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Stop the genocide of Palestinian civilians

No logic strong enough to forgo a permanent ceasefire

After seven days of truce, which offered a temporary respite to Palestinians from endless bombardment, Israeli airstrikes are pounding the Gaza Strip again, killing over 178 Palestinians since Friday. A spokesman for the Israeli Defense Forces (IDF) said they are "prepared for the next stage—Southern Gaza," where tens of thousands of people have fled for safety following IDF orders. We deeply condemn the resumption of this brutal campaign that has already killed over 15,000 Palestinian civilians, including more than 6,000 children.

During the pause, Hamas freed 110 captives, including 80 Israelis, and in exchange, Israel released 240 Palestinian prisoners. But even while it was in effect, at least 133 Palestinians were arrested from East Jerusalem and West Bank. When so-called pauses like this are morally hypocritical, and realistically too brief to ensure an iota of security, they reflect nothing more than meaningless diplomatic technicalities.

After Israel relaunched air strikes, the US once again reassured that it would avert civilian deaths. It did not. The US has unequivocally failed to exert influence over Israel's military offensive, oftentimes parroting the Israeli propaganda. A recent investigation by the +972 magazine has uncovered that Israel's current military policy loosened its criteria of civilian casualties, with hundreds of civilian deaths being considered as acceptable "collateral damage" for one Hamas leader. This calls for a critical rethink of the whole Israeli/Western narrative.

A pause, which allowed for a trickle of humanitarian aid into Gaza, cannot meet the ocean of needs of displaced, starved and wounded Palestinians. Critical infrastructure and UN facilities in Gaza have been crippled by fuel and supply shortages; the UN has warned that more people might die from diseases than bombs if the shattered hospital system is not restored. What justifies subjecting a population to this degree of brutality, depriving them of their basic rights to life?

The fact is that the Israeli government has used the racist "terrorist" label to mercilessly attack a population already under its occupation. Genocide experts have characterised its "war" as a "textbook case of genocide." The IDF's announcement to now target the South of the enclave reveals that they are, in fact, conducting an ethnic cleansing operation. It is incumbent upon the international community to not stand by and let this happen. It is time for a permanent ceasefire. It is time to slam the brakes on Israel and stop the genocide.

Rhetoric cannot hide CHT accord failures

Absence of political will is the main impediment

It is truly disheartening that even after 26 years since the Chittagong Hill Tracts Peace Accord was signed between the then Awami League government and the leaders of the Parbatya Chattogram Jana Sanghati Samiti (PCJSS), most of the key clauses have not been implemented. The government claims that they have fully implemented 65 of the 72 sections, while PCJSS says they have implemented only 25 sections, with 18 others being only partially implemented. So, what about the remaining 29 sections that have yet to see the light of day?

Over the last 26 years, the CHT has faced indiscriminate land grabbing, agricultural monoculture, devastating hill cutting, and stone extraction by private corporations as well as state bodies. The indigenous people face regular eviction with depleting land to grow food and live on. In addition, they face violence (including sexual violence against women and girls), with little or no legal recourse and the perpetrators enjoying impunity that is hardly challenged. Access to health and education is also very poor among these communities.

Recently, CHT civil society leaders and legal experts have been gravely concerned by legal proceedings to question the Chittagong Hill Tracts Regulation 1900, which provides for traditional indigenous institutions and upholds customary laws, conventions and practices relating to lands, territories, resources and the family laws of the indigenous communities. To invalidate the 1900 Regulation would be inconsistent with the spirit of the Accord.

Despite the partial implementation of certain clauses, such as the establishment of the CHT Affairs Ministry and regional councils, the fact is these bodies remain largely non-functional. The CHT Land Commission also remains non-operational as there are no regulations in line with the relevant act, with a draft of the rules formulated for the act still sitting with the ministry concerned. Other crucial steps that have yet to be taken for the Accord to be implemented include an exclusive voter list for permanent indigenous residents and enlisting members of the communities in the police force.

Despite multiple declarations in its manifestos, in the 15 years of the AL's rule, the Accord has remained largely unfulfilled. Will the government, which predictably will retain power after the upcoming elections, keep its promises to the indigenous communities of the CHT this time around?

LETTERS TO THE EDITOR

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Focus on smart education

With the advent of technology and new educational methodologies, it is vital to transition from certificate-based learning to holistic learning. Innovative education emphasises acquiring practical skills and knowledge directly pertinent to real-world circumstances. Today, numerous industries are undergoing accelerated change as a result of technological advances. But why are many not getting jobs? Because, among other reasons, they need more skills to meet the market's demands. That's why, we need to pursue "smart education" to help students gain a competitive edge in the market.

