

Air pollution now the biggest killer

Take legal action against those responsible

It is alarming to know that air pollution has become the leading cause of death in Bangladesh, outpacing fatalities from high blood pressure, poor diet, and tobacco use, according to a newly unveiled global study. The study found that in 2021, at least 236,000 lives were lost due to air pollution in the country. By comparison, 200,000 deaths occurred due to high blood pressure, 130,100 due to tobacco use, and 130,400 were linked to poor diet. This deserves critical attention.

Unlike other major causes of deaths, air pollution is something that affects everyone, particularly children. In fact, in 2021, the country ranked fifth globally in terms of deaths among children under the age of five due to air pollution. And as much as 36 percent of preterm births in Bangladesh were also linked to it. Aside from deaths, air pollution impacts children's health in many ways and at many levels, starting from pregnancy through early childhood. These issues may continue to affect an individual throughout their life.

Despite these severe health impacts—and the resulting burden on the nation—we wonder why the government has failed to make any significant progress in reducing air pollution. A number of previous studies have shared similar findings, which make it obvious that this has turned into a silent killer that must be urgently addressed. According to a study by Clean Air Fund (CAF), between 2017 and 2021, Bangladesh received \$2.3 billion to curb air pollution. Where did this fund go? What was it used for? Does the government have any notable achievement to show that it was properly utilised?

Major pollutants like construction dust, traffic fumes, factory emissions, and brick kilns continue to be unchecked to this day. According to Bangladesh Road Transport Authority (BRTA), of the 60 lakh registered vehicles in the country, about 6.17 lakh run with no or expired fitness certificates. Additionally, Bangladesh produces about 30 lakh tonnes of e-waste every year—most of which contain carcinogenic elements. Brick kilns, too, continue to heavily pollute the environment. In other words, the government has done little to nothing to address the killer air that citizens are breathing in.

Last year, the High Court rightly lambasted the Department of Environment (DoE) for failing to take effective steps to control air pollution in Dhaka despite its repeated directives. But even that seems to have changed nothing. It is high time, therefore, for the relevant state institutions as well as polluting entities to be held responsible for their negligence or contributions in this regard. Perhaps then they will finally start to act as they are legally bound to do, and help prevent needless deaths of citizens.

A tragedy lurking in the shadow

Ukhiya landslides bring the horror to Rohingyas

We are saddened by the tragic deaths of ten people, including eight Rohingyas, in landslides at the refugee camps in Cox's Bazar's Ukhiya upazila early Wednesday. According to a report, the landslides occurred after heavy downpour overnight, affecting multiple camps including camps 1, 2, 9, 10, and 14 where the deaths have been confirmed. The authorities are reportedly taking steps to evacuate at-risk camp dwellers from hazardous, hilly areas to prevent further casualties. While heavy rainfall has been a significant factor in these deadly landslides, it just goes to highlight the precariousness of the living condition of the Rohingyas.

Such landslides have occurred in the past as well. Around 12 lakh Rohingyas have been living in 33 camps of Ukhiya and Teknaf in Cox's Bazar, most of them since 2017 after fleeing persecutions in Myanmar. Their living arrangement, with many residing in perilous conditions on hill slopes, may put them at a natural disadvantage during monsoon. Those at risk should be evacuated, but where would they be evacuated to and then what? It's a terrible and tricky situation. While the authorities are moving them to temporary locations for now, Bangladesh, which has been bearing an enormous burden by hosting so many refugees, cannot be expected to resolve the issue on its own. The international community must come up with a solution that simultaneously ensures the long-term well-being of the Rohingya community and protects our interests.

The Ukhiya landslides add to the growing casualties caused by the recent deluge and mountain runoff that already combined to set off a flood in Sylhet and Sunamganj and threaten to inundate many other areas. With the Met office warning of further rains and potential landslides in Chattogram and Sylhet divisions, it is likely that more such incidents will occur. Heavy rainfall since Tuesday night has caused extensive damage in many areas, submerging homes, roads, poultry farms, fish enclosures, etc. However, apart from Ukhiya, there have been no reports of fatalities from landslides yet, but that may change if preventive actions are not taken. The authorities in Chattogram and Sylhet, where most of the landslides usually occur because of fragile, often illegal settlements, must remain especially vigilant and relocate at-risk families.

Given the severity and frequency of landslides, the higher authorities also must take a critical look at our state of preparedness and undertake comprehensive measures. Timely warnings and immediate response are crucial in such scenarios. Structural reinforcements and proper land management are equally important to mitigate the risk of future disasters. Without such actions, this seasonal threat will continue to lurk in the shadow and endanger people every monsoon.

