

'Human rights obligations are not an imposition from the outside'

UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression Irene Khan speaks with Sushmita S Preetha of The Daily Star about the recent general election, shrinking space for dissent, and the pressing need to address human rights concerns in Bangladesh.

How would you describe the election that was just held?

The recent election showed democracy in deep distress in this country. The polls were held in a very restrictive environment with a large number of political leaders and activists behind bars, high levels of violence, widespread voter intimidation and other electoral irregularities. For weeks, months and even years prior to these polls, fundamental freedoms have been under threat in Bangladesh. State institutions—including the judiciary, law enforcement, administrative and oversight bodies—have been captured by the ruling party. Freedom of expression has been curtailed by draconian laws. The judicial system has been used to harass journalists, human rights defenders and political activists. In all these ways, a situation was created in which the election could not have been fair and free. And, of course, the boycott by the main political opposition sealed the fate of the election. Everyone knew what the results were going to be. A lot of people felt there was no choice in the election and so no point in turning up to vote. They felt disempowered and excluded.

What are the implications for the nation of holding yet another election where people's choices didn't really matter?

The significance of a participatory, free and fair election is that it engages the electorate, not just with their chosen representatives but with the main issues that will determine the direction their country will take. It gives people voice and agency. When people can express their views without fear, when people feel informed and engaged, and can freely choose their representatives, then not just democracy, but also the development process of the country is strengthened by an empowered citizenry. Bangladesh is at a critical juncture in its development journey today, with many serious political, economic and social challenges ahead. If public debate is stifled, if diverse voices are not heard in parliament and in policymaking circles, if people feel unable—or are not motivated—to participate in public affairs, then, I fear,

both democracy and effective, sustainable development will suffer.

We are seeing a lot of voter apathy, particularly from the youth, who are disinterested and disengaged from the political process because they don't feel that politics has anything to offer anymore. How would this affect the country in the future?

One of the tragedies of this election is that not only was there low voter turnout—which is basically a message to the government that you are not listening to us, our votes don't count—but there was an even lower turnout of young people. Young people feel disconnected, disengaged and disillusioned with what is happening in the political scene, and see little prospects for a good future for themselves in this scenario. The younger generation is from where our future leaders will emerge; when the youth tune out and their political participation shrinks, it is a very bad sign for the future. Young people are leaving the country in droves. The better educated and wealthy ones are actively seeking out opportunities abroad, and the more talented they are, the faster they are being lured away. The poorer ones are paying traffickers and smugglers to leave the country illegally, at great risk to their own lives. The country is losing the best of its young people from both the top and the bottom of the social strata. The talent pool is shrinking, leaving those who are staying behind even more disheartened about their future. The disillusionment of the youth is something that I think the government needs to take very seriously.

Let's talk about the shrinking space for dissent and the free media in Bangladesh. Given the AL's track record over the past 15 years, what can we expect in the days to come?

From the perspective of my mandate as the UN's special rapporteur on freedom of opinion and expression, I am deeply concerned about the repression of dissent, the lack of space for diverse views or free flow of information, and the climate of fear that has led most media outlets to self-censor.



Irene Khan

PHOTO: STAR

The Digital Security Act (DSA) was used for many years to shut down any criticism of the government. People were locked up—some people even died while being detained in prison awaiting trial—for even the mildest of criticism, the mildest difference of views with those in power. There are 5,600 cases still pending under the DSA, although the law was repealed by the government last September. The government has introduced the new Cyber Security Act (CSA), which is very similar to the DSA. These laws—and the use of other laws, such as criminal libel—don't just stop the person who is charged, they actually have a far wider chilling effect, instilling fear in many others who also desist from expressing their views. Right now, many people are frustrated with the one-sided election. People are also anxious about the many serious economic and social problems in the country that need to be resolved. People are angry, they want their voices to be heard. They have the right to protest and express their views. These are human rights. The government should respect these rights.

How are we to read the international—including the UN's—reaction to the election?