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The flipside of the democracy carnival

ON THE SHORES OF (IN) JUSTICE

Dr CR Abrar
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CR ABRAR

During his recent visit to New Delhi, the Bangladesh foreign secretary urged the concurrently accredited ambassadors to Bangladesh to send observers to monitor the election process in the country. At a press briefing, he said Bangladeshis have been eagerly waiting to rejoice in electoral festivities and take part in the democratic process of voting and electing the representatives of their choice.

While one cannot be certain of the extent to which New Delhi-based diplomats were convinced by the secretary's assurance, any discerning observer of Bangladeshi affairs would find such claims to be grossly out of sync with the ground realities of today's Bangladesh.

The incumbent government—with its persistent rejection of people's desire for free, fair, transparent and inclusive polls, and its high-handedness in dealing with political opposition and dissenting groups—has created an environment of fear, anxiety, and extreme insecurity for citizens.

The disruption of BNP's October 28 rally in Dhaka and the subsequent outbreak of violence nationwide have resulted in a sweeping and violent crackdown, involving mass arrests and incarceration of the top as well as grassroots BNP leaders. In many instances, cases against opposition activists were purportedly lodged without proper investigation, as the accused were subsequently found to be either dead, or in custody, or abroad at the time of committing the alleged act. The media and rights organisations stated that, since violence erupted, the prison population has boomed, and at least 16 people were killed and 5,500 injured. The sharply deteriorating situation centring freedom of expression and the systematic incapacitating of the opposition have led some UN experts to conclude that the situation is not conducive to holding credible elections.

To round up opposition leaders and activists, law enforcement agencies have launched combing operations in various parts of the country. This has led to immeasurable hardship befalling opposition supporters and their families. To avoid arrest, many activists were forced to flee homes. As securing shelter in relatives' houses may pose risk for the latter, some were forced to spend nights under the open sky. The image of an activist spending the night in a mosquito net hung in a paddy field aptly stresses on their plight.

The collusion of supporters of the ruling party and its front organisations with the law enforcement agencies has

reached a new scale. News reports on ruling party activists, particularly from its student and youth wings, physically assaulting, detaining and handing over opposition activists to police have been rife. In one instance, they even handcuffed the victims before such a handover. Likewise, umpteen images and footage in print, electronic and social media have highlighted the disinterest and inaction of law enforcers in apprehending perpetrators of vandalism and arson. This has given rise to speculations about who really were behind these attacks and who got to benefit from their fallout. News reports and social media footage have further

chairpersons were taken to custody when police failed to arrest the latter. The younger brother of a foreign affairs committee member of the party was placed under a five-day remand as the latter was absconding from his home when police arrived. In another case, the father-in-law of Narayanganj branch convener of one of BNP's front organisations was taken to custody. Days later, when two of the detainee's sons went to deliver medication to their father in prison, they were also arrested on charges of vandalising vehicles. The BNP has claimed that in at least 25 cases, relatives of party members were taken to custody when police failed to apprehend them.

The filing of cases against "unknown persons" following real or fabricated incidents has become another preferred method of harassing opposition activists. Thousands of them have to bear the burden of spending several days of the week to attend court dates. In addition to subjecting them to financial and emotional stresses, it also takes a toll

BNP activists in the recent period has been viewed as "absolutely unnatural" by jurist Shahdeen Malik.

In several instances, courts have convicted and sentenced people who passed away or involuntarily disappeared years ago. Following an incident on July 18 this year in Dhaka's Mirpur area, a case was registered with Darus Salam police station. Along with 618 others, two persons were convicted, both of whom had died years ago. In another case, the convicted person had died four years ago, while two others remained involuntarily disappeared for eight to 10 years. Such erroneous prosecution, leading to wrongful conviction, speaks volumes about the state of law enforcement and criminal justice system of the country.

Allegations of mistreating injured opposition activists in healthcare facilities have also surfaced. According to hospital authorities, eight of 11 under-treatment patients of a private health clinic in Cumilla were evicted allegedly by plainclothes members of a law enforcement agency. In another



There's a widespread allegation that in their effort to nab opposition activists, police have failed to follow due procedure.

PHOTO: AMRAN HOSSAIN

established this point, showing ruling party loyalists guiding law enforcers to the homes of opposition activists.

There's a widespread allegation that in their effort to nab opposition activists, police have failed to follow due procedure. In many instances, family members of those detained have claimed that police failed to produce warrants. Allegations of verbal abuse and physical mistreatment of the accused and family members were also made. Law enforcers' reported call to residents of various localities to report the arrival and movement of newcomers, and police's periodic search of vehicles, hotels and hostels for opposition activists, are in gross violation of the constitutionally guaranteed right to freedom of movement.

A new law was reached when law enforcers began arresting relatives of those whom they failed to apprehend. A nephew and son of two BNP vice

on their livelihood.

