

Remove barriers to investment flow

Increased private, foreign investments key to our economic recovery

The steady development journey that Bangladesh has been on for more than a decade smoothed the path for the country to become a developing nation by 2026. This progress has come on the back of a consistent investment flow to different sectors, among other things. Unfortunately, Bangladesh has been struggling to expand its volume of private and foreign direct investment (FDI), a fact that has been again highlighted by the apex body of foreign investors in the country.

The Foreign Investors Chamber of Commerce and Industry (Ficci), which represents more than 200 investors, unveiled a book on Sunday that underscores how our existing tax system creates an unfavourable investment environment. According to Ficci, our tax system is not aligned with the global standards; in fact, our tax policies, although designed to support growth, are riddled with contradictory regulations, lack of clarity, ineffective tax incentives, lack of ease in resolving tax disputes, and a complicated process of claiming tax benefits. Then there is the inherent problem of corruption and bureaucratic complications.

All these work as deterrents against attracting new and retaining old investments, including FDI. Over the past six months in particular, investment flow has slowed down enough to raise an alarm among policymakers and the business community. The dollar crisis and an unstable political environment ahead of the general election are major challenges for investment growth as well. The overall situation casts a dark shadow on the state of our already struggling economy.

Time and again—especially since our economic growth hit a snag, thanks to some global events disrupting world economy as well as our inability to evolve and recover—experts have pointed out the need for a modernised and reformed tax system. Other developing economies are already ahead of us in that regard. They revised their tax frameworks to facilitate smooth investment flow. Our policymakers must take the hint and do what needs to be done to boost investors' confidence. Ficci has offered 29 recommendations that can be implemented over short, medium and long terms to improve our investment environment and expand its scopes; our government can use those as a guideline.

Investment, especially FDI, drives economic growth and, by extension, job creation, higher incomes and better standards of living. To help our economy to overcome the current crisis, boosting investment flow through prudent and timely policy changes is vital. We strongly urge the government to recognise that, and take prompt actions to get us back on track for recovery.

Will Khadija's ordeal end with her release?

The long shadow of DSA continues to haunt victims

We are relieved to know that, after an excruciatingly long wait, Jagannath University student Khadijatul Kubra has been finally granted permanent bail and released from jail. Khadija was arrested on August 27 last year, after police pressed charges against her in two cases under the Digital Security Act (DSA) in October 2020. Her "crime" was that she had hosted a Facebook webinar where a guest speaker apparently made "contentious" remarks. It should be noted that during her 14-month imprisonment, several of her bail pleas were rejected.

While we welcome her long-overdue release, we must ask: what was Khadija's fault in the first place? Who will answer for framing an underage girl—Khadija was 17 when she was sued—in a DSA case? Should a person be detained or jailed for merely holding a webinar? These are vital questions that need to be answered. Khadija has been granted bail for now, but the cases filed against her remain in place. That means she still has to continue her legal battle, if from outside jail, which may be no less agonising going forward.

Unfortunately, ever since the DSA came into being in 2018, a lot of people including journalists, government critics and human rights activists were harassed by the law. Their "crime," too, was expressing their opinion. Recently, the government passed the Cyber Security Act (CSA) replacing the DSA, but as legal experts and journalists have pointed out, beyond some changes in sentencing, almost all the controversial provisions of the law have been retained in the CSA, meaning that the threat to freedom of expression and independent journalism very much remains.

After being released from jail, Khadija has said that what she faced over 14 months in jail was an injustice and that she had committed no crime. This is not only sad but also unacceptable. We urge the higher authorities to withdraw the cases filed against her, take steps to address the grievances caused, and also repeal this draconian law—whatever name it carries—for good.

LETTERS TO THE EDITOR

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Healthy lifestyle in city designs

With rapid unplanned urbanisation in Bangladesh, particularly on the outskirts of major cities, maintaining a healthy lifestyle is becoming increasingly challenging. Bangladesh, like many other nations, is facing a growing risk of obesity. However, in urban areas, roads are not suitable for walking. Furthermore, unplanned towns and suburbs lack parks or open spaces. This issue affects everyone: from children who are deprived of space to play, to the elderly who are unable to engage in essential physical activities. I urge the authorities to take this concern seriously and do what's needed to promote healthy lifestyle in urban planning.

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We are heading towards another one-sided election



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On November 15, Chief Election Commissioner (CEC) Habibul Awal declared the schedule for the 12th parliamentary election, to be held on January 7, 2024. As scores of cases have been filed since October 28 and most of the BNP leaders are now either in jail or hiding, it is almost certain that the coming election will again be one-sided. The situation at the moment is fraught with serious concerns.

The first concern is that a one-sided election, without the participation of the main opposition and other major parties, may not even qualify as an election from the legal point of view. According to Black's Law Dictionary—used by legal professionals—election means the exercise of a choice, the act of choosing from several alternatives. If there is no choice, there is no election. However, the choice will have to be credible, and the people must be free and have fair opportunity to choose through voting. As Mahmudul Islam, in his book *Constitutional Law of Bangladesh*, argues, our "Constitution does not envisage anything else than free and fair election..." (Pg 973).

Let's use an example to clarify the issue of choice. The option of drinking a glass of tap water and a glass of mineral water does not offer a legitimate choice, as a rational person will not "elect" to have the tap water. The outcome here is predictable and, in a sense, predetermined. However, an option between a glass of mineral water and a glass of boiled water will offer a legitimate choice—as both are worthy candidates.