The UN's message is quite straightforward: the elections have occurred in a context of massive human rights violations; a new government has been sworn into power; and the government must now ensure full and independent investigations into the human rights violations that have taken place in recent months and weeks in the lead up to the election, and bring the perpetrators to justice in fair, open trials. The government must uphold the human rights commitments that the state of Bangladesh has made. Human rights principles and obligations are not an imposition from outside powers. They are obligations that Bangladesh has accepted voluntarily as a sovereign state, and this government must live up to them.

Bangladesh has thus far refused to fully acknowledge and accept criticism about its human rights violations and take effective steps to address the concerns. What remain key areas that the government must address in the days to come?

The denial of something does not mean that it doesn't exist. One of the issues that I feel needs urgent action is ensuring the independence of the judiciary and respect for the rule of law. It is in the interest of the government to prioritise that. The government is keen to increase foreign investment. When there is no rule of law, how can there be more investment and effective economic development?

Where justice is not dispensed fairly, transparently and equally to all, how can there be public trust in the state or the government? The weaponisation of the legal system against human rights activists, political opponents, journalists or anyone speaking truth to power must end. I would also suggest that the government look urgently into the reform of law enforcement agencies.

The government must respect and protect the independence, freedom and diversity of the media. Media plays a very important role in emerging democracies—indeed, in all democratic societies—by bringing transparency and accountability, and encouraging public debate. Independent

media in this country has almost disappeared. There are only a few brave editors and journalists today in Bangladesh who are reporting as they see things, and they are under constant threat. Shutting them down will only increase international concern about Bangladesh, and increase public distrust in the country.

The government must expand and protect the space for civil society, not undermine it. In this country of all countries, we know the role that civil society, the ordinary people and communities have played in rebuilding the country from the ground up after 1971. The role that they played in the freedom movement, the role that they played again in overthrowing the military government, the role that they play every day in promoting progress at the community level and drawing to the attention of the authorities what is going wrong and how things can be improved—the government must recognise and respect that role.

Do you think civil society has done enough in the recent past to speak out against increasing authoritarianism?

Think of the Language Movement in the 1950s, think of the role the students played at that time that is now recognised the world over. That kind of social movement that this country has historically produced has been beaten down over the years because of the hostile attitude of successive governments to criticism from civil society. At every step today, civil society is being hindered from restrictions on foreign funding for NGOs to arrests and harassment of their leaders. When civil society calls for transformative change, it is seen as a threat. We have seen trade unionists shot dead, civil society leaders and human rights defenders harassed, arrested, attacked—many have left the country, some have retired or have decided to shut up rather than endanger themselves or their families. That is a big loss to the country. The new government has many big tasks ahead. It needs to work with all parts of society, and I hope it will recognise civil society, media and human rights defenders as important players with whom it should engage constructively.

All the 'skill talk' in university education

What to make of this new ritual of truth?



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MAHMUDUL H SUMON

A banner at the entrance hall of my faculty building caught my attention. It advertised an initiative for students' "skill" development. I wondered who these people were, and what gave them the conviction that they could help develop students' "skills." I also wondered what the assumption here was. Gradually, it occurred to me that there were many such projects, often organised by NGOs and platforms on education, that emphasised on "skills" and "relevant" education. What skills? Who decides what is relevant for our education system? As education insiders, do we get a chance to share our views on what our education needs to look like?

The matter did not stop with one banner here or a roundtable discussion there where "experts" talked about the need for skills-based education that Bangladesh lacked. There were often some references to various ranking systems and how public universities in Bangladesh lagged. I also found students and past graduates expressing grievances that they suffer in their jobs because, at the university, they haven't been taught this or that skill. Suddenly, it seemed as though this skill thing was a big issue, and everybody talked about it! How to explain this change of understanding when it comes to university education, where this "skill" talk is so much at the centre?