The October-November period was also marked by rushed judicial proceedings against opposition members, which in many instances led to convictions and sentencing in absentia. Hundreds of BNP loyalists were convicted and sentenced in the final weeks of November in various courts of the country on charges of torching of vehicles, vandalism, attacking police and impeding police work. BNP has claimed that such hastily concluded trials are premeditated and yet another ploy to deny party leaders and activists the chance to take part in the national polls. As per the law, if anyone is sentenced to jail for two years or more, they stand barred from contesting polls for the duration as well as additional five years. As the national average rate of conviction is 20 percent for criminal cases, the inordinately high rate of conviction of

instance, the photo of an opposition activist lying on the floor of Jashore hospital in bar fetters and handcuffs went viral on social media. When its attention was drawn, a High Court bench noted only heinous criminals including the militants are usually kept in bar fetters.

Bereft of the basic rights to assemble and express, let alone protest, the people of Bangladesh are currently bearing the brunt of the coercive apparatuses of the state. They are fearful of losing their most prized possession as citizens—the right to franchise. The festive mood that once accompanied national polls has been replaced by a feeling of alienation and cynicism. It is time the political leadership paid heed to people's demand for free, fair, participatory and inclusive elections, adhering to Article 7.1 of the constitution that says: "All powers in the Republic belong to the people..."

16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE

Online violence against women is real violence



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The campaign for 16 Days of Activism Against Gender-Based Violence this year encourages citizens to share the actions they are taking to create a world free from violence towards women. But what is being done about the online misogyny and violence encountered by gender justice activists, individuals, and organisations fighting for women's rights and creating awareness online? Do our laws, the state, and its citizens consider an action to be gender-based violence only when it results in physical harm, rape, sexual assault, murder, or something severe?

Every day, women of all ages and socioeconomic backgrounds become victims of online harassment and abuse in the form of trolling, bullying, hacking, cyber pornography, etc. Although there is no nationally representative data on victims of online gender-based violence, according to Police Cyber Support for Women, 8,715 women reported being subjected to hacking, impersonation, and online sexual harassment from January to November 2022.

Although UN Women recognises technology-facilitated gender-based

violence, Bangladeshi laws and law enforcement agencies have largely overlooked online gender-based violence by not recognising it as "violence" and not having proper legal remedies to counter it.

First of all, there are controversies and confusion among both lawyers and law enforcement agencies about which law—the Pornography Control Act 2012, Women and Children Repression Prevention Act 2000, or the much-debated Cyber Security Act (CSA) 2023—to use when dealing with cases of online gender-based violence. On one hand, the Pornography Control Act 2012 can be used in cases where the victim's sexually explicit photos or digitally manipulated images are shared online. However, online gender-based violence is not only limited to cyber pornography. Online trolling, bullying, and hate speech ranging from misogynistic comments to rape and death threats have the ability to devastate women's lives. Yet, no law directly addresses such violence.

One can argue that there are certain provisions related to the transmission and publication of

offensive, false, threatening, and defamatory information in Sections 24, 25, 26, and 29 of the CSA, which have the potential to be used as a protective tool for women and children online. But to what extent these provisions will be effective remains a question, especially because they do not explicitly mention the protection of women, children, and minority populations. Victims of online gender-based violence are also confronted with the added burden of deciding whether to file a case at their nearby police station, the designated cybercrime unit of police, with Rab, or contact a lawyer to file a case directly at the court.

Secondly, lack of technical knowledge about cybersecurity leads to difficulties and delays in the implementation of legal actions. When victims lodge complaints, the police ask for the online link to the hate speech, threat, or pornographic content, which is sometimes difficult for victims to provide. The police sometimes ask for a physical crime scene location, name, and address of the perpetrator in order to file a case, but these crimes take place online and perpetrators are often unknown to the victims.

Finally, social norms and the stigma around gender-based violence play an integral role in hindering the pursuit of justice, as women have to face a myriad of uncomfortable questions—bordering on character assassination—while seeking justice for online gender-based violence.

Despite the overall grim reality of online gender-based violence, a month and a half after the CSA was passed, six cases were filed by women in the Cyber Security Tribunal (against hacking and cyber harassment through the spread of manipulated images). Still, there is a long way to go if we want to protect women and gender justice activists from cyber abuse, which is fueled by decontextualised religious and cultural narratives of "ideal women" who never vocalise the violation of their rights. According to BLAST's review of the recent CSA, the defamation clause in Section 29 can exacerbate the malicious prosecution of women who voice their grievances, abuse, or harassment through online support groups. Without protective mechanisms in place, laws on defamation—and even the CSA—can be a double-edged sword for victims who are speaking out about their sexual abuse.

Immediate action in response to reports of online gender-based violence is imperative to ensure the safety and dignity of women and gender justice activists online. Coordination between law enforcement agencies and cybercrime helplines or NGOs working for women's safety in the digital space is of vital importance. The pleas of women victims of cybercrimes must not be overlooked by the state as a minor "online nuisance." Online gender-based violence must be recognised as a serious form of violence.