

## Ensure prompt delivery of books

### A strong start to the academic year is crucial after recent disruptions

With the new academic year all set to begin, it is disappointing that the National Curriculum and Textbook Board (NCTB) has not yet completed printing a significant number of textbooks for primary and secondary levels, including schools and madrasas. According to *Prothom Alo*, out of more than 40 crore books, only about 4.75 crore have been approved for dispatch at the upazila level as of December 28. Since not all students across the country will receive their books on the first day of the new year, the NCTB plans to initially distribute at least three new books—Bangla, English, and Mathematics—to students of all classes, but even this plan reportedly faces uncertainty.

The NCTB chairman has expressed hope that students of different grades will receive their books in phases, with full distribution completed by January 20. However, NCTB and printing sources are sceptical of meeting this deadline due to delays in printing books for grades 4 to 9. A report by this daily previously cited printing industry insiders who had suggested that delivering all textbooks might take until the first week of March. In recent years, such delays have become an unfortunate norm, severely disrupting education, particularly in remote areas.

While it must be acknowledged that the interim government has had to deal with significant challenges complicating its preparation and delivery of textbooks—including unrest and chaos caused by the political changeover—ensuring textbook delivery within the first week of January could send a strong signal of a return to normalcy in academic activities. This is especially crucial for the students whose learning took a heavy hit because of the disruptions. Even now, the education sector, including the tertiary level, continues to experience challenges and uncertainties, making the new year an ideal opportunity to rejuvenate academic momentum and support students, particularly in underserved areas outside Dhaka. The faster the textbooks are distributed, the better for all concerned.

Under the circumstances, the government must step up its efforts in printing and distributing the textbooks. If necessary, additional resources and staff should be allocated to accomplish this crucial task. Given the wave of interruptions the education system has faced ever since the pandemic, it is all the more important to get things firmly back on track. Ensuring that schoolchildren receive their books promptly can lay the foundation for a strong academic year ahead.

## Address the plight of returning migrants

### Many suffering from medical issues, financial challenges

A recent study has offered us another stark glimpse into the harsh realities faced by returnee migrant workers. Many of these individuals, already burdened with hefty loans taken to secure overseas employment, return home to face additional financial strain due to medical expenses. The study, conducted by the Ovivashi Karmi Unnayan Program (OKUP) between 2021 and 2023, reveals that migrant workers who spent two to four years abroad often came back with severe health issues, including back pain, tumours, cardiac and injury-related complications, kidney problems, hypertension, and uterine infections. Among the surveyed, 52 percent reported physical health issues, while 48 percent suffered from mental health problems. Moreover, 57 percent had to borrow an average of Tk 90,000 to cover treatment expenses upon their return.

This shows the inhumane conditions that many migrant workers often endure abroad. One woman, for example, recounted how a broker sent her to Saudi Arabia with the promise of a well-paying job, only for her to experience physical abuse, sexual harassment, and food deprivation at her employer's house. Another worker shared that after paying Tk 4 lakh to migrate to Saudi Arabia, he was left jobless for a month, confined in a room with 20-25 others without access to food, clean water or a bathroom. He eventually developed type 2 diabetes and urinary problems. Neither worker received any compensation for their suffering.

Such incidents are far from isolated. Experts and rights advocates have long highlighted the plight of our migrant workers both before and after migration. Exploited by corrupt and unscrupulous recruitment agents at home, they are often subjected to gruelling workloads, inadequate living conditions, and little or no salary abroad. This cycle of abuse and suffering simply cannot be accepted.

We, therefore, urge the government to take decisive action to address these challenges, including by improving the lives of returnee migrant workers. First, it should provide adequate medical support and assistance for their rehabilitation and reintegration into society. In this regard, properly utilising the Wage Earners Welfare Fund can be a big help. Second, the government must revise the existing insurance policies for migrant workers to ensure comprehensive health coverage. It must also engage with labour-importing countries to secure better living and working conditions, as well as access to medical treatment when needed. Furthermore, our embassies in those countries should have dedicated help desks to address the grievances of migrant workers promptly. These individuals, who contribute significantly to the nation's economy, deserve our respect and unwavering support.

## THIS DAY IN HISTORY

### Wuhan reports pneumonia cluster cases



On this day in 2019, the World Health Organization (WHO) first learnt of “viral pneumonia” cases in Wuhan, China. The disease was later determined to be Covid-19, which became a global pandemic the following year.

