

'It's been most challenging to reach those marooned in Feni'

Syeda Rizwana Hasan, adviser to the Ministry of Environment, Forests and Climate Change, discusses the severity of the floods, challenges of rescue efforts in Feni and next steps of the interim government in addressing this unexpected national crisis in an interview with Sushmita S Preetha of The Daily Star.



is a risk of loss of life, which we must avoid. Right now, we are taking urgent measures to rescue people; the Bangladesh Inland Water Transport Authority (BIWTA) is sending boats, the army is there, a lot of volunteers are working; but then again, they are faced with difficulty in accessing places where people are trapped.

Excessive rain and hillside runoff are causing the flood. But many are also speculating that the situation has worsened because a dam in India's Tripura has been opened. What is your take on this?

This is not a matter of personal opinion. It is a government-to-government matter. There has been a lot of rain, and as a result, some dams have been opened on the Indian side. What we are trying to figure out is whether we were told before the [Tripura] dam was opened. We may not have a treaty on this particular river, but there are international treaties—such as the no-harm principle,

principle of cooperation—on how to manage transboundary or shared resources between countries. Our chief adviser is set to speak with the Indian prime minister and raise these concerns.

The other issue is, why do we only have agreements on eight rivers when we share so many rivers with India? The chief adviser will address what happened in this particular instance, but he will also discuss and prioritise how to prevent such things from happening in the future.

The climate threats should be taken as an opportunity to start the dialogue and reach an agreement for basin-wide river management. The challenges include involving all basin countries within the framework of existing agreements, getting the consent of the upper riparian countries that are naturally placed in advantageous positions, and adhering to the principles, norms and processes prescribed in the 1997 UN convention as none of the riparian countries is party to it. And of course, an effective dispute resolution mechanism

has to be put in place.

How is the shuffling of the local government going to affect disaster and relief management?

A local government is, of course, of tremendous help in such situations. Even though there has been a reshuffling in local government, it is not that it has collapsed. Someone from each of those local government offices has been appointed as the administrator. And during disasters, as you also know, one institution may be tasked with the primary role, but all

institutions must come together and give their all. To ensure that all departments and ministries can work effectively and urgently together, the disaster management ministry, along with the ministries of fisheries and livestock, agriculture, health, etc, is taking coordinated efforts at the field level as well as the national level.

The adviser for disaster management and relief, who could not go earlier because of bad weather, went to Feni yesterday. He may not have been able to visit the remote areas, but he will oversee the coordination from a

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Flooding has taken a dire turn in the country within a very short time. Feni, in particular, has not faced such a critical situation in living memory. What's the latest update from the ground?

We are hearing the same thing on the ground. There has been flooding in Feni before, but never to such an extent. Feni locals are not used to such terrible flash floods, neither are government and non-government authorities. Now we are hearing that water is coming into the city as well, which is a matter of great concern. The most challenging aspect has been reaching remote areas and carrying out rescue operations. On Wednesday night, there was no electricity or mobile network, so the rescue mission became very difficult. We could not restore electricity as there was the risk of electrocution. Most of the rescue operation has to be conducted during the day, so the situation really is severe in those areas.

What immediate measures are the interim government taking to help the affected communities?

There is enough relief to provide immediate support, as per government data. But the real issue, as I said before, is accessing the affected people. One of the demands coming out of the flood-affected areas has been to use helicopters to rescue those who are marooned, but we are not able to do so because the weather is still quite treacherous, so helicopters still cannot reach those areas. There is also a demand that helicopters be used to provide relief; even that is not possible at the moment because 1) there is too much water, and 2) when you drop relief from a helicopter, people rush towards it and there



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PHOTO: RAJIB RAIHAN

nearby area.

Besides Feni, there are other districts such as Cumilla, Khagrachhari, etc, which have also been affected by the flash floods. What steps are you taking there?

The situation in Feni is particularly bad, so we are giving our utmost attention there. But local government agencies, ministries, and the army have all been instructed to do their due diligence in other affected areas, and they are being deployed in the places where the embankments have not broken yet, and to ensure that they are ready with whatever is necessary to tackle the situation. Every area is getting attention, but we are particularly worried about Feni because the communication system there has broken down completely.

Many have also questioned the government's poor river conservation and management initiatives amid the increasing intensity and frequency of floods in the country.

Yesterday, we discussed in a meeting that in many areas, water is not receding because of the arbitrary way in which embankments, bridges and/or culverts have been constructed. Since this is a flash flood, when the rain lets up, the rainwater is supposed to recede quickly. There may be river erosion at that time. However, when the water recedes, there must be no obstruction. So, the bigger concern as to whether we have done adequate river management keeping in mind how flood-prone we are was discussed, though the immediate focus is now on rescue and rehabilitation. I have long been saying that our rivers are losing navigability. We have to address these wider concerns in the long run.