Likewise, in the real-life electoral arena, if voters are given the freedom to choose between candidates of Awami League and Trinamool BNP, or any other fringe party for that matter—not the real BNP—they are likely to reject Trinamool BNP, as they are not credible alternatives. Thus, if BNP, the main opposition party, does not participate, there will be a sham election on January 7. In absence of a "genuine election"—a term used in Article 21(3) of the Universal Declaration of Human Rights—the Election Commission (EC) will fail to meet its constitutional obligation to hold a free, fair and credible election.

The second concern relates to

the environment for holding a free and fair election. On October 25, the CEC himself acknowledged that the appropriate environment for an election was absent. Then the violence of October 28 occurred, leading to the police filing many cases, implicating thousands of BNP activists and arresting almost all its leaders, which completely tilted the playing field in favour of the ruling party. In this situation, most, if not all, potential BNP candidates will not be able to file nomination papers by November 30,



VISUAL: SALMAN SAKIB SHAHRYAR

even if they decide to participate in the upcoming election.

Yet, the EC declared the election schedule, ignoring the tilted electoral field, paving the way for a one-sided election and ensuring the continuation of the ruling party being in power. The highly partisan bureaucracy and law enforcement agencies will ensure that outcome. Again, with such an election, the Awal commission will not be able to meet its constitutional obligation to hold a free and fair election under Article 119(1)(b) of our constitution. Incidentally, it is surprising that the EC is totally mum about the cases and

centres under 103 constituencies, and 100 percent votes were cast to a single symbol in 587 polling centres under 75 constituencies. In addition, BNP received zero votes in 1,177 centres, Jatiya Party received zero votes in 3,388 centres, and even Awami League received zero votes in two centres, indicating that they were all cooked up numbers. These two controversial elections created a credibility crisis for the ruling party.

The fourth concern is about the Awal commission itself. Section 4(1) of The Chief Election Commissioner and Other Election Commissioner

sided election cannot be called an election in the legal sense, as there would not be any legitimate choice in absence of BNP's participation, and such an election will not help the EC meet its constitutional obligation to hold a free, fair and credible election. Since the Awal commission is appointed in violation of the law, the schedule it declared is questionable. Thus, the next election will not fulfil our constitutional commitment to a democratic Bangladesh; rather it will lead us, as a nation, to uncharted waters.

Cricket almost came full circle, but Australia had something to say



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Patterns are naturally appealing for human beings. For the cricket faithful, the final of the ICC Men's Cricket World Cup 2023 was full of promises of self-fulfilling patterns, of long-winded journeys coming to an end, of cricket's evolution now that one chapter could be closed. We almost got there, but in a delightful twist in this game of glorious uncertainties, it wasn't quite how everyone had imagined it.

Turn the clock back to 2003, when Sourav Ganguly's India found a brand of cricket that was starting to get them regular success. They went into the world cup final that year as clear underdogs. The mountain they needed to climb to become the best in the world was a belligerent Australia, led by Ricky Ponting. In a jam-packed Wanderers Stadium surrounded by a sea of India supporters, Australia proved why they were a cut above the Indians, not hesitating to break hearts in a thrashing that many Indian fans, to this day, are traumatised by.

Twenty years on, Australia and India faced off in yet another final, but a lot had changed. Australia had won two more world cups in between, India had taken one trophy as well, but the tides of cricket had turned. The change in Indian cricket that started with Sourav

Ganguly turned into a revolution under MS Dhoni, and India scaled to the top of world cricket. They became world T20 champions, reached the pinnacle of Test rankings, bagged a champion's trophy, and of course, a home world cup triumph in 2011. Coupled with the financial success of the IPL thereafter, India successfully became the new home of global cricket. They were the trendsetters, the favourites in every game they played, a juggernaut, a monolith that could only be overcome in an upset or, as it turned out, in knockout games.

For a while, India have had the habit of being heavy favourites to win every tournament because of the quality of their players, the depth of their squad, and the fact that with the backing of the richest board in world cricket, they are always well-prepared. But they lost knockout games and finals in ICC events in 2014, 2015, 2016, 2017, 2019, 2021, and 2022. Heading into the home world cup this year, this was the challenge. India would be the best prepared, most powerful team on paper, but this time they were supposed to break the curse of knockout games, and they would take every step necessary to ensure that.

Before pitch preparation could even

become an issue, India had already done enough to put themselves in the best position to win the semi-final and final of this world cup. A winning habit leads to more winning, and India had convincingly won every game they played in the tournament. All their batters were in form, their bowling was firing on all cylinders, and the fielding had always been sharp. The semi-

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final saw them falter a bit, but India outclassed New Zealand the same way they had outclassed everyone else, and a final awaited them. Win this, and India could draw a line under a sustained period of domination in world cricket. The battle off the field,

the commercial side of the game and the control of the administrative power within cricket had already been won. It was up to the team now to deliver on the stage that had been laid for them, in a purpose-built stadium in front of 100,000 people. The perfect opposition was put in front of them: the same Australians who had defeated them in 2003, arguably the beginning of this long journey.

But as we know by now, things have not worked out for India. They failed to perform at the big stage once more, and the story of India's complete domination over cricket is left unfinished. There were talks that the 50-over format itself would come to a natural conclusion, if India took home the crown, but the competitive spirit that defines Australian sports have shone through to make them the ultimate party crashers. Throughout this world cup, Australia had been weaving together a story of their own in the background. They lost their first two games against India and South Africa, but then went on to beat every other team in the tournament. They completed a full circle of their own by beating South Africa in the semifinal and India in the final.

Here's the thing though. In sports, narratives are everything. A group of men playing a silly game on a field only starts to matter when we attach weighty narratives to them. The Indian team's narrative is the one that has been amplified across our screens over the last month, or maybe even the last couple of years. But other teams play this game too. All Australia did was remind India that for once, not everything is about them.