# Cyber Protection Ordinance and our flawed law-making logic



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The interim government has decided to enact the Cyber Protection Ordinance (CPO), 2024. As successor to the controversial Cyber Security Act (CSA), 2023 and the more draconian Digital Security Act (DSA), 2018, the ordinance is now under close scrutiny. Due largely to the government's expressed commitment to human rights, I became quite hopeful following the CSA's scrapping, looking forward to a draft grounded in human rights. However, the draft has failed on multiple counts, including criminalising vaguely defined “cyberbullying” and “hurting religious values and sentiments.” I want to limit my discussion, prioritising depth over breadth, to the criminalisation of the latter.

Freedom of speech certainly is a qualified right and may in fact be regulated, or in legal language, “subjected to reasonable restrictions.” However, as human rights jurisprudence suggests that no restriction is reasonable if the “minimum core” of an otherwise qualified right gets assailed. The draft provision on hurting religious sentiments and values strikes at the very essence of the right to freedom of speech or expression. The provision is not grounded in human rights standards but in the subjective interpretation of extremely vague, uncertain, and indeterminate words and terminologies. For instance, it is not clear what constitutes “hurt” or what comes within the lucid purview of religious values and sentiment. In fact, the broad-based criminalisation also unduly shrinks the scope for critical deliberation and constructive discussions having a bearing on religion. Such a provision can make religious divisions all the more prominent and essentially undercut a tolerant culture, which is both an essential feature and a pursued goal for liberal democracies.

A popular critique of our existing constitution is that it views socioeconomic rights (e.g. shelter, food, medical care) as judicially unenforceable, hence not as rights but as principles. Curiously, however, the constitutional jurisprudence emanating from our higher judiciary is quite saturated with explanations

and expansive interpretations of the socioeconomic rights. Despite the unequivocal assertion of judicial enforcement for civil and political rights (e.g. speech, association, religion), we barely have any jurisprudence on these rights. In absence of any dense normative judicial guidelines, we, therefore, are left with the constitutional provision on free speech (i.e. Article 39), which is to be interpreted in the light of the international human rights standards.



FILE ILLUSTRATION: **BIPLOB CHAKROBORTY**

Interestingly, some rights advocates have routinely critiqued Article 39 of our constitution, too, for enumerating several vague grounds as reasonable restrictions (e.g. security of the state, friendly relations with foreign states, decency). Had we had rich constitutional jurisprudence or had there been amendments to Article 39 in line with the international human rights instruments, it could perhaps have evolved into a rights-oriented tool. On a personal note, despite being critical of large-scale top-down reform initiatives of constitutional nature, I was looking forward to changes in Article 39, particularly because actors within the interim government have expressed their commitment, in particular, to free speech and free press multiple times. But with the draft ordinance now on the table, one can barely remain hopeful.

I am mindful that any advocacy in

Discrimination requires state parties to declare as punishable “all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement of violence against any person or group of persons of another race, colour or ethnic origin.” The International Covenant on Civil and Political Rights says that “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.” In the domestic context, a sound legal approach arguably is prohibiting speech or communication that potentially exposes a person or persons to hatred, discrimination, violence or incitement of violence, on the bases that they are identifiable by one or more of the prohibited grounds of discrimination (i.e. race, sex, gender, religion). What constitutes gender-,

## ECHOES OF 2024

# A year of conflict, resilience and change



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ASHISH DAMLE

*“In the midst of darkness, light persists. In the midst of death, life persists. In the midst of untruth, truth persists.”*

—Mahatma Gandhi

As 2024 ends, with a week-long festivity and a lull in activity in many places, I find myself introspecting and reflecting over the past year. While annual reflection is a tradition for many, this is the first time I am sharing my thoughts openly, and for compelling reasons.

This year has helped us move past the painful memories of the Covid pandemic, yet without the solace we yearned for. The ongoing war between Russia and Ukraine intensified, and as if that was not enough, a significant new conflict erupted between Israel and Hamas in October 2023 and continued throughout 2024. The year began under the shadow of these global conflicts and witnessed further turmoil, including significant unrest in neighbouring Myanmar.

Additionally, more than 60 elections were held worldwide, many accompanied by political and civil strife, including one in Bangladesh. The power and influence of youth once again came to the forefront, driving political change and sparking global discourse.

We cycled through feelings of euphoria, fear, anguish, hope, inspiration and anxiety, sometimes all at once. As 2024 concludes, it is hard to pinpoint exactly what our emotional state is. When 2022 ended, it brought a sigh of relief with the decline of Covid. In contrast, 2024 closes with ongoing conflicts, polarisation, environmental crises, policy stagnation, controversial leaderships, civil unrest, widening economic disparities, dwindling humanitarian aid, and the persistent challenges of hunger and food scarcity. The political shifts and changing narratives of 2024 raise more questions than answers.