THIS DAY IN HISTORY



Birth of Benazir Bhutto

On this day in 1954, Pakistan's first woman Prime Minister Benazir Bhutto was born. Belonging to a politically influential family, she co-chaired the Pakistan People's Party (PPP) and became the first woman to lead a Muslim majority country. She was assassinated in 2007.

The constitutionality of building kitchen markets over bulldozed homes



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The Dhaka South City Corporation (DSCC) recently went on to evict 87 families in the Miranzilla sweeper colony. One DSCC official told this daily that the eviction measures were being carried out to implement a decision made some eight years ago.

As a law student and an academic, I am still naïve to recall judicial interpretations of our constitution and laws. Indeed, more than two decades back, the High Court categorically observed that no eviction is constitutional if alternative rehabilitative measures are not adopted (*ASK v Bangladesh*, 1999). Later, there were multiple other decisions along the same line of interpretation, landmark among which is *BLAST v Bangladesh* (2008).

Shelter, among others, is not a judicially enforceable right under the Bangladesh Constitution. It falls within the purview of the judicially unenforceable policy principles that nonetheless are supposed to be "fundamental to the governance of Bangladesh" and to "form the basis of the work of the state." However, the Supreme Court has gone on to enforce shelter through reimagining the margins of the fundamental right to life. Indeed, the court held that the right to life, as enshrined in the constitution, cannot be construed as a vegetative existence only, but ought to be interpreted as a dignified life.

The decisions mentioned above constitute the primer for constitutional law lessons 101. These are rather primary cases for understanding and teaching right to life in law schools (at least I can speak for the University of Dhaka). The Dalit, on the other hand, are a major category to study and research into equality and non-discrimination law. They are the paradigmatic subaltern



Eviction from ancestral homes of hundred years strikes at the very root of a community's existence, and rehabilitation can hardly restore the status quo ante.

FILE PHOTO: MD ABBAS

class about whom discussions abound in civil society seminars and symposia. What the Miranzilla eviction measures underscore for us afresh is the gap between our studies, activism, and reality. It also shows how only the courts are sites of constitutionalism for us.

However, the discursive notion of constitutionalism ought to be rooted in multifarious sites, including parliamentary and executive spaces of state governance, and the decisions emanating from the courts ought to be taken seriously by the decision-makers. Why should every (unconstitutional) action get remedially treated with stay orders from the court (as happened at the present instance as well), when we already have categorical observations and holdings from the court to pre-emptively inform the decisions of different branches of the state?

For purposes of international

human rights law, adequate housing is a paradigmatic economic right having both cultural and social connotations. This right can be restricted only in accordance with law, and only in pursuance of a legitimate aim. In the case of Miranzilla, such aim is the expansion of a kitchen market. Tenets of human rights law require that the restriction and the legitimate aim are

the *status quo ante*. The fact that we advocate for rehabilitation as a minimum for the would-be evicted people too in a way empowers the top-down narrative defined by hegemony. Nonetheless, when even the bare minimum is not complied with, we get to see the unclad face of power.

The recent eviction measures tell us two things: first, how the Dalit

community lies at the lowest stratum of the power hierarchy, and second, that those in decision-making power view them exactly as such. The decision-makers also are entirely unmindful to the existence of elderly, children, and persons with disabilities within such families. The disparate impact that the measures are having on them is unsurprisingly not accounted for.

The Dalit, the identity they embrace "as a matter of assertive pride and resistance"—are indeed the outliers, falling outside the four-fold caste schema. The eviction reifies their identity as Dalits—as opposed to "children of God" or Harijans, as Gandhi had called them—a term that I personally find rather supercilious and patronising (as did Ambedkar). In any case, can homes of the children of God be bulldozed to expand a kitchen market?

Let's honour the Rohingya refugees and their hosts



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Over 12 crore people are forcibly displaced by conflict or persecution—across borders or within their countries. Among refugees, three-quarters are hosted by low- and middle-income countries like Bangladesh, which will soon mark the seventh year of hosting nearly one million Rohingya refugees.

This displacement, in the words of UN High Commissioner for Refugees Filippo Grandi, is driven by "the international community's inability to solve conflicts or prevent new ones." In 2017, Bangladesh provided protection to one of the world's most persecuted communities. The generous people of Cox's Bazar were on the ground joined by UNHCR, United Nations, and NGO partners, offering food, clothing and shelter to traumatised Rohingya families.

Some refugee situations are short as in 1971, while others may take longer. The Rohingya yearn to quickly return, but are unable to until it is safe. The international community, especially regional entities, must work towards a political solution and resolution of the conflict. In the meantime, providing protection and support is how states demonstrate solidarity and shared humanity.

