

Will corporations finally be held accountable?

EU's new law on corporate responsibility a welcome step

In what is being considered a watershed moment globally, the European Union approved a law on April 24, marking the 11th anniversary of the Rana Plaza collapse, to hold big brands responsible for human rights and environmental abuses in their supply chains. The proposed EU Corporate Sustainability Due Diligence Directive (CSDDD) requires large companies—defined as those with over 1,000 employees and 450 million euros in net turnover—to conduct due diligence on their environmental and human rights practices throughout their value chains. It empowers regulators to take action against negligent companies and, crucially, offers potential legal recourse for victims of corporate abuses. Rights violations, or “damages caused to a person's protected legal interests” include death, physical or psychological injury, deprivation of personal liberty, loss of human dignity, or damage to a person's property. The law also states that companies have a responsibility to “contribute” to living wages beyond the bare minimum that are now offered as minimum wages in sourcing countries. Corporations can be fined up to five percent of their global turnover for failure to ensure compliance.

Such a legally-binding agreement is no doubt a positive step towards ending highly exploitative practices in the global supply chain. For too long, brands have gotten away with horrible atrocities committed against workers and the environment in their quest for quick profits; in fact, they have consistently refused to take responsibility for creating and sustaining such an exploitative state of affairs by shifting the blame to suppliers if and when found guilty of gross violations. The CSDDD—which now needs final approval by ministers of EU member states—promises to end the impunity thus far enjoyed by big corporations.

However, we are disheartened to note that the final draft of the law is a significantly watered-down version than the one originally proposed by rights organisations and unions. The modified CSDDD limits its application to only very large corporations, by raising the thresholds of those covered by the new legislation to 1,000 employees, up from 500, and to those with revenue greater than 450 million euros, up from 150 million euros. It has also excluded certain sectors and extended the time it would take before the directives come into force.

The CSDDD is in many ways a win for rights groups, for it allows trade unions, non-government human rights or environmental organisations to bring civil liability actions on behalf of the aggrieved person. However, such legislation must be adopted by other countries around the world, most notably the United States, and its scope broadened significantly if we are to hold companies accountable in any meaningful way. And while the directive empowers victims with legal options, navigating European courts may prove difficult for many who have suffered abuses. The EU should take effective steps once the law is passed to ensure that the process is truly accessible by workers at the bottom of the supply chain.

Meanwhile, the new law should serve as a wake-up call for Bangladeshi RMG suppliers—and other exporters at large—for whom the EU remains a most significant export market. It should be apparent to our factory owners that, moving forward, big European companies will no longer take the risk of sourcing from suppliers with questionable labour rights track records. It's high time they realised that protecting human and environmental rights and ensuring transparency within their supply chain are actually in their best interests.

Corrupt official barely punished

What message are authorities sending through such leniency?

It is disappointing, though hardly surprising, that a former land acquisition officer in Madaripur who was caught embezzling Tk 7.35 crore from the government coffer has, as punishment, only been demoted from the position of senior assistant secretary to assistant secretary. Essentially, he is the latest public servant caught involved in corruption to have gotten away with just a slap on the wrist. As per a report in this daily, Promatha Ranjan Ghatak provided Tk 7.35 crore of public money as compensation to five individuals in June 2021, supposedly to acquire their land for the Padma Bridge project in Madaripur's Magurkhanda area. However, subsequent investigations by the public administration ministry discovered that the land never belonged to the five. The land, in fact, belonged to the government, to acquire which not a single penny had to be spent.

As per the gazette notification, Promatha issued compensation cheques dated back to June 30, 2021, his final working day in Madaripur, despite the power of attorney documents being dated July 11, 2021. The notice stated that he knowingly aided in unlawful withdrawal of government funds with corrupt intentions. Yet, the public administration ministry decided to give him the lightest possible punishment under the civil service rules.

At present, Promatha is working as deputy chief (hydrologist) at the National River Conservation Commission. Even senior government officials have expressed shock at the fact that he still has a job. They said Promatha has only been punished for “misconduct” despite clear evidence of “corruption”—and that such weak steps against corrupt officials are what further encourage public servants to engage in corruption, thinking they too will be able to get away with minimum consequences.

Despite the fact that the prime minister herself had issued a warning against entertaining any sort of corruption and irregularities in any public sector back in January, nothing seems to have changed. That corruption has spiralled out of control, despite the government's so-called zero tolerance for corruption, is evident in the fact that Bangladesh has been demoted two notches in the recent Corruption Perception Index 2023, to the lowest rank the country has held since 2008. As such, it is high time the authorities took strong action against corrupt public servants to cleanse the administration of rampant irregularities and dishonest practices.

