

## Excuses do not drain water

Chattogram authorities must expedite projects to solve waterlogging woes

After decades of suffering from waterlogging during monsoon seasons, residents of Chattogram seem to have no one to blame but Mother Nature, or so claim the officials of two key government bodies responsible for making the city liveable. According to a *Prothom Alo* report, officials of the Chattogram Development Authority (CDA) and the Chattogram City Corporation (CCC) have blamed the severity of 102 millimetres of rainfall over a 24-hour period—from noon on July 27 to noon on July 28—for the resultant waterlogging, which left parts of the city submerged in waist-deep water for hours.

As usual, the authorities' failure to promptly and properly implement waterlogging mitigation initiatives was conveniently brushed aside. The CDA, CCC, and Bangladesh Water Development Board (BWDB) have together spent almost a decade and about Tk 10,000 crore to find solutions to the port city's waterlogging woes. Yet, with every bout of heavy rain, streets and homes are inundated, vehicles damaged, businesses disrupted, and traffic brought to a standstill. Sometimes, lives are lost as well, as open drains vanish under swollen water making them difficult to see or avoid. Still, no one accepts accountability.

In 2014, the CCC launched a project to address the crisis. Scheduled for completion in 2017, it remains unfinished 11 years later. Likewise, two separate projects by the CDA and BWDB—taken up in 2017 and slated for completion by 2020 and 2021—are still incomplete. Over the last eight years, numerous meetings have been held to speed up the work, but little has changed. After the interim government took over, relevant authorities were directed to complete 27 of the 39 necessary sluice gates by May 2025. So far, only 25 have been built. The authorities also failed to start pump-houses in waterlogging hotspots to drain out accumulated water and prevent hill cutting, which often clogs the canals. Despite this track record of delays and neglect, responsible agencies continue to absolve themselves by blaming natural causes, and sometimes each other.

It is high time public institutions in Bangladesh learnt to take responsibility for their failure to deliver on their mandates. Sporadic canal cleaning or declogging is not enough. If citizens are dumping waste indiscriminately, it is the city corporation's duty to raise awareness and, if necessary, enforce penalties. Most importantly, the relevant authorities must prevent unplanned urbanisation and the encroachment of low-lying lands. They also must stop using low-lying areas for development projects. At the same time, the approval of flawed megaprojects that worsen the problem must cease. Unless these core issues are addressed, Chattogram's waterlogging nightmare will remain unresolved.

## BSF's border killings must be challenged

Time for Dhaka to draw a line on such provocative actions

We condemn the killing of at least 34 Bangladeshis by India's Border Security Force (BSF) during the first 11 months of the interim government's tenure. Data from Ain o Salish Kendra (ASK) shows that the figure stood at 30 in 2024 and 31 in 2023. This suggests that, despite India's repeated promises to ensure zero border killings, it has done virtually nothing differently over the years. In fact, according to an earlier estimate by the Human Rights Support Society (HRSS), over the past 10 years, at least 305 Bangladeshis have been killed and 282 others injured along the Bangladesh-India border. This further illustrates how deadly the border has become, largely due to the repeated use of lethal force by BSF.

Most recently, on July 25, two Bangladeshi youths were killed and another injured by BSF firing on the Indian side opposite the Bashaupdia border point in Parshuram, Feni. Reportedly, the three victims had entered India, crossing the zero line marked by barbed wire fencing, and were shot by BSF personnel. Two of them managed to return to Bangladeshi territory, and local residents took them to the Feni General Hospital where one died in the morning. The other was taken by BSF personnel to Bilonia Hospital in India, where he also died.

While we do not condone any illegal crossing of the border, there is absolutely no justification for BSF's consistent use of lethal force at every possible opportunity. Looking at the data, since Hasina's ouster on August 5 last year, the BSF has killed at least one Bangladeshi every month, with the exception of November.

India has recently added to these hostile border actions by pushing around 2,000 people into Bangladesh—including even Indian nationals and Rohingyas—since May 7. And it has done so by bypassing all established legal channels and international obligations. Unfortunately, despite repeated protests by our government, India has continued its illegal push-in campaign. Experts have described these push-ins as orchestrated human rights violations, flagrantly breaching bilateral protocols such as the 1975 Joint Guidelines and the 2011 Coordinated Border Management Plan.

Much like the Hasina government, the interim government has also failed to take a strong stance in the face of such provocative actions by India. It is, therefore, high time for our authorities to demonstrate greater boldness in raising these issues with New Delhi and to consider actively taking them up at regional and international forums.

