

'Border killings rooted in discrimination against the marginalised'

Kirity Roy, secretary of Banglar Manabadhikar Suraksha Mancha (MASUM), a rights organisation based in West Bengal, India, discusses the underlying issues behind border killings at the Bangladesh-India border in an exclusive interview with Naimul Alam Alvi of The Daily Star.

The Border Guard Bangladesh (BGB) and India's Border Security Force (BSF), along with the governments on both sides, have repeatedly pledged to reduce border killings to zero. But this goal remains unmet. Why is it so?

One of the primary reasons behind killings at the Bangladesh-India border is that the border guards of both countries are corrupt. Many BGB and BSF members profit from smuggling—be it human or cattle trafficking, or smuggling of other goods. Smugglers from both sides of the border pay money, and these individuals get their share. That's why they turn a blind eye to these things. In some cases, there is retaliation, which sometimes ends in border killings. But the people who get killed are just carriers; the kingpins remain out of reach.

The Constitution of India clearly says that the state will not discriminate among people, and there will be no discriminatory policies. But it seems that for India, it is accepted that there's a difference between the Bhutan or Nepal border and the Bangladesh border, based on how they are treated. There's no opposition to this state of affairs from the governmental level, and no political parties are concerned about this. So this issue persists.

Why is there a different attitude towards the Bangladesh-India border?

When the subcontinent became "independent" from the British, without being fully decolonised, they divided two countries according to the two-nation theory—that Hindus and Muslims are different. When India and Pakistan were born, they had a hostile, antagonistic attitude towards each other, which still exists and is even being nurtured by religious political parties. I'm not saying all Hindus or all Muslims are against each other, but there is enough of this kind of attitude between the two groups across the subcontinent. Since 1971, Bangladesh has not been a part of Pakistan, but it seems that this truth has not been processed by many individuals in the Indian foreign ministry, the military, and the BSF. The BSF was formed in 1965 as a result of the Indo-Pak war. So, there is an innate narrative that "Pakistan is our enemy," which has

turned into "Muslims are our enemy." This is projected towards Bangladesh as well.

The India that was promised in 1947 is not the same as the India of today. There is now a Hindu nationalist party in power. Similarly, the Bangladesh of 1971, which was secular, is not the same Bangladesh now. The Hindu nationalist party carries resentment for Muslims in general. Incidentally, Bangladesh happens to fall under that criterion.

Why do people cross the border illegally in the first place?

The 1947 Partition of the subcontinent, particularly Bengal, was carried out in a blatantly arbitrary and inconsiderate manner, the repercussions of which are still felt. The partition divided many families: there are families now on both sides of the border who have relatives on the other side. They have been and will continue to try to visit their relatives; you cannot restrict them with passports, visas or barbed-wire fences. There are many who don't have passports, or can't afford to get passports and visas easily. Still,

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they want to visit their relatives, or their ancestral homes, just like they have been doing for generations since before Partition.

In addition, people migrate in search of work, a better life, and better livelihood options. People have been doing this since before Partition, and even now after the borders have been armed with barbed wire. This kind of migration should be understood and handled considering the region's history and complexity, considering push factors and pull factors. It is



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the states' responsibility to focus on these factors, instead of taking action against these people.

From what I've seen, people living in the border areas, on both sides, are extremely marginalised. In India, the majority of people living in border regions are Muslims and Hindu Dalits—both religiously and socio-economically marginalised communities in the country. On your side of the border, too, there are Hindu Dalits, or Muslims from poor communities. And in both countries, border areas and these communities are not the focus of development.

For a better living, these marginalised people are forced to seek different ways to make a living. On the other hand, as I have said, smuggling is allowed and supported by different parts of the system—local politicians, government figures, and border guards. So, smuggling has become an attainable opportunity for these people. If you can just take some cows across the border, or throw a sack over the fence, there is money. The border guards will allow it, and even the police will guard you. But we have to understand that these people are not the kingpins of cross-border smuggling—they are just carriers.

You've commented on one of our reports that these are "systematic killings." Can you elaborate?

The BSF has firearms, but Indian law doesn't allow using firearms just because you have them. Still, they are using it against people crossing the border, and nobody's actually stopping them. Their primary argument for this is that they act in self-defence. More often than not, these stories of self-defence are found to be fabricated. It's true that in some cases the smugglers do attack the BSF. But in most cases, people who are carrying cows, sugar or gold across the border are not armed. Nevertheless, they are shot at.

On the other hand, our state police, local politicians, and BSF personnel get their share from the smugglers. So, this smuggling is supported by bigger players, but the people who carry the goods are actually victims.

Under criminal law, this migration may be considered a crime, but the fundamental human need to survive transcends such laws. The issue cannot be effectively solved with legislation like the Foreigners' Act or the Entry Act. Similarly, threats of imprisonment, and use of lethal weapons are inhumane and ineffective. When a state only considers its

political stance and doesn't prioritise the issues and benefits of its citizens, it enables negative impacts on people.

