

## Bangladesh-Japan relations on the right track

Greater Japanese investment vital in achieving our development goals

We are delighted by the increasing prospect of Japanese investors coming to Bangladesh. Over the years, the bilateral relation between the two countries has improved exponentially to the point where Japan is now one of our most integral partners. Last April, Japan's relationship with Bangladesh was upgraded to a "strategic" one from the previous comprehensive relationship, as recently emphasised by Japan's economy, trade and industry minister. As a number of Japanese companies are now looking to shift operations to various parts of Asia, the minister also said that Bangladesh has the potential to attract many of them, which would be a massive boon for investment here, and could lead to numerous added benefits such as increased job creations.

Japanese company Honda already opened its factory in Bangladesh some years ago. A Japanese information technology company, BJIT, has also started production in the country. We are, however, yet to see large-scale relocation of factories to Bangladesh, which will hopefully change once the Japan economic zone, being developed at Araihazar in Narayanganj, is complete. Additionally, the large scale infrastructure development that has been happening in Bangladesh should inspire more foreign businesses to set up shop here to take advantage of Bangladesh's competitive advantages.

In 2022, Bangladesh received more than \$100 million in investment from Japan, a record high, as the number of Japanese companies quadrupled in the country over the last decade. To take bilateral relations to the next level, both countries are now working to sign an Economic Partnership Agreement (EPA) to accelerate trade and investment. This, indeed, should be great news for all stakeholders.

However, in order to make the most of our growing economic and business relations, the Bangladesh government should conduct proper research and focus more on improving business conditions that can attract Japanese - and other - businesses to invest and conduct their manufacturing and operational activities out of Bangladesh. In terms of which sectors are showing the greatest promise, the Japanese side has already identified them. Now, it is up to our government to formulate policies in a way that can best compliment the growth of these sectors.

The decision by the Bangladesh government to set up a one-stop service centre for foreign businesses is expected to make life easier for them, and attract more of them. But there are still other ways for the government to further improve the overall business environment, and we hope that it will now shift its focus towards achieving those goals. But aside from the growing private investment, we hope to see even greater investment by the Japanese government in Bangladesh, so that the latter's goal of achieving rapid development and industrialisation can soon become a reality.

## End the menace of throwaway plastic

Plastic pollution has reached an alarming level in Bangladesh

Bangladesh's plastic problem seems only to be growing, and growing uncontrollably fast. Over the last few years, we have had reports and images on plastic pollution almost on a daily basis. On Monday, *The Daily Star* also published a photograph with a tell-all caption that underscores the severity of the problem. It captures the confluence of three canals in the Mughalpara area of Dhaka which is barely recognisable amidst a sea of garbage including used plastic bottles and polythene bags dumped there by the residents. The extent of waste accumulation is quite staggering, reducing the connecting waterways - Khilgaon-Basabo canal, Jirani canal, and Manda canal - to a mere semblance of their former selves.

It is evident that these canals, which once played a vital role in supporting biodiversity and providing relief to local communities, have turned into veritable dumping grounds, their water struggling to flow through the labyrinth of plastic waste and discarded refuse. Everything about the photo strikes a chord of despair. This is not just the result of improper waste disposal but also of unmitigated plastic production and consumption, which has emerged as the biggest threat to our environment in recent years.

It is not that Bangladesh has not attempted to curb the spread of these non-biodegradable products. The country's polythene ban in 2002 was heralded as a landmark decision, and latter embargos on single-use plastics also gave hope that the plastic menace could be curbed to a satisfactory extent. There are also regulations about waste disposal, although proper infrastructure is yet to be widely available in Dhaka. In hindsight, however, lack of legal tools was never a problem for us. It is the enforcement of such laws and prohibitions that has proved to be a daunting challenge, rendering them quite meaningless. Lack of enforcement and compliance has also rendered irreversible damage to our ecosystems and the health and well-being of our people, and the photo serves as a testimony to that.

We must put an end to this trend. Several things must happen simultaneously for us to be successful: we must limit production and consumption of plastic products, recycle or treat plastic waste before it lands in our water sources, build necessary infrastructure for waste disposal, and raise public awareness about proper waste disposal. The fact is, the level that plastic pollution in the country has reached should worry everyone. The authorities, therefore, must take more stringent measures to enforce the polythene ban, while also promoting sustainable alternatives and recycling initiatives. Community involvement is also vital to foster responsible waste management practices and protect our environment and natural resources.

