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FOUNDER EDITOR: LATE S. M. ALI

Do human rights exist only to be trampled?

Governments must make sincere commitments to uphold them

It is ironic and disillusioning that the 75th anniversary of Human Rights Day comes at a time when the human rights record all over the globe is abysmal. The most stark example of this is the merciless and disproportionate military retaliation by Israel for Hamas's October 7 attack that left 1,200 Israelis dead. So far, Israel's relentless bombardment before and after the few days of truce has already killed more than 17,000 Palestinians, more than 7,000 of them children, while maiming thousands of others. What has been most shocking is the unwavering support of the western world, particularly the US and the UK, for Israel's blatant violation of international laws and human rights, allowing Israel to carry on with its genocidal operations.

The rise of far rightist, ultra-nationalist movements around the world is a major factor in the increase in human rights violations. In South Asia, grave violations of human rights continue. In Pakistan, human rights organisations have reported enforced disappearances, torture, crackdown on peaceful protests, attacks on journalists and violence against religious minorities and other marginalised groups. In India, the rise of religious-based nationalism has severely curtailed the rights of minority communities with many instances of violent attacks as well as clamping down on freedom of speech and expression.

Bangladesh, too, has had a damning human rights record. What is most disappointing is the government's characteristic response to reports from human rights organisations—staunch denial. But the ground realities prove otherwise. The human rights violations in the Chattogram Hill Tracts (CHT), the choking of freedom of speech with draconian laws like the Digital Security Act (now changed to the Cyber Security Act, with merely cosmetic changes), custodial torture and death, curbing of independent media, arbitrary arrests and slapping of innumerable cases on opposition party leaders (including "ghost cases"), and preventing peaceful assembly, have been allowed to continue. The politicisation of law enforcement agencies as well as an implicit carte blanche to the political elite, have resulted in a significant rise in these violations where the ordinary people or those who are not connected to power, are the victims. Violence against women and children (that includes sexual violence) in Bangladesh this year has also been very high.

This year's theme for Human Rights Day is "Freedom, Equality and Justice for All". What we are witnessing in Gaza is a grotesque parody of this theme where the western powers, which so proudly champions human rights elsewhere, have pathetically failed to play their expected role. Governments all over the world must acknowledge the violations occurring under their reign and make sincere commitments to uphold The Universal Declaration of Human Rights which is a common standard of rights every human being is entitled to.

Jolting inefficiency of Meteorological Department

Accurate seismic data essential to emergency earthquake response

Bangladesh has been experiencing an unsettling surge in seismic activity this year, with nearly 100 earthquakes recorded, including five with a magnitude of 5 or higher. Unfortunately, as highlighted by a recent report by this daily, those tasked with monitoring and interpreting the seismic activities in the country are woefully ill-equipped to do so.

It is disconcerting to note that the Bangladesh Meteorological Department (BMD), responsible for monitoring and interpreting seismic activities, operates with a manual system that is not only cumbersome but also results in a 20-minute delay in disseminating critical earthquake details to the public. In fact, in most cases, the BMD publishes the data after the United States Geological Survey (USGS) makes the information public.

Not only does the BMD not have the necessary software needed to streamline the process and provide immediate and accurate information, especially regarding the earthquake's depth, it also lacks the manpower to monitor and interpret seismic activity. Shockingly, there are no seismologists or geologists at the center, apparently because there were no such posts in the organogram of the organisation created in 1984. A revised organogram has reportedly been submitted to the Cabinet Division, but it is inconceivable that the institution could not revise it over the past 40 years. Meanwhile, with only two officials at the Seismic Observatory and Research Centre, round-the-clock monitoring is impossible. The failure to conduct any research activities since the center's inception in 2007 is a clear indication of the manpower crisis as well as the department's priorities.

A comparison reveals that neighbouring countries such as India, Nepal, Sri Lanka, and Pakistan have separate seismic centers equipped with automated machines and messaging systems. The contrast in technological advancement and efficiency underscores the urgency for Bangladesh to embrace modernisation in earthquake monitoring. Despite all the claims of digitalisation, why is our national meteorological department lagging so far behind?