LAW REFORM FOR GENDER EQUALITY

From where we left off...



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As we speak of reform across all sectors today, it has become important to revisit and address the various forms of inequalities that have become ingrained at almost all levels of our society. As the glorious history of the very birth of our country owes it to the students' united voices, it is them who are once again inspiring us when the nation is at a crossroads. The spirit of the student-led mass movement was by all means fairness and equality. Hence, it is the right time to revisit the recommendations that women's rights advocates in Bangladesh have proposed time and again, demanding some law and policy reforms that are meant to remedy the age-old inequalities against women, but which have failed to see the light of day in the past decade.

laws on sexual violence is even more crucial now in view of the horrific Kolkata rape incident. It is unacceptable that our law remains so outdated that the rape of a child bride as young as 13 years old still cannot be considered as rape when the perpetrator is her husband—no matter how brutal the rape is or whether it causes the child's death. It is also unthinkable that because an adult offender used sharp objects to penetrate a child—as her body is incapable of penile-vaginal intercourse—his charge might simply be of an "attempt to rape" or "sexual assault" instead of "rape" due to the vague legal definitions.

Another demand from the women's rights activists that has remained largely ignored, despite several advocacy attempts, is the

of such legislation and related legal reforms. However, other than a token inclusion of a non-functional sexual harassment provision in the Labour Rules in 2022, no substantive steps have been taken to install a robust sexual harassment prevention and protection mechanism at workplaces and educational institutions. This was a crucial demand that found even stronger grounds when Nusrat was murdered in her madrasa premise, but

of the reality on the ground and overlook the need to evaluate whether there is an actual necessity of a new law on the subject. The result is several overlapping laws and policies creating a rather weak premise for ensuring justice to women. The key stakeholders, on whom the ultimate enforcement of the law depends, are also often not consulted with when laws are drafted.

For instance, the Dowry Prohibition Act,

sexual assault cases. The amendment, which increased the maximum punishment for rape to death sentence, carried no impact on the existing injustice against rape survivors. Rather, the same amendment introduced mandatory DNA test to be done for all cases under the law, paving the way for further stretching the already delayed investigation process in rape cases.

While the problematic laws exist, seeking justice for rape and other forms of sexual violence is far more difficult, resulting in the extremely low rate of conviction in rape cases. Key barriers to such a delayed justice process have been identified time and again in the past several years raising alarms on issues such as the lack of witness protection mechanism, rape survivors having to battle with misogyny, and harmful stereotypes during investigation and trial, corruption, lack of effective legal aid, politically biased and largely inefficient public prosecution system, and so on. Nevertheless, other than removal of the provision relating to character evidence from the Evidence Act, no visibly effective steps have been taken to address the obstacles that make the process of seeking justice extremely gruelling for rape survivors.

Also, there is a lack of any systematic evaluation to monitor the newly enacted laws' progress, and it is commonly left for the activists at the end, to point out the apparent inconsistencies in the law that are blocking its implementation—including the crucial gap in budget allocation.

No doubt, these deep-rooted clogs in the justice system and the legal loopholes that have remained unheeded for years cannot be mended overnight. But as Bangladesh renews its pledge for equality and non-discrimination, what we can now hope for is a stronger political commitment to take the first and most crucial step towards meaningful reform for women's right to justice. Now is the time.



VISUAL: SALMAN SAKIB SHAHRYAR

our voices did not reach the lawmakers, and the educational institutions and workplaces still remain largely indifferent to sexual harassment incidents.

Undeniably, laws that are discriminatory should be amended and new laws should be passed where effective legal protection is lacking. However, in Bangladesh, passing of a new law to address some form of gender inequality is often presented as the only solution to a crisis, be it domestic violence, dowry violence or child marriage. Such new laws or changes in the law pledging to ensure equality for women are generally uninformed

1980 was repealed in 2018 only to be replaced with an almost identical law with few minor additions. There is no explanation as to why the legislature opted for a new dowry prohibition law without simply amending the already existing one. Rather, the 2018 law missed the opportunity to address the critical gaps that existed in the previous law, which were seemingly problematic for victims of dowry violence in getting effective relief under the law. This is also the case for the Women and Children Repression Prevention Act, 2000, which was hurriedly amended in 2020 in the face of public outrage triggered by a series of

Perhaps scrutinising our laws on sexual violence is even more crucial now in view of the horrific Kolkata rape incident. It is unacceptable that our law remains so outdated that the rape of a child bride as young as 13 years old still cannot be considered as rape when the perpetrator is her husband—no matter how brutal the rape is or whether it causes the child's death.

One of the most critical recommendations for such a reform proposal has been regarding the vague and outmoded laws and practices around rape cases. Perhaps scrutinising our

call for an anti-sexual harassment law for all workplaces and educational institutions. Time and again, several organisations, activists and legal researchers have proposed drafts