# EDITORIAL

## Why the reluctance to rethink police powers?



Anupoma Joyeeta Joyee  
is a barrister at law.

ANUPOMA JOYEETA JOYEE

Twenty-four years was an entire lifetime for Shamim Reza Rubel. On July 23, 1998, Rubel was picked up by plainclothes DB (Detective Branch) members of police on suspicion of possessing illegal weapons. Faced with brutal torture by the police, he made a forced confession and ultimately died of haemorrhage and shock due to severe beating. On July 13, 25 years after Rubel's death, the Appellate Division of the Supreme Court once again upheld the guidelines to stop the arbitrary arrests made by police based on suspicion and the torture of the accused in police custody. The court first provided these guidelines in 2003 to ensure the rights of the accused persons in custody - and the government has been opposing them ever since.

Following Rubel's death in 1998, rights organisation BLAST filed a writ petition challenging (i) the arbitrary arrests of people on the basis of suspicion and (ii) the torture of the accused in police custody to obtain confession. The petitioners argued that these two discretionary powers of the police go against the fundamental constitutional rights of the accused. In response to that writ, the High Court delivered the momentous verdict in 2003 barring law enforcers from arbitrarily arresting people based on suspicion and simultaneously provided a set of 15 directives, while declaring that sections 54 and 167 of the Code of Criminal Procedure 1898 (CrPC) were inconsistent with the Constitution. Even after two decades, the parliament has not amended these provisions.

The court's directives set out the approach that the law enforcement and judiciary should follow after the arrest of an accused. The judgment was impressive and bold; it went on to define the extent of reasonableness of suspicion that was required before the police could arrest someone, necessitated the police officer to disclose their identity, and directed the police to inform the relatives of the accused within one hour of bringing the accused to the police station.

The BNP-led government filed an appeal against this judgment at the time. However, in 2016, the Appellate Division dismissed that appeal and upheld its own directives, barring police from arresting citizens on suspicion of crime. The AL-led government in 2017 again filed a petition seeking review of the Appellate Court's judgment. On July 13 this year, the judiciary



ILLUSTRATION: BIPLOB CHAKROBORTY

upheld the directives for the third time. It's interesting to note that the two political parties which can never agree on anything could converge on the wish to arrest a citizen based on the mere suspicion of a crime. After all, silencing dissenting voices would be of interest to anybody in power, regardless of their political ideology.

In 2016, after the High Court had dismissed the government's appeal, Law Minister Anisul Huq stated that he found it hard to call Section 54 "bad" and that whether an emergency provision like Section 54 is good or bad depends on its application.

Section 54 allows the police to arrest a person without a warrant under nine circumstances, the most common one being if the police have reasonable suspicion that the person has committed a cognisable offence (type of offence where police can make arrests without needing the court's approval). "Reasonable suspicion" has not been defined in the CrPC, and so over the years it has been misused to construe everything from undefined guesses to imaginative whims and has been weaponised to harass, intimidate, and silence dissenting voices who do

power that must only be exercised based on credible and well-founded information implicating the accused person in a crime. However, it is no secret that such return to custody is now more synonymous to brutal police torture than interrogation. Considering that the mass outlook of how these legal provisions are applied is remarkably negative, it is in fact hard not to call them fundamentally "bad."

At this juncture, I am interested to know exactly what the impediment is in requiring the police to maintain a higher standard in practicing their power. If I get caught by the police on suspicion of a crime, why should my family not be informed? Why should I not be allowed to access a lawyer? In opposing the directives, the government has presented numerous logic over the years to the court. One of these is that notorious terrorists could take advantage of these directives. Come to think of it, this possibility exists in every country in the world, but it does not mean that they do away with the fundamental Constitutional rights of the citizens. If I assume that the state has been opposing these directives with the utmost good intentions of

requiring the police to work based on knowledge, fact, and reason instead of mere unfounded suspicion cannot be too much to ask for.