One stark example of global failure this year was COP29, which failed to secure adequate financial commitments for climate justice. Vulnerable nations like Bangladesh gained nothing from this massive effort of international negotiations, casting doubt on the very purpose of such annual conferences. Bangladesh faced five climate emergencies in 2024, including Cyclone Remal and massive floods that displaced over half a million people. These disasters left communities grappling with loss of livelihoods, damaged infrastructure, and prolonged recovery efforts, highlighting the urgent need for more robust global and local responses

to climate resilience. Yet, the global response fell short of what was needed.

Civil unrest defined much of 2024, with protests erupting in Venezuela, Kenya, Bangladesh, and most recently, South Korea. In many cases, demonstrators demanding civil rights were met with disproportionate violence. In Bangladesh, hundreds of lives were lost—among them students,

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children, and workers—while many others remain injured, enduring a painful existence after speaking out against authoritarian rule. This movement, described by some as a “second liberation,” holds the potential for revolutionary change, contingent on future political and social reforms. However, uncertainty looms for many in Bangladesh as they grapple with insecurity, livelihood challenges, and limited growth opportunities.

The 2024 floods were among the most devastating in recent history, affecting millions of lives with unprecedented intensity. In response, youth, communities and people from all stages joined hands and supported

race- or religion-based “hatred” in the context of speech has over the years been negotiated and judicially interpreted both in the international context and across jurisdictions. In fact, by operating within the framework of hate speech and grounding its anchor in the equality/non-discrimination law, the draft provision could easily pass the test of human rights, at least on paper. However, in the current form, the draft does a great disservice to both equality law/anti-discrimination jurisprudence, and the hate speech regime.

One may say, *albeit* for the sake of arguing, that the draft seeks to take a bottom-up approach and start with penalising “hurting of religious values and sentiment” to thereby take an all-encompassing approach. However, criminal law does not normatively work that way. They need to be precise and certain regarding what exactly they criminalise. An important element within the state-people relationship is ensuring that individuals know what conduct will jeopardise their freedom and authorise the state to rightfully curtail their liberty (i.e. by incarcerating them). In my opinion, the words used in the draft in the context of hurting religious values and sentiment are too uncertain, vague, and indeterminate to qualify as reasonable restrictions as per Article 39 of the existing constitution, read with the international human rights standards.

Thanks to our colonial past, we deem passing of criminal laws as a rather *usual* business. The state, the all-powerful *leviathan*, can define at its whims any conduct as crime and one can be easily incarcerated for noncompliance. If anything, “reforms” ought to improve and not maintain something under a different label; as a bare minimum, reform initiatives ought to undo our obsession with criminal laws and with muzzling critical voices. In any case, legal reform initiatives can never operate within the self-same anti-human rights logics that defined our law-making endeavours in the past.

Finally, the Cyber Ordinance Ordinance has to be judged on its own merit and based only on its seemingly “better” provisions, we cannot de-emphasise the potentially grave impact of its problematic provisions. Based on our lived experiences, thanks to the draft ordinance's predecessor cyber security and digital security regimes, the context becomes even grimmer now. In the context of the criminalisation of “hurting religious values or sentiment,” among others, changing the term *security* to *protection* seems cosmetic at best and almost deceiving at worst.

affected communities. This was admirable.

In 2024, the business world witnessed the continued rise of unicorns and billionaires, with wealth accumulating at unprecedented rates. However, this growth brought little meaningful change for the powerless. Despite a global economic growth rate of 3.1 percent, over one billion people remain trapped in acute multidimensional poverty, underscoring systemic failures that widen the gap between rich and poor. While digitalisation and technological integration have transformed many sectors, their benefits have yet to fully reach those living in poverty.

As 2024 ends, the limitations of the traditional humanitarian aid model are clear. To create lasting impacts for the disadvantaged, we must embrace entrepreneurial approaches, review existing frameworks, and develop sustainable strategies with consistent resource flow.

I question our engagement with the new generation on social change. Though equipped with technology and social media, they face unprecedented challenges. Are they prepared for an equitable future? Are we investing enough in their potential? These questions linger as we enter 2025.

Finally, as changemakers and development practitioners, we must rebuild trust, demonstrate accountability, and reconnect with people's aspirations. Over time, we lost touch with communities, but now is the moment to correct course and foster collective ownership of our work. As 2025 begins, let us invest in hope, positivity and collaboration to rebuild lives and create a more equitable, just world. It won't be easy, but it is possible—and essential.