## THIS DAY IN HISTORY



### First FIFA World Cup final held

On this day in 1930, the first FIFA World Cup Final was held between Uruguay and Argentina. Uruguay beat Argentina 4-2 in the inaugural event.

## AN EX-CHIEF JUSTICE ON THE DOCK

# How Hasina broke the judiciary



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The image of a former chief justice, hands cuffed behind his back, clad in a bulletproof vest and helmet, being escorted to court is deeply unsettling. Yet it is no more disturbing than a chief justice fleeing his official residence in the wake of a popular uprising to seek refuge in a military garrison, or another one being forcibly evicted by plainclothes security agents and exiled from his own country. Alarming, Bangladesh has witnessed all of these in just the last eight years. It is a tragic chronicle of how the judiciary has been systematically dismantled by an all-too-powerful dictator—Sheikh Hasina.

The repeal of the 13th Amendment to the Constitution, which abolished the provision for a non-partisan caretaker government to oversee elections, stands as a pivotal moment in this erosion. It enabled Sheikh Hasina to conduct three consecutive one-sided elections, tightening her grip on power. The Supreme Court had the jurisdiction to rule on the amendment, but the conduct of the then Chief Justice ABM Khairul Haque was questionable. His decision to alter the open court's short order—reflected in the full verdict issued 16 months after his retirement—was viewed by many not only as judicial misconduct but even bordering on forgery or fraud.

Such conduct fell significantly short of the impartiality and integrity expected of the judiciary, seriously eroding public trust. Suspicions remain that the delay in issuing the full verdict was intentional, allowing Sheikh Hasina to pass legislation that bypassed the short order's provision and facilitated two more elections under the caretaker system. She seized this opportunity to abolish the caretaker provision, disregarding even the recommendations of a parliamentary committee.

More troubling were allegations that Justice Haque sought financial assistance from Prime Minister Hasina's discretionary relief fund for his wife's medical treatment while petitions against the executive were pending before his bench. At the very least, such action suggests a serious moral compromise.



The unease felt by some about ABM Khairul Haque's arrest stems from the fact that he has not been charged with any of the alleged judicial misconduct, but with a murder charge.

PHOTO: PROTHOM ALO

Critics also point to his appointments as chairman of the Law Commission, a post he held on a contractual basis long after retiring from the Supreme Court. The extensions continued until the end of Hasina's fall, despite Haque's own ruling in the 13th Amendment case that judges should not accept "offices of profit" after leaving the bench. In practice, he did just that—serving the very government his judicial actions had benefited.

Justice Haque did, however, fail to secure a judgeship at the International Criminal Court (ICC), despite being nominated for elections by the Hasina regime twice, in 2015 and 2020. His nominations were withdrawn amid strong opposition from human rights organisations and a lack of support from member states.

still seems to be a preferred tactic, which we all thought would end with the fall of the dictatorship.

Those who have long blamed Justice Haque for enabling Sheikh Hasina to politicise—and ultimately weaponise—the judiciary, view his arrest with a sense of vindication. To them, he bears significant responsibility for a system that denied justice to countless opposition figures and, in many cases, actively persecuted them; therefore, he should be treated as such.

Yet it raises a critical question: why wasn't he arrested in either of the two cases related to his 13th Amendment verdict—one alleging forgery for deviating from the short order, and another for sedition filed in Narayanganj? Some legal experts suggest that the answer lies in judicial immunity, which shields judges for the

would have made Supreme Court judges accountable to parliament, described in his own words how he was harassed by officials of the Directorate General of Forces Intelligence (DGFI) within court premises and eventually forced into exile. His experience, too, serves as a chilling reminder that the subjugation of the judiciary in Bangladesh is not unprecedented. Sinha was arguably the first and only chief justice to be publicly humiliated by the executive while still in office.

Restoring public faith in the judiciary is now more urgent than ever. What Bangladesh needs is a justice system that is truly independent of the executive, operating with transparency, integrity, and fairness; one in which no judge is subjected to disgraceful prosecution, nor forced to flee their homeland.

# Let's not stall the implementation of CHT Accord any longer

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The Chittagong Hill Tracts (CHT) Peace Accord was signed with a promise to move forward. The conflict in the CHT region was never just about land or ethnicity—it was always political. In the early stages, under the leadership of the Parbatya Chattagram Jana Samhati Samiti (PCJSS), the movement was characterised by non-violent tactics. However, when every democratic path was blocked, an armed struggle emerged. Still, the doors for dialogue never closed.

