority to the Chair and other Commissioners who function under the Chair's leadership. But now, this executive authority has been transferred from the Commission to the Secretary.

The secretary and most other senior officials of the ACC are deputed from the bureaucracy, who will now control its entire range of administrative and financial operations, including the investigation process. Even though they serve the ACC for the period of deputation, barring perhaps rare exceptions, their operational practices, allegiance and decisions are most likely to be plagued by conflict of interest and bias towards bureaucracy, which is against the letter and spirit of the vision and mission of the commission.

The question is, on what basis, process and logic did this delegation of authority take place? Did the commission consider lessons learnt

individuals, public representatives and officials?

The dismissal not only deepened concerns over the commission's decision-making being influenced by vested interests related to status and identity of relevant individuals, but also forced the investigation officials to resort to unprecedented moves, including organising a human chain to ensure job security.

If the move was prompted by this exposure of the ACC's internal governance deficits, including tensions between two categories of officials, deputed bureaucrats and investigation officials, it can only contribute to further tensions and more bureaucratic control undermining the authority of the chair and other commissioners.

The explanation provided as justification – that it is meant to follow the same model of delegation of authority as practiced in government offices – is a perfect example of denial of the vision of the ACC as an independent body outside government influence, and not a government institution. The prospect of its independence has visibly become so hostage to the bureaucratic stronghold, that the commission appears to have allowed itself to transform into the long-abandoned BAC model.

The office order of January 18 must be withdrawn without delay. The commission needs to demonstrate the courage and commitment to prevent itself from being shot in the foot.

## Global South summit could signal a shift in Indian foreign policy



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When India hosted the Voice of The Global South summit in virtual format featuring 125 developing countries on January 12-13, it immediately set tongues wagging about a possible shift in New Delhi's foreign policy priority. The speculation centred around whether India was returning to its decades-old ideological moorings of non-alignment of the Cold War era, or if India was trying to restore a balance in its foreign policy matrix – which in the last two decades understandably saw a shift towards political, economic and military engagements with the developed world and leading emerging countries post-Soviet Union collapse. The answer lies somewhere between the two.

India hosted the Global South summit a month after formally taking over the presidency of the powerful G20 group of key developed and developing countries. There was little doubt that

the Global South Summit, in the run up to the in-person G20 summit, to be hosted by India, was an attempt by New Delhi to assert its pole position as the lead voice of the South, to democratise the present international order, and focus on how the Global South is being adversely hit by global inequities. That India sought to be the undisputed face of the Global South came out most clearly when Prime Minister Narendra Modi, in his opening remarks at the summit, told leaders of developing countries that “your voice is India's voice” and “your priorities are India's priorities.”

Modi outlined the challenges before developing countries by pointing to the Covid-19 pandemic, and the rising prices of fuel fertiliser and food grains following the Russia-Ukraine conflict. He flagged the common issues facing the Global South and announced five new initiatives by India, two of which

pertain to two key areas of the Global South – health and education.

One of the key speakers at the heads of government level of the summit was Bangladesh Prime Minister Sheikh Hasina, who stressed on the need for maintaining world peace and stability, a new paradigm to tackle inequality in sync with the SDGs, special financing for the most vulnerable nations, bridging digital divides, and ensuring that all human beings, including Myanmar's Rohingya refugees sheltered in Bangladesh, have equal rights to lead a decent life. It was astute on the part of PM Hasina to frame the Rohingya issue in the context of global human rights, given the international community's dithering over sorting out the issue by ensuring safe repatriation of refugees. The view that India might be falling back on non-alignment as a marker of its foreign policy is flawed for two reasons. First, global politics has changed since the breakup of the Soviet Union. Secondly, the ideological clash that had kept the world so sharply divided during the Cold War decades is virtually gone, and the division between the First, Second and Third World has been blurred to a great extent – at least politically, though not economically.

A big constraint of the non-aligned movement or the Group of 77

developing nations in the past was that the Cold War years had pushed them into an isolationist position. The most important takeaway from India's G20 presidency and the Global South summit is its intention to try to act as a bridge between developed and developing nations.

It was the first time that a G20 host country held a summit of the Global South, albeit virtually. However, there was no joint statement emerging from the summit reflecting their common concerns and positions. This absence apparently signals divergence among the Global South on certain issues, which underline the need for customised solutions rather than a one-size-fits-all approach.

India's consistent call for reformed multilateralism, including that of the UN, and its presidency of the G20 could potentially set the stage for a move away from the stalemate of geopolitical differences, and work towards a global decision-making forum that ensures better representation. Many feel that a key reason why the UN has failed to address global problems is that it has not reflected the reality of the changing aspirations of developing countries. Summits like this one could thus become a part of much-needed change.