## **EDITORIA**

## The Paily Star

FOUNDER EDITOR: LATE S. M. ALI

## **Developed nations** are missing the bus

### They must fulfil their obligations in combating climate change

We are disheartened by the outcome of the negotiations at the COP29 summit between developed and developing countries regarding the amount of money the former will pay the latter to tackle the devastating impacts of climate change. As we all know, developed countries are the biggest contributors to climate change, while developing nations bear the highest costs of its impacts. This is why developing nations have expressed their shock at the \$250 billion per year fund proposed in a draft deal by the developed nations. It is a deliberate deviation from their commitment to the Paris Agreement.

Developing countries had called for \$1.3 trillion to be mobilised annually by developed countries. The funds would be in the form of grants and would be disbursed starting next year. Another draft—the New Collective Quantified Goal on Climate Finance (NCQG)—has also proven disappointing, as our adviser to the environment ministry has rightly pointed out. The adviser criticised the package for failing to meet the essential needs of the Least Developed Countries (LDCs) and the Small Island Developing States (SIDS).

It seems the developed nations have chosen to disregard the spirit of the Paris Agreement, which clearly states that developed countries are to provide financial resources to assist developing nations in their mitigation and adaptation efforts. It is also disconcerting that not all of these funds will be grants; some will come in the form of loans, which experts warn could increase the indebtedness of poorer nations already burdened by loans for their development needs. The latest text at COP29 has broadened the base of climate finance donors, meaning some developing countries may also have to contribute to the targeted \$1.3 trillion per year by 2035.

These developments do not bode well for our future. The effects of climate change are becoming more severe and frequent each year, as manifested all over the world, but more profoundly in poorer nations. It makes little sense that developed nations have chosen to adopt an ostrich approach when it comes to adhering to their commitments. Contributing to climate funding is not a favour to developed nations—it is an

Experts have reiterated that we are still heading in the wrong direction, with greenhouse gas emissions increasing rather than decreasing. The goal of limiting the temperature rise to within 1.5 degrees Celsius is becoming more and more far-fetched. This places millions of people at risk of being displaced, suffering severe health problems, and experiencing adverse societal changes globally. Developed countries must realise that they are jeopardising the survival of humankind as a whole by not fulfilling their obligations to reduce the catastrophic impacts of climate change. It is in their own interest, as much as it is in that of the developing world.

### Ctg Wasa must reduce its system loss

### It must increase efficiency and stop overcharging consumers

We are deeply disappointed with the overall inefficiency of Chattogram Wasa, which has spent thousands of crores of taka over the past decade to improve its services, but with little success. Reports indicate that over the past decade, its system loss has doubled—from 15.24 percent in the 2013-14 fiscal year to 30 percent in the last fiscal year—resulting in substantial revenue losses. Currently, the agency is losing over Tk 100 crore annually due to systemic inefficiencies. This has directly impacted a large number of consumers, who, despite not receiving adequate water, are being billed for more than they actually use. This situation is completely unacceptable.

System loss, or Non-Revenue Water (NRW), refers to water that is either lost or unaccounted for after production. According to Chattogram Wasa's annual report, it produced 176,511 million litres of water in 2023-24, of which 52,962 million litres were lost due to system loss. With an average tariff of Tk 19.37 per 1,000 litres, the agency lost over Tk 100 crore in potential revenue last year. This raises an important question: why is Chattogram Wasa's system loss so high compared to the much lower rates in the other three state-run water supply agencies? Reportedly, pipeline leaks, illegal connections, and metering errors are the primary causes of this inefficiency, with the manipulation of metering systems by unscrupulous Wasa staff further exacerbating the problem, according to experts and consumers.

Despite undertaking several major projects between 2011 and 2023-spending around Tk 6,336 crore on network expansion and pipeline replacement—Chattogram Wasa failed to take action against staff responsible for stealing water. As a result, Chattogram Wasa's water wastage has continued to rise, affecting nearly 90,000 consumers. Moreover, the minimum billing system has worsened the situation for consumers. For example, even if a household receives water only once a week, they are still required to pay around Tk 600 per month under this system. But why should consumers bear the burden of Wasa's inefficiencies?

We urge Chattogram Wasa to address these pressing issues immediately. The agency must make genuine efforts to reduce system loss to an internationally accepted level of 15 percent. This requires decisive action against officials involved in water theft and metering manipulations. By reducing these losses, Wasa could significantly boost its revenue, ensuring that the people of Chattogram no longer endure such severe water shortages.

#### THIS DAY IN HISTORY

#### Fire breaks out at Tazreen **Fashion factory**



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On this day in 2012, a blaze killed at least 117 workers and injured more than 150 workers at Tazreen Fashions, located in Nishchintipur of Ashulia.