EVMs, the EC, and waste of public money

Why did the EVM experiment fall on its face?

THE THIRD VIEW



Mahfuz Anam
is editor and publisher of The Daily Star.

MAHFUZ ANAM

On April 23, we ran a report on how 100,500 electronic voting machines (EVMs), out of 150,000 total, worth Tk 3,825 crore, will soon be gutted as they “are no longer usable,” according to an Election Commission official. These machines, with an official lifespan of 10 years, were bought in 2018 just before the election that year, at a cost of Tk 2.35 lakh each—11 times more expensive than the EVMs used in India. As guaranteed, the EVMs purchased by Bangladesh should have functioned at least until 2028.

But the EVMs next door have a different story. Right now, India is holding the biggest election ever in the world with 969 million registered voters. The elections began on April 19 and will be held in seven phases over a six-week period and across more than a million polling stations. The result will be announced on June 4. All of the nearly a billion voters will cast their ballots using the 5.5 million EVMs that are being used throughout this massive country.

So what explains the dramatically opposite trajectories in the use of EVMs between the two neighbouring countries? India, after achieving political consensus on the use of EVMs in 1998 and through many years of trial and error, reached 100 percent use of these machines in 2004 in all its constituencies. But why are we dumping our EVMs into the gutter less than six years after their purchase? By doing so, we are setting back—and we don't know for how long—any possibility of using EVMs in future polls, which is essential for the modernisation of our election process.

Why did the EVM experiment in Bangladesh fall on its face?

There is, of course, the overriding political atmosphere of suspicion and hatred, as well as a culture of never accepting what the other side does. But on the technical side, too, there were fundamental flaws in the EVM project formulation, evaluation, and monitoring that have led to the present disaster.

First, let us delve into the issue of why our EVMs should cost 11 times more than those used in India. It was said that ours were of higher technical capability and had features that others didn't. Voters never came to know what those special features

were, but did the Election Commission (EC) know? If yes, did they carry out thorough technical evaluation before approving the machines?

One key feature of the Indian EVM is its paper trail, or the voter verifiable paper audit trail (VVPAT). So, when a vote is cast, the machine prints out a slip containing the serial number, name, and symbol of the candidate, which is displayed for seven seconds and then automatically drops into a sealed box. This serves as a confirmation to the voter that the machine has correctly registered his/her vote and also acts as a printed record that can be used to verify voting in case there are questions or contestations. The VVPAT feature greatly helped India to gain public confidence in the EVM process, while its absence did the very opposite in our case. Why didn't our EC insist on having this feature?

Moreover, did the EC do its due diligence before accepting the EVMs,

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especially as it was costing 11 times higher than the comparable Indian ones?

There is also the question whether the EC did enough to gain public trust in EVM use. The prevailing suspicion that EVMs could be manipulated remains deeply etched in the public mind. The EC should have realised that casting a ballot is a precious right and an exercise of power by each voter, which one would be reluctant to relinquish to a machine unless s/he had full faith on its reliability. But did the EC do enough to gain that crucial public confidence? Why weren't more technical teams, IT specialists, and poll experts utilised to engage with general voters and remove the doubts that continue to gnaw at the public mind as to the dependability of these

EVMs? There should have been far more public display regarding the workings of these machines as well as open debate about their capabilities.

Without such outreach to gain public confidence, the EC should not have proceeded to buy so many of these machines. There should have been many more pilot projects with smaller numbers of both voters and

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Technicians preparing EVMs ahead of the Barishal City Corporation polls in June last year.

FILE PHOTO: TITU DAS/STAR

EVMs, and through such a process a breakthrough could perhaps have been achieved. If Indian voters could have been won over in favour of the EVMs, why not ours, too, where diversity is so much less?

Perhaps the most damaging and utterly absurd aspect of the EC's project was that there was no provision to store these EVMs when not in use. Can there be anything more ridiculous? When the first batch of 25,000 EVMs were delivered in 2018, the question should have immediately occurred to the EC as to where to store them. Without that crucial question being resolved, the EC ordered more of the machines and in the subsequent years—2019 and 2020—the whole lot of 150,000 EVMs were bought. So, to put it bluntly: EVMs were bought at 11 times the price they are next door and then, when not in use, they have literally been thrown into premises—such as schools, colleges and EC upazila offices—that are inadequate to store these technically sophisticated machines. Temperature, dust, and humidity control are the most essential preconditions for EVMs' preservation, and none of this was ensured. All this was done with the full knowledge that these machines would soon become unusable, as they have now become. The crudity of it all boggles the mind.

clearly identifying who should be held responsible in case of failure. This, coupled with the practice of never holding anyone responsible, has created a culture of spending public money without any regard for accountability. Every year, the media runs hundreds of stories about waste of public money but no accountability comes out of it. The office of the Comptroller and Auditor General publishes hundreds of well-researched reports annually, exposing cases of public money being squandered. But these reports ultimately gather dust. The fact that no official has ever been held responsible or punished—especially the senior ones—has created an environment of endorsing corruption. This also feeds into the present culture of impunity among the rich and powerful.