The most ludicrous justification from the government's side is that these directives are not "proper due to the socioeconomic conditions of the country." Are we to assume that the mass population of Bangladesh is too poor to deserve such "progressive" rights? The directives reflect a civilised approach and are proportional for dealing with someone who has been arrested on nothing more than suspicion and is proclaimed to be innocent in the eyes of law. The court has humanised the accused by allowing them rights and respect.

The extreme delay in the non-implementation of the directives is alarming. Twenty years have gone by and citizens continue to get arrested and tortured in police custody, while the state has been delaying a fair solution by initiating one appeal after the other. Now that the judiciary has given its final word, perhaps we can expect a reluctant step forward by the Parliament, even if it's merely for the optics.

### WORLD DROWNING PREVENTION DAY

## A neglected national crisis



Dr Edris Alam teaches in the Department of Geography and Environmental Studies at the University of Chittagong, Bangladesh. Email: edrisalam@cu.ac.bd

EDRIS ALAM

Drowning, although a relatively less-discussed cause of death, is a major global killer, particularly of children and young adults. According to the World Health Organization's (WHO) 2017 data, over 360,000 people die from drowning each year, with 90 percent of the deaths occurring in low- and middle-income countries. Alarmingly, it is the third major cause of death worldwide for children aged between five and 14 years, even more than deaths from congenital anomalies, leukaemia, lower respiratory infections, epilepsy, dengue, and meningitis. Globally, the highest drowning rates are among children aged one to four years, followed by children aged five to nine years. Drowning deaths can be prevented by undertaking programmes and policies that address known risk factors. However, this is still nascent in many developing countries, including Bangladesh.

According to the Health and Injury

Survey (BHIS) survey conducted in 2016, every year at least 14,438 children (0-17 years) die from drowning. This translates to 43 child deaths from drowning per day. For young children, all water receptacles (be it a bucket, bathtub, pond, or pool) could cause them to drown. A 2022 study by Hossain et al suggested that, in Bangladesh, around 80 percent of drowning deaths occur due to exposure to ponds, channels, buckets, and ditches within 20 metres of a victim's home. Six major reasons behind drowning deaths, according to WHO, are 1) lack of physical barriers between people and water; 2) lack of (or inadequate) supervision of young children; 3) uncovered or unprotected water supplies and lack of safe water crossings; 4) lack of water safety awareness and risky behaviour around water, such as swimming alone; 5) travelling on water, especially on overcrowded or poorly maintained vessels; and 6) flood disasters.

But a less-talked-about cause behind drowning can be parents' or communities' misconceptions regarding when or how drowning could happen to children. Some may feel that their children are immune to drowning because they are good parents, but without layers of protection, no child is safe from this tragedy. Even knowing how to swim may not be enough to protect a child against drowning, as falling into a water body alone makes for a very different situation than what the child has experienced during monitored swimming lessons in pools. Even indoors, it is crucial to keep an eye on younger children as they move fast and could easily get in a dangerous situation. One may also think that if their child does fall into a water body, they would be able to observe signs and rescue them. Unfortunately, drowning is a silent event, and drowning children usually cannot splash around, cry, or call out for help.

As such, the WHO also outlined six interventions to prevent child drownings: providing safe places away from water for preschool-aged children; installing barriers controlling access to water; providing children with swimming and water safety skills; building resilience and managing flood risks; training bystanders in safe rescue and resuscitation; and setting up and enforcing safe boating, shipping, and ferry regulations.

To implement these interventions

successfully, some strategies are needed, such as promoting multi-sectoral collaboration, strengthening public awareness of drowning through strategic communication, establishing a national water safety plan, and advancing drowning prevention through data collection and well-designed studies.

An injury and drowning prevention programme was implemented between 2006 and 2010 in three rural sub-districts namely Raiganj, Sherpur, and Manohardi, which found that community daycare centres (such as Anchal) and survival-oriented swimming lessons for children (such as SwimSafe) can be very cost-effective. The findings from several other pilot interventions also suggest that playpens and community creches are effective in preventing drowning in children under five years of age.

The government of Bangladesh has undertaken some drowning prevention actions in its recent child protection strategies. However, due to funding constraints, lack of logistics and other socio-cultural factors, it will take a long time to implement the aforementioned interventions and drowning prevention strategies countrywide. To this end, the cost-effective and voluntary activities outlined above need to be scaled up in partnership with local residents and other organisations including the government, NGOs, CBOs, and the private sector.