# Some proposals for constitutional reform



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Reviewing the history of the 1990s uprising and its aftermath, it can be observed that although there was a desire to transition from autocracy to democratic governance, the issue of necessary constitutional and institutional reform did not receive due importance. As a result, many undemocratic articles remain in the constitution, making it possible to establish a parliamentary dictatorship in the country. Learning from that history, the demand for reforming various state institutions and the constitution has grown stronger after the July 2024 uprising.

However, the current interim government lacks the political representation and organisational capacity to handle the intense ideological battle that would arise if the entire constitution were to be rewritten. Therefore, rather than rewriting the constitution, priority should be given to reforming the functional parts of the constitution that are essential to ensure political rights, fundamental rights, a balance of power between the prime minister and the president, fair elections, and the separation of the judiciary from the executive branch, among others.

Constitution Commission should recommend reforms based on the opinions of various sections of the population. Afterward, depending on political consensus, those reforms must be implemented on the basis of a twothirds majority through discussion and debate by members of a constituent assembly or parliament elected by direct vote of the people.

The following crucial reforms can be made to the constitution:

#### **Fundamental rights**

To ensure the absolute fundamental political rights of citizens, articles in Part III of the constitutionparticularly Articles 32 to 44-should be freed from restrictive conditions such as "public interest," "public order," "public morals," "public health," or "legal restrictions."

#### Powers of prime minister

and president a) An article should be added to the constitution stipulating that no one can serve as prime minister or president more than twice and that they cannot lead any political party while in office.

b) Article 48(3) of the constitution should be amended to abolish the provision requiring the president to act on the advice of the prime

minister from being involved in appointments such as those of the attorney general, auditor general, public service commission members, and judges.

c) The necessity of the president seeking advice from the prime minister under Article 57(2) should be removed. A provision should also be added to allow impeachment of the prime minister for wrongdoing by a majority vote of parliament.

a) To ensure fairer and more credible parliamentary representation and avoid domination by large parties, Article 65 needs to be amended to shift from the current first-past-thepost (FPTP) system to a mixed system

should be introduced to ensure that the caretaker system cannot be abolished by a single party using its majority.

End of parliamentary dictatorship Article 70 of the constitution should be amended to allow MPs to vote against their party in all cases except no-confidence votes.

#### Government accountability

to parliament

a) Strong and effective Parliamentary Standing Committees are needed to hold various ministries accountable. To this end, Article 76 should be amended to make opposition leadership parliamentary in committees mandatory, and a provision should be added requiring the government to seriously consider committee recommendations.

b) Article 55(3) should be amended to ensure both collective and individual accountability of cabinet members to parliament.

#### **Domestic and international**

agreements Articles 145 and 145A should be

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incorporating both proportional representation (PR) and the FPTP system. Provision should also be made for the direct election of reserved seats for women.

 $b) To \, ensure \, the \, impartiality \, of Election$ Commission (EC) members, Article 118 of the constitution should be amended to require the appointment of EC members with the approval of two-thirds of parliamentarians. A separate budgetary system should also be introduced to ensure the EC's autonomy, removing its dependence on the executive branch.

c) A provision should be introduced stipulating that EC members cannot be removed without specific legal violations.

d) The electoral system under a caretaker government should be reinstated until state institutions, including the EC and law enforcement minister. This will prevent the prime agencies, become neutral and capable.

amended to require mandatory parliamentary discussions before signing significant agreements with any domestic or foreign entity.

#### **Independence of judiciary**

a) Article 48(3) should be amended to exempt the president from requiring the prime minister's advice for appointing judges under Articles 95(1)

b) Article 116 should be amended to entrust the Supreme Court with control over judicial service personnel, including posting, promotion, and discipline.

c) Article 95(2) should abolish the provision allowing the appointment of judges from advocates with 10 years or more of experience—because if there is such a provision, there is more opportunity for political appointments. Moreover, there is no guarantee that an experienced advocate means a good judge.

Article 141A should be amended to clearly specify the circumstances under which the president can declare a state of emergency, so that the government cannot take away the fundamental rights of the people by issuing a state of emergency under vague justifications like "external aggression" or "internal disturbance."

#### **Constitutional court**

A provision for a constitutional court should be added for the interpretation, protection, and enforcement of the constitution.

#### Religious freedom

Article 2(a) on state religion should be rewritten to clarify that the state shall ensure every citizen's freedom to practice and believe in their own religion.

#### State language

Article 3 should be amended to recognise the languages of all ethnic groups in addition to Bangla.

#### **Nationality**

Articles 6(2) and 9 should be amended to recognise all ethnic peoples of Bangladesh in addition to Bangalees.

#### Local government system

a) Parliamentarians' responsibilities should be limited to law-making. Articles 59 and 60 should be amended to ensure local government authority and participation in development activities.

b) District and upazila administration and law enforcement officials should be made accountable to the elected representatives of their respective local governments.