The justice delivery systems in both countries are still not modern. The British left decades ago, but we have not changed many colonial rules, systems and approaches to justice. The Indian Penal Code and the Police Regulations, Bengal have their origins in colonial rule. Your Police Act, too, has its roots there. We have our independence, but our judiciary system, law enforcement are not free, and we are not free from the colonial hangover.

How is this system affecting people in terms of human rights?

The focus of this conversation is on border killings and inhumane behaviour towards marginalised people in border areas, but people are treated badly in many ways. For instance, look at the prisons—there are many foreign captives in jankhalash cases. Among them, many were supposed to be freed and returned to their country many years ago. Many have been through trial, and the court has released them. But somehow their verification issued by the country of origin has not come yet. Why does it take months, and

even years to complete such menial work? Why is it not a priority, and solved in time so that these people do not have to remain in jail even after they have served their sentences, or have been released by the court? This is the result of the judiciary system, government, administration, police, home department, and foreign department all being insensitive and inhumane towards people. They still have that colonial mindset and colonial structure. Even if we have laws that ensure equality and do not allow discrimination towards people, nothing will change until we change this mindset.

There are even international laws that ensure human rights for all. There are different declarations, and statements to ensure human rights. But these are just not implemented. Bangladesh has signed many international treaties which will support these marginalised people and their human rights. However, India has not signed many of them. Without working for all of the people, how can we consider the country truly democratic?

What can we do to improve the situation?

We, like many human rights organisations on both sides of the border, are trying to reach the victims and support them in their legal battles, or getting treatment. We try to collect information and facts from different sources, analyse them and present them to the public and to civil society. We try to advocate for governance reforms in the criminal justice system to make it more humane. We try to work for the comprehensive implementation of what is in the constitution—freedom and equality.

Unfortunately, the governments in both countries consider anyone opposing any of their actions as their enemy. Human rights activists, who demand justice for the people, are treated as enemies of the state and are thrown in jail. If that is the case, if the governments do not want to change, how can you make any reform? We cannot reform law enforcement, the justice system or the governance system until the government is onboard. Until it shows good intentions, this fight for human rights has to continue.

Why Buet students are resisting student politics



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In the early morning of October 7, 2019, the dead body of Abrar Fahad, an undergraduate student at Bangladesh University of Engineering and Technology (Buet), was found lying on the ground floor of Sher-e-Bangla Residential Hall. The sight of a student beaten to death in his own university shook the nation. However, the outrage of Buet's general students resulted in something long overdue: the end of student politics.

Since the murderers were members of the Bangladesh Chhatra League (BCL), regular students demanded a permanent ban on student politics on campus. Although the demand came after the death of a student, the constant physical and mental torture by politically active students, conducted in the name of ragging, had gone on at the university for years. For instance, the news of a first-year student suffering injury in his eardrums made headlines the same year Abrar Fahad was murdered. Multiple other incidents of students getting beaten up by seniors were reported over the years, but no visible action was taken to stop this heinous culture of ragging. First-year students would usually be taken to a room in groups and humiliated by the seniors. Some of them would face severe beatings by cricket stumps, sticks, etc. While some of these incidents were reported to the authorities, fear of repercussions and the authorities' inability to respond accordingly resulted in most of them not being reported.

The residential halls were virtually run by these politically active students. Starting from room allocation to hall dining facilities, the

politically active students were the ones making the calls. Staying in the dormitory was a living nightmare for every fresher, having to live in constant fear of punishment.

Hence, the sight of Abrar Fahad lying dead near the staircase of his dormitory sparked flaming rage among common students. The non-political students vastly outnumbered these politically active ragers, and Abrar's murder acted as the seed of coalition among students. They demanded a permanent ban on all sorts of student politics at Buet, and made sure the ban was not only applicable to BCL but to the student wings of other political parties as well, so that student politics could never slither its way in even after a change in power.

Following the ban, multiple attempts were made to reinject student politics into Buet. On August 13, 2022, a mourning seminar was held at the seminar hall of Buet under the banner of BCL by former leaders and activists of the party, which was protested heavily by the common students. Even last year, a first-year student was included in the central committee of BCL, which sparked massive outrage among students. The inclusion of Buet students in these political parties created a fear of the gradual normalisation of student politics in Buet.

Since the murder of Abrar Fahad, every time student politics has tried to make a comeback in Buet, current students have opposed it vehemently. Despite all of these, a few days ago, when some BCL leaders made their way into the campus at 3am with the help of a few current students, all hell broke loose. This re-entry confirmed the failure of the authority to


keep the campus politics-free and eliminate the involvement of politically active students on campus, despite it being prohibited.

While a certain group of people is trying to divert the focus towards current students being affiliated with extremist parties, the root of this vehement opposition to student politics lie in the years of trauma such political involvement has caused the campus. Abrar's murder might be a singular incident, but it was the culture of torture and abuse built by politically active students that led us here.