After 26 formal rounds of negotiation—six with the Ershad government, 13 with Khaleda Zia's BNP, and seven with Sheikh Hasina's Awami League—the CHT accord was signed on December 2, 1997.

It was a landmark moment. Guns were laid down. Hope returned to the hills. The accord promised recognition of the CHT as a unique indigenous region, devolution of authority to local councils, withdrawal of military oversight, return of dispossessed land through a functional land commission, and so on.

More than 27 years on, implementation of the accord is fraught with half-truths and selective memory.

The former Awami League government had its own perspective on the situation. It proudly asserted that 65 out of 72 sections of the CHT Accord had been "fully implemented" and three others partially completed, while implementation of the

remaining sections were merely a matter of time. However, the PCJSS, one of the signatories to the accord, says only 25 sections can genuinely be considered implemented, and 29 sections have not only been ignored but also actively violated. Eighteen sections have been partially implemented. The gap between what is documented by the former government and the reality on the ground is not just a political issue, it has become a matter of trust. For the people in the CHT, that trust has significantly eroded.

According to the accord, several key responsibilities were to be transferred to the hill district councils. Some of these responsibilities included oversight of law and order, land administration, local policing, forest and environmental management, and development of communication infrastructure. Although this transfer was officially labelled as "fully implemented" by the former government, in practice they remain largely unfulfilled. Hill district councils are often sidelined, underfunded, and politically hijacked.

The land commission, established to resolve long-standing land disputes between indigenous communities and Bangalees living there, has become a shadow of its former mandate. Of the 26,000 land-related applications submitted, not one has been resolved. The commission exists without adequate staffing, resources, or political will. A planned meeting of the commission in 2022 was cancelled under pressure from Bangalee groups.

Even the committee meant to monitor the accord's implementation has no office, no staff, and no budget. The long detour

The Awami League, who signed

the accord when in power, was in government for more than a decade and a half. And yet, they failed to implement its core promises. In many ways, their legacy is one of stalling, sidestepping, and selectively interpreting provisions to maintain control while appearing compliant.

From 2014 onwards, the stagnation became more pronounced. Government reports touted numerical success, but the situation on the ground told a different story. The institutions established under the accord have increasingly become vehicles for political appointments rather than vehicles of change. The accord, which could have served as a blueprint for pluralism, decentralisation, inclusion and justice, has instead become a case study of how good intentions can decay when promises are left to languish in bureaucratic dead ends.

A new chance?

Now, Bangladesh stands at another political junction. Following unprecedented student-led protests and civic unrest in July-August last year that saw the fall of the former government, an interim administration led by Prof Muhammad Yunus is currently in power. This moment offers a chance to correct the course—to honour the 1997 agreement in policy and practice.

The government has reconstituted a three-member Implementation and Monitoring Committee to oversee the long-stalled implementation of the CHT Accord. The committee is led by Foreign Affairs Adviser M Touhid Hossain as convener, with PCJSS President Santu Larma and Tribal Refugee Affairs Taskforce chair Sudatta Chakma as members. Formed on January

12, the committee has been tasked with supervising implementation activities, coordinating relevant government bodies, addressing unresolved issues, and making policy recommendations. It will also oversee the repatriation and rehabilitation of refugees and internally displaced persons. The CHT affairs ministry will provide all logistical and secretarial support, and the committee may form sub-committees as needed to ensure smooth execution of the accord's provisions. However, a clear, time-bound roadmap is required to address the unfulfilled provisions.

The implementation of the accord is not about goodwill. It is about obligation. The accord is a contract, not a concession.

During a recent discussion in Dhaka organised by the Bangladesh Indigenous Peoples' Forum, indigenous leaders and civil society groups called on the interim government to immediately initiate a dialogue with the PCJSS and other stakeholders to implement the long-stalled CHT Accord. They stressed the urgent need to activate the Land Dispute Resolution Commission, reform flawed legal frameworks, and ensure the democratic functioning of institutions established under the accord. Frustration over inaction and political neglect was evident, with participants demanding a clear roadmap to restore peace and justice in the hills.

The CHT Accord began with hope, only to find itself rerouted and restrained. But the people of the CHT haven't forgotten. The accord lives on—in dusty files, in the youth born after 1997, in the collective memory of a region that still waits. There's still time to get on the right track, but the window is narrow.