#### Economic and social rights

a) The economic rights mentioned in Articles 15 and 17-especially the right to universal education, medical care, and social security-should be recognised as judicially enforceable fundamental rights. For this, the state can be given a specific time limit if necessary.

b) Article 20 should be amended to explicitly mention the state's duty to create employment for citizens and protect existing employment. It should also be made judicially enforceable.

c) Article 13 should be amended to make forced acquisition of agricultural land and eviction from homesteads in the name of "public interest" unconstitutional. Collective ownership rights of various ethnic groups should be recognised. These rights should also be made judicially enforceable.

From the experiences of different countries, it has been observed that reformed constitutions have often lost popularity due to insufficient emphasis on ensuring social and economic rights alongside political rights. Therefore, it is necessary to give due importance to various political, social, and economic rights while reforming the constitution for a successful democratic transition.

# Thank you, Rafa



**DUGOUT** 

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**RAIYAN BINTE RAFIQ** 

He showed up with a bandana, a racquet and a dream, barely a man and someone whose age was very much in full display. But for Rafael Nadal, age had always been just a number. It never frayed him, it never mattered. Fifteen or 20, or even 35, Nadal gave every cent of his being when he stepped on the court.

He has always had a peculiar routine before his serve. Bounce the ball several times, tug his already locked hair behind his ears, fix his shorts, and rub his nose, followed by a loud grunt to compliment his serve. He held his racquet on his left, a particular Babolat that has been his weapon of destruction—the red and yellow of Spain and the bull as his

For me, Rafael Nadal has always been the antagonist. But without him, there is only half the story. Yes, perhaps my protagonist would have won more but the victories would not have tasted as sweet. For me, he

may have been an opponent, but for many, he has been an idol. And while I do not share their sentiments, I can acknowledge his greatness.

Nadal's permanency in my life began in the 2010 US Open final when he defeated my protagonist, Novak Djokovic in four sets. At that time the duo faced 23 times, with Nadal beating Djokovic 16 to 7. It was his ninth grand slam title.

Nadal's 2010 season ranks in the list of one of the best years of a Men's singles player and rightly so. Three consecutive grand slam wins with the French Open, Wimbledon and US Open, along with four more titles in varying surfaces saw him push aside the clay court specialist tags. But then he faced a problem, and it was no longer the once unbeatable Roger Federer, whom Nadal confidently challenged, it was a third man infiltrating the duo, Novak Djokovic. The two battled out some of the best matches in the sport, including

Australian Open final, the longest grand slam final ever played. If there is an example of strength, mentality and the unforgiveness element of tennis, then this match is that.

Nadal and Federer were the darlings of the tennis world, but the Djokovic-Nadal pair was the epitome of sheer grit, determination, belief and two people who frequently pushed the boundaries of fortitude. The matches were long, exhilarating, sometimes sluggish, but always fuelled with raw emotions. For two people who were once close to becoming rivals on the court had eventual repercussions on their friendship, but it made great television. The duo ended up playing a record-breaking 60 matches, with Djokovic slightly edging ahead of

Nadal in the head-to-head count. Nadal's retirement was always looming. Despite dragging longer for two years than it should have been, it hit a lot more than I had anticipated. In hindsight, it changes the trajectory of tennis. Novak Djokovic "completed" tennis this summer and so, it is natural to wonder how much gas he has left in his tank at the age of 37. Djokovic even admitted that with Rafa and Murray now gone, a part of him has left with them, encapsulating what a big force each of them were on each other's careers.

With Djokovic cementing his

BEYOND THE a body-shattering six-hour-long legacy and leading in almost every metric to measure greatness, you can question, what is Rafael Nadal's legacy if it's not the greatest? Some will tell you he is second fiddle to the greatest, some will argue he played the peak version of all his opponents, some will even put up his stat of never breaking a racquet into the mix. The most obvious and direct answer to what has been Nadal's impact is Carlos Alcaraz. In every way, Rafael Nadal walked so Carlos Alcaraz can run and that is what Rafael Nadal walks out of the game with, by inspiring a generation of children to chase the dream.

Very few athletes leave a mark as permanent as the one Nadal leaves at Roland Garros. Pete Sampras won 14 grand slam titles in all of his career. Rafael Nadal won 14 grand slams in just one tournament. Starting from 2005, all the way to 2022, he picked up 22 slams along the way. To be 19 and to win a slam, to then come back and defend it for three years in a row is unconceivable, yet here was this young Spaniard doing just that.

As a rival's fan, I could highlight his flaws, pick on things he had said that annoyed me, and talk about matches where he lost badly, yet, as he walks away, all I am left with are words of affirmations and admiration with a tinge of sadness that we may never see another fighter as great as Rafael Nadal in tennis.