The call for automation is not merely an efficiency measure; it is a necessity for rapid, accurate, and continuous earthquake monitoring. Bangladesh must prioritise the implementation of automated earthquake detection systems. This involves investing in technology, increasing manpower, and collaborating with academic institutions to ensure a robust and efficient seismic monitoring framework. The safety and resilience of the nation depend on the ability to swiftly and accurately respond to seismic threats.

We must raise our voice against injustice everywhere at once



Kamal Ahmed is an independent journalist. His X handle is @ahmedkhal

KAMAL AHMED

It's ironic that the 75th anniversary of two international instruments—the Universal Declaration of Human Rights (UDHR) and the UN Genocide Convention—is being observed when the world is witnessing the killing spree on and forced displacement of Palestinians via Israel's military operation. This is the worst attack on Palestinians since the one that took place during the creation of the Jewish state, which Palestinians call Nakba (or, catastrophe). The creation of Israel resulted in the expulsion of at least 750,000 Palestinians from their homes and 78 percent of historic Palestine being overtaken. The remaining 22 percent was divided into what are now the occupied West Bank and the besieged Gaza Strip. After 75 years, it's being feared that now, three times more Palestinians will be driven out from Gaza.

The human rights declaration was approved by the UN General Assembly on December 10, 1948, a day after the Genocide Convention (the first human rights treaty) was adopted by the UNGA. Both these instruments signified the international community's commitment to "never again" allow the atrocities committed during the Second World War to be replicated. But witnessing the atrocities unleashed on Palestinian civilians at present, who can believe in the existence of any such commitment?

It is especially depressing to see that the two major world powers—the United States and the United Kingdom—still refuse to vote for a ceasefire and end this mass slaughter, despite the fact that Israel's response to Hamas' October 7 attack is hugely disproportionate and one-sided. Israel's response has been described by UN Secretary General Antonio Guterres as a "humanitarian nightmare [that] has engulfed the people of Gaza." Yet, the two main backers of Israel continue to repeat the mantra of its "right to self-defence"—countering Guterres' assertion that "the brutality perpetrated by Hamas can never justify the collective punishment of the Palestinian people."

Supporters of the ruling party try to discredit those of us who raise concerns about the appalling rights abuses in Bangladesh, alleging that we don't



The stacks of arrests of opposition activists on spurious and fictitious charges raise doubts among the citizenry regarding the value of constitutional guarantees.

PHOTO: AMRAN HOSSAIN

speak out about Palestinians' rights. Similar baseless allegations are also made against global rights groups. But the duties of a human rights defender include protesting injustice and abuse taking place anywhere in the world—be it by a major global power or by a national authority—and advocating for the protection of all irrespective of their race, religion, and nationality. Which is why speaking out against domestic human rights abuses cannot and should not wait until all other global injustices have been addressed. Rather, establishing rights at home can further embolden our resolve for global justice.

Looking back at Bangladesh's own increasingly alarming rights situation, we need to find an answer to the question of the rule of law. Our constitution has given us guarantees on quite a few fundamental rights and entrusted the judiciary—the Supreme Court in particular—to enforce them.

A History of the Constitution of Bangladesh, held at the School of Oriental and Asian Studies (SOAS) of the University of London, quite a few jurists expressed their concerns regarding the politicisation of the justice system and its lack of independence. Citing examples such as the year-and-a-half detention of Jagannath University student Khadijatul Kubra on charges under the controversial Digital Security Act, they opined that instead of ensuring her right to freedom of speech, the court had aided the executive authority to unnecessarily prolong her detention.

Another example cited was a decision by a High Court bench on a so-called public interest litigation seeking a ban on an *Al Jazeera* documentary titled "All the Prime Minister's Men," in which the court dismissed the petition on the ground of petitioners' lack of locus standi. However, it did issue a suo moto rule as "sons of the soil" and banned it. The speakers concluded that

serious offences? The highest court's inaction and apparent reluctance to enforce its own directives about remand and torture is another aspect which risks eroding our confidence in our legal system.

The stacks of arrests of opposition activists on spurious and fictitious charges; the unusual speed and number of trials of opposition politicians; and the lack of judicial intervention regarding the inhumane behaviour of law enforcement officials towards detainees (including keeping fetters on while the latter performed the last rites of close family members, or were undergoing treatment), raise doubts among the citizenry regarding the value of constitutional guarantees. Our judiciary needs to be proactive in its responsibility of "advancing freedom, equality, and justice for all." Otherwise, it's unlikely that the downward slide in Bangladesh's human rights situation will improve anytime soon.