With the arrival of the World-Bank-backed quality enhancement project by the University Grants Commission (UGC), a discursive shift has been taking place on what constitutes Bangladesh's public universities. On March 17, 2009, the World Bank approved a \$81 million interest-free IDA credit to Bangladesh, designed to improve the "quality and relevance of teaching, learning and research" in the country's higher education institutions (my emphasis). The project, titled

Higher Education Quality Enhancement Project (HEQEP) was deemed to support innovation as well as accountability in Bangladeshi universities, and enhance the technical and institutional capacity of the country's tertiary education sector. The project's main component has been to improve the "quality" and "relevance" of the teaching and research environment in higher education institutions.

It is worthwhile to note that around the time when this initiative was being undertaken, the World Bank was all in

education enrolment rate as one of the lowest in the world, at six percent, facing significant "funding, quality, governance, and management" challenges.

With the World Bank-backed UGC HEQEP, coupled with other policy discourses on university education, it appears that a skills-based relevant education at the tertiary level is now the call of the hour. It gave rise to a new ritual of truth that favoured an education that talked in terms of productive use of manpower or saw university students as a product/raw material for the "competitive" world (read: neoliberal world). Some NGOs were seen to regularly organise policy discourse on what higher studies mean, how the university needs to be understood, or what to do with the large youth demography that the country was enjoying at the moment.

This shifting policy discourse poses a significant challenge in the way public universities have so far been imagined in Bangladesh as autonomous bodies

relevant education. Curiously, all this coincides with a surge in the number of public universities in Bangladesh.

In the Global North, the neoliberal transformation of higher education took place in the 1980s. In the US, state-run universities were turned into state-assisted universities during the 1960s, giving rise to what is often known as academic capitalism. Neoliberal universities have

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been forced to ally with the industry. Particular disciplines having higher industry relevance received priority, hence the importance of biomedicine or computer science. Social sciences and arts saw a decline throughout this period. University research agendas were also increasingly driven by corporations and the market.

As it transpires, a similar transformation is taking place in Bangladesh. The complexities of how to imagine our universities need to be seen in the light of the construction of new truths about what a university is. The current skill talk is part of that discourse. Public university administrators have been largely unaware of the politics and unwarily jumped to the suggestion that the universities needed "improvement." The situation that our public university system faces today is more complex because, unlike yesteryears, when the university enjoyed some form of autonomy, it is under frequent intervention from the government, rendering its theoretical autonomy obsolete in practice. In such a crossroads of discourses, a dialogue among all the stakeholders is of utmost importance.



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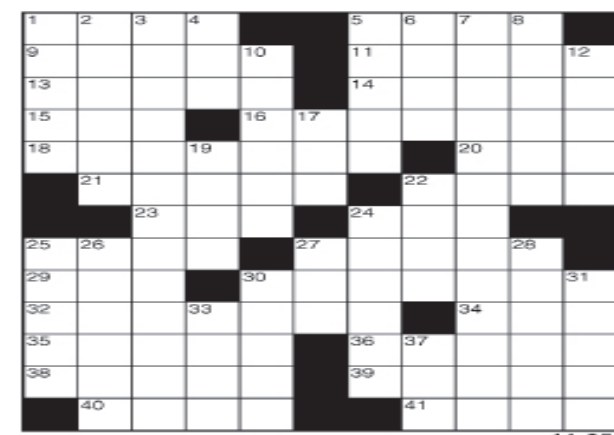
praise of Bangladesh's achievements in primary and secondary education—gross primary school enrolment rate around 90 percent, doubling of secondary enrolment since independence, gender parity, etc—but it did not concede "a similar progress" when it came to the country's higher education scene. On the contrary, it problematised Bangladesh's tertiary

receiving taxpayers' money. For the first time, faculties were required to write proposals for the department's infrastructure development. NGOs and private universities have been at the forefront of this discourse. It highlighted the problems the higher education institutions faced, making the suggestion that universities needed to emphasise

CROSSWORD

BY THOMAS JOSEPH

- ACROSS**
1 Grotto sound
5 Air pipe
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21 Virtuous one
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23 Reading and others: Abbr.
24 Cal. column
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40 Some bucks
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- DOWN**
1 German steel city
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- 7 Stocker of Knickknacks
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17 Fido or Fluffy
19 Rail or quail
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YESTERDAY'S ANSWERS



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