Shouldn't the EC hold its own investigation as to how the EVM disaster occurred, and what can be done to prevent such a failure in the future. With nearly a billion voters, India has achieved 100 percent usage of EVMs and we, with only 120 million voters, are abandoning it, with all the implications of continuing the controversies of ballot stuffing, midnight voting and the rest. The fiasco with the EVMs has created further doubt in the public mind as to the capabilities of our EC to hold free and fair elections in the near future.

The contradiction of comfort



Debra Efroymsen
is the executive director of Institute of Wellbeing, Bangladesh.

DEBRA EFROYMSON

We burn fossil fuel to make our lives easier and more comfortable. Why climb stairs when you can take the lift? Why walk or cycle when you can drive a car or ride a motorcycle? Why prepare food yourself when you can buy everything processed and packaged?

Meanwhile, the year 2023 was the hottest on record. In all likelihood, 2024 will surpass 2023, and so on. Who could have believed that the temperature in Dhaka would reach, nay surpass, 40 degrees Celsius? Forest fires, flooding, potential famine; severe storms; increasing numbers of climate refugees, and more than five million people dying annually from climate extremes: all of these are the result of our addiction to fossil fuels.

Now that we are accustomed to the relative ease given to us by burning fossil fuels, most people dread going back. That's when we come up with ludicrous solutions like electric cars (which are built and charged using electricity that comes from burning fossil fuels) or carbon capture machines (nowhere near a practical reality yet) or colonising another planet (oh, that's

realistic!). Meanwhile, the crisis keeps getting worse: hotter weather, worse storms, more damage and devastation.

What happened to the comfort and convenience promised to us by fossil fuels? It's not comfortable roasting in your own skin. Not only is air conditioning not affordable to everyone, but it requires electricity—which still comes mostly from burning fossil fuels. The “solution” worsens the crisis.

And it's not “just” the climate crisis. Think about pollution. How comfortable is it to not have clean air to breathe? How convenient is it to rely on medicine to control your asthma, and occasionally land up in the hospital gasping for breath? Seven million people die each year in the world due to air pollution. Clean air is now the rarity, not the norm. Does breathing filthy air make us more comfortable?

The contradiction is paralleled by our experience of motorised transport. Travelling by car or motorbike is supposed to be more convenient. You (supposedly) reach your destinations

faster and more comfortably. The reality is, you're often stuck in traffic, breathing in smoke from all the other motorised vehicles which, like yours, emit fumes while clogging the road. The greater the number of individual motorised vehicles, the worse the situation. As the traffic gets worse (and the climate hotter), fewer people are willing to walk or cycle; more people buy cars; it's a vicious cycle. And again, it's very hard to go back.

At the risk of sounding like a broken record, may I gently remind my readers that, despite what some will tell you, another world is possible. The current reality is not the only possibility. For virtually all of human history, we lived in harmony with earthly limits.

Our planet is 4.5 billion years old. Human beings have been on earth for six million years. Human life on earth changed dramatically during industrialisation, starting about 170 years ago. Cars have only been widely used for a century (and, of course, for far less time in Bangladesh, where they remain—despite appearances—the

vehicle of only a small minority). The remarkable damage that we have done to this planet in such an incredibly short time is epic.

At the risk of sounding like a broken record, may I gently remind my readers that, despite what some will tell you, another world is possible. The current reality is not the only possibility. For virtually all of human history, we lived in harmony with earthly limits. Sure, there were plenty of discomforts and early mortality; and some of our comforts and conveniences are worth maintaining. I, for one, wouldn't be alive if it weren't for good asthma medication.

But as our weather gets weirder and our storms get worse, and as our governments fail to take serious action to address the ever-worsening climate crisis, it's worth reminding ourselves that we are rapidly approaching—or have already reached—the end of the era of mindlessly burning ever more fuel to gain ever more comfort and convenience. And much as we'd like to believe in shortcuts and magical solutions, it's past time to accept that those shortcuts and solutions haven't panned out and we are out of time.

Fortunately, convenience and comfort come in the form of trade-offs. There is a lot that we could gain—cleaner air, safer streets, and more sociable communities, as well as a more stable climate—if we dramatically reduced our use of fuel and returned to some of the positive traditions that we have, only relatively recently, left behind.