'A violent crackdown during elections does not inspire voter confidence'

Meenakshi Ganguly, deputy director of Human Rights Watch's Asia Division, speaks to Ramisa Rob of The Daily Star on the violation of rights of activists and leaders of the opposition, abuses by state institutions, censorship and overall human rights situation in Bangladesh ahead of its upcoming national election.

How would you describe the human rights situation in Bangladesh?

The human rights situation in Bangladesh is extremely concerning due to the nation's steady slide towards authoritarianism. Bangladeshis have repeatedly been denied their right to safely choose their leaders due to fear of violence and a crackdown on the political opposition. The Awami League government has committed to socioeconomic welfare, but as the recent protests by garment workers has shown, there remain serious gaps in helping citizens cope with the rising cost of living. Meanwhile, the government has destroyed independent institutions, including the legal system, with partisan arrests and lack of accountability for abuses by authorities. There is also extreme intolerance for criticism, even in humour, against Prime Minister Sheikh Hasina, her family, and political supporters—all of which can lead to arbitrary arrests.

Is the legal system playing its due role in upholding human rights?

The Bangladeshi judicial system is under acute political pressure. The security forces commit abuses with impunity, and there is no effective justice mechanism to hold them accountable. On the other hand, in cases against those the government does not like, the prosecution does not even bother to present credible facts. Nor do judges uphold international standards by insisting on proper evidence, leading to serious allegations of "ghost trials." Independent observers of the trial of Adilur Rahman Khan

and Nasiruddin Elan, leaders of the human rights group Odhikar, found the proceedings unfair. After Khan and Elan's arrest, 39 organisations called on the government to quash their convictions, and those against other human rights defenders.

What should the government do to address the ongoing human rights violations?



Meenakshi Ganguly

The ruling Awami League needs to believe in the international standards that it had relied on while being the opposition, back when it was garnering support for democracy in Bangladesh. At that time, the current prime minister had criticised security forces for abuse and bias, and spoken out against her detention and ill-treatment in custody. She pledged that, once in office, she would end serious violations including torture, killings, arbitrary arrests, and enforced disappearances by security forces and would hold them to account. She repeatedly claimed the right to free speech. However, during

its three consecutive terms in office, her government seems to have done away with those same human rights principles.

Bangladesh's influential civil society has a long history, led by intellectuals, lawyers, academics, economists, and more. But instead of working with them for common good and addressing their criticism, the government often appears determined to crush dissent. The last two parliaments have had no opposition representation, which undermines democracy. The Awami League government seems to have lost the confidence required to win a fair fight, and continuously interferes with the election process.

As in the past, if there is a failure to hold credible, participatory elections, the new parliament in 2024 will once again lack proper representation. This will undermine democracy; and the government, since it will not be accountable to another party, may regress further towards authoritarianism and corruption.

How do you interpret the recent Universal Periodic Review and its assessment of Bangladesh?

Numerous member states raised concerns and made recommendations during Bangladesh's Universal Periodic Review. Unfortunately, Bangladesh has failed to act on these recommendations in the past, as well as others made by independent UN experts. The government is yet to implement the recommendations made by the United Nations Committee against Torture to end the widespread practice of torture

in the country. Nor has it accepted the offer from the UN to support an independent commission of inquiry into enforced disappearances by the country's security forces. Instead, the authorities continue to deny these serious violations with farcical claims, such as saying that those missing are in hiding voluntarily.

What's your take on the RMG workers' recent protests on minimum wage, and the violence that ensued?

The protesting workers have repeatedly said that they are unable to support their families because of the rising cost of living. Instead of cracking down on workers, who contribute so much to the Bangladesh economy, the authorities should focus on upholding labour rights, enforcing safety and security standards, and ensuring the right to assembly so that workers can collectively press for their rights. We find that the government has failed to properly prosecute perpetrators who target labour rights activists or union leaders.

Is there any prospect of a free and fair election come January?

It is crucial that the government ensures free, fair, and participatory polling. But the reality is that thousands of opposition leaders and supporters have been jailed. Tens of thousands have been implicated in various police cases. A violent crackdown during elections does not inspire voter confidence. In addition, there are serious allegations of fraud in previous elections, which make people distrust the process.