However, the presence of a student body is crucial in every university. In a university where the director of the Directorate of Students' Welfare claims that security on campus is not his responsibility and where the authority fails to respond to complaints consistently for years, the presence of a formal student body that will preserve the rights and demands of the common students is important.

It is equally important that the student body be completely free of outside political affiliations and influences. This body should ensure the inclusion of students from all batches and be democratic in all of its decisions. Whenever a student body holds political power of any sort, especially of the ruling party, it creates an unequal distribution of power among students. This has historically led to the domination of a handful of students over thousands, thus creating a culture of ragging, violence, and abuse in the halls of Buet. The murder of Sabekun Nahar Sony by members of Buet Chhatra Dal in 2002 and the murder of Arif Raihan Dwip by a Hefazat-e-Islam activist in 2013 still remind us that this culture of domination and violence by student organisations isn't particularly limited to BCL, but includes the student wings of all political parties.

The ban on student politics following the murder of Abrar Fahad is one that broke the shackles binding regular students and dismissed the perception that political student wings in public universities are beyond accountability. And the current students at Buet will go to any length to keep those shackles away.



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INVITATION FOR TENDER (IFT)
OPEN TENDERING METHOD (OTM)

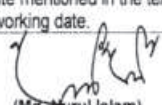
Sealed tenders are invited under the provisions of the Public Procurement Act-2006& Rules-2008 for the Goods and related Services and under the terms and conditions outlined below and detailed in the Tender Document:

- Tender Ref : DO-CHATT01/COMP-KROY/TENDER-02/OTM-01/2024
- Tender Name : TENDER FOR PROCUREMENT OF DESKTOP PC, MICR CHEQUE SCANNER, NETWORK ROUTER FOR DIFFERENT COMPUTERIZED BRANCH & OFFICE UNDER CONTROL OF JANATA BANK PLC, DIVISIONAL OFFICE, CHATTOGRAM.

3. Brief description of Goods/services: The items shall be internationally renowned brand item.

Lot	Item	Quantity
Lot-1	DESKTOP PC	74 units
Lot-2	MICR CHEQUE SCANNER	12 units
Lot-3	NETWORK ROUTER	4 units

- Time for completion of delivery : 4(four) weeks for all lot, the date of contract signed.
- Eligibility of Tenderers : 5.1 The Tenderer shall be the manufacturer/authorized dealer/distributor/reseller/bonafide supplier having minimum 2 (two) years of overall business experience and at least 1 (one) year specific experience of supplying, installing, commissioning, operating of similar goods and providing support service to different organization/banks in Bangladesh in multi-user environment.
5.2 Must have strong presence and support offices in Chattogram (should mentioned full address) with well equipped service cell manned by adequately qualified technical personnel for maintenance and support for the proposed Goods and Services. Floating or home address shall not be considered as established offices.
5.3 The participating company may offer proposals for the items must quote the item in that lot. Evaluation will be done Lot basis and contract will also be awarded Lot basis. Partial offer for lot will not be accepted.
5.4 The offers should have validity for at least 120 (One Hundred Twenty) days from the date of opening the tender.
- Name and address of the Office(s) Selling Tender Document : Janata Bank PLC., Divisional Office, Chattogram, Janata Bank Bhaban (3rd Floor), Quaderi Chamber (1st Floor), 37 Agrabad C/A, Chattogram-4100 between 10:00 A.M. and 3:00 P.M. on all working days.
Interested Tenderers may view the document at the website of the Bank. (Website: www.jb.com.bd)
- Price of Tender Document : TK. 1000/= (One Thousand) only (nonrefundable) by Pay Order for a single lot. Interested tenderers have to purchase different tender document for different lot.
- Amount of Tender Security : A tender security favoring Janata Bank PLC. shall be required for :
Lot-1 : BDT 1,19,000/- (One Lac Nineteen Thousand) Only.
Lot-2 : BDT 33,000/- (Thirty Three Thousand) Only.
Lot-3 : BDT 12,000/- (Twelve Thousand) Only.
The Tender Security must be valid till: 25-07-2024.
- Last Date and Time for Selling Tender Document : 24-04-2024 within 3:00 P.M.
- Last Date and Time for Submission of Tenders : 25-04-2024 within 3:00 P.M.
- Name and address of the Office(s) Receiving and Opening Tenders : Deputy General Manager, Janata Bank PLC., Divisional office, Chattogram, Quaderi Chamber (1st Floor), 37 Agrabad C/A, Chattogram-4100
- Date and Time for Opening of Tenders : 25-04-2024 at 03:30 P.M.
Tender's authorized representative(s) are allowed to attend, if any.
- Special Instructions : a. The procuring entity reserves the right to reject all tenders or annul the Tender proceedings without showing any reason.
b. The Bank shall not be under any obligation to accept the lowest quotation.
c. If any force major situation arises in the specified date mentioned in the tender data or/and invitation for tender, the event will take on the next working date.


(Md. Nurul Islam)
Deputy General Manager

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