Seven years on, we watch in alarm the escalating conflict in northern Rakhine, while refugees await its cessation, anticipating voluntary repatriation to a peaceful homeland. As the warring parties battle for control of the Rakhine state, the inevitable viciousness of conflict is apparent, impacting civilians including the Rohingya. The stateless Rohingyas once again have nowhere to go. In May, UNHCR issued a guidance note urging all states neighbouring Myanmar to respect the principle of non-refoulement and allow fleeing civilians access to safety.

While the Rohingya situation is not on the scale witnessed in 1971, memories are evoked of one crore uprooted Bangladeshis seeking asylum with India during the Liberation War. Asylum is universally applicable, enshrined in the Universal Declaration of Human Rights and embedded in state traditions from time immemorial, especially in this part of the world.

Protection includes safety and security while fleeing, and when in the receiving state. Pushback of civilians approaching international borders and deportation/refoulement of those desperately seeking protection with

on all reported incidents, this is not enough. Concerted state action is imperative to reverse the tide of insecurity and protect the vulnerable. With 80 percent women, children and elderly having survived unimaginable trauma, refugee mothers clamour for attention to their plight, demanding a safe environment. A proposed Joint Peace Campaign is raising hopes as efforts commence.

I am inspired by the Rohingya community's incredible courage—in the face of historical prejudice and targeted violence and living amid the impacts of climate change and natural disasters. If the majority lacked basic education and urban skills when they arrived from Myanmar, they are now active participants in education, skills, and community empowerment programmes. Seeking self-improvement, they access online courses, English lessons, vocational trainings; operate community blood drives, camp libraries for women, youth environment groups, and so much more... Steadily, the

slur—synonymous with criminals and primitive people. History has shown how dehumanising language, seemingly harmless, can prove dangerous for all concerned. Today, social media and technology further amplify that harm.

The challenges are myriad, but collective advocacy and a common vision have overcome enormous constraints. In 2023, after 33 percent drop in food rations, UNHCR and humanitarian partners sounded the alarm, linking the cuts to increased malnutrition and health risks, as well as child marriage, child labour, and dangerous boat journeys in search of hope. This year, with new funding, the UN World Food Programme (WFP) was able to raise the value of food vouchers twice from \$8 to \$10 on January 1, and to \$11 on June 1. The 2023 funding appeal, too, received higher funding compared to most refugee situations in a year of competing global priorities. The 2024 funding requires collective advocacy and support to sustain the refugees.

Partners are providing Myanmar curriculum classes for children in Grades KG to 10, with Grade II beginning this year. In June, 90,000 Rohingya school children took end-of-year learning assessments. Four years ago, there was no formal education for the Rohingya. Today, through advocacy and partnership, girls and boys are enrolled across grades. Through collective efforts, the tree cover in camps has been restored and deforestation for firewood is a memory. Slopes, streambanks, drainage systems, and forests have been rehabilitated by Rohingya volunteers and donor funds.

Local communities and refugees will further benefit from much needed funds that will flow from the World Bank IDA 2020 Window for Host and Refugees. Based on the MoU between UNHCR and the World Bank, aimed at supporting developing economies with large refugee populations, the \$700 million grant and extremely concessional loan is key to enhancing the local context. By uplifting refugees alongside its own people, Bangladesh continues a tradition of solidarity and protection, and invests in a vibrant relationship with its Rohingya neighbours when they one day return to a stable Rakhine.

Sadly, a new trend of stereotypes and toxic public narrative dehumanises the Rohingya, blaming them for all and sundry woes, whether inflation, illicit yaba trade, climate impacts, and more. 'Rohingya' is used as a slur—synonymous with criminals and primitive people. History has shown how dehumanising language, seemingly harmless, can prove dangerous for all concerned. Today, social media and technology further amplify that harm.

their relatives in Bangladesh's refugee camps are contrary to the shared history of humanity and asylum tradition in South Asia.

Since 2022, the security situation in the refugee camps has deteriorated—including killings, kidnapping, gender-based violence and child protection incidents. Rival criminal organisations feeding on despair are responsible, persuading refugee youth lacking prospects of livelihoods and education, by force or by lure. The conflict across the border further aggravates security in the camps.

While UN agencies and NGOs have stepped up protection monitoring, and UNHCR intervenes with authorities

Rohingya are building capacity to provide for themselves. They are at the forefront, delivering services in camps, including mental health counselling, manufacturing menstrual hygiene products, documenting camp life through photography and art, fighting fires, and protecting from natural disasters.

Cohesion with local host communities have allowed Rohingya coexistence over the last seven years. Sadly, a new trend of stereotypes and toxic public narrative dehumanises the Rohingya, blaming them for all and sundry woes, whether inflation, illicit yaba trade, climate impacts, and more. "Rohingya" is used as a