The Daily Star
FOUNDER EDITOR: **LATE S. M. ALI**

We must not leave the Basel Convention

Don't take steps that risk weakening safeguards in shipbreaking

We are concerned by the government's decision to withdraw from the Basel Convention's provisions on shipbreaking at the request of industry owners and to solely rely on the Hong Kong Convention instead. By doing this, it risks weakening an important international mechanism for preventing the dumping of hazardous waste in our coastal areas. Last month, the government also downgraded the shipbreaking industry from the "red" to the "orange" category at the owners' demand, potentially removing the requirement for an environmental impact assessment (EIA) before a yard is established. Given the industry's continuous record of workplace accidents and environmental risks, these moves raise serious questions about whether industrial interests are being prioritised over environmental protection.

The Basel Convention, signed by 170 countries including Bangladesh, was adopted in 1989—and came into force in 1992—following international outrage over the dumping of toxic waste in developing countries. It regulates the transboundary movement of hazardous waste, while the Hong Kong Convention, which came into force in June last year, primarily deals with the safe and environmentally sound recycling of ships in shipbreaking yards. Under the former, end-of-life ships classified as hazardous waste cannot simply be exported without prior notification and written consent from the importing countries. It also requires the exporting countries to take back the waste if it cannot be disposed of in accordance with the agreed arrangements. These provisions are particularly important for a country like ours, which receives vessels from developed nations for dismantling and recycling.

In August this year, 10 workers died from toxic gas exposure while dismantling a vessel at Ferdous Steel Ship Recycling Yard in Sitakunda. Although the yard had green certification under the Hong Kong Convention, serious safety deficiencies were found in it.

In a study commissioned by international shipping organisations, Netherlands-based research organisation CE Delft identified weaknesses in the Hong Kong Convention concerning yard inspections, hazardous waste management, and hazardous materials identification. It noted that the convention does not prohibit beaching methods, which can allow toxic substances to contaminate coastal soil and water. Moreover, it places primary responsibility for managing hazardous waste on importing countries, rather than ship owners or exporting countries. The NGO Shipbreaking Platform has pointed out that the two conventions can be implemented together to provide stronger protection for both workers and the environment.

In August this year, 10 workers died from toxic gas exposure while dismantling a vessel at Ferdous Steel Ship Recycling Yard in Sitakunda. Although the yard had green certification under the Hong Kong Convention, serious safety deficiencies were found in it. These deaths and other previous accidents show that certification alone cannot guarantee compliance. If the existing framework is proving difficult to enforce, the government should strengthen monitoring and accountability, not weaken the safeguards.

The government must reconsider its decision and retain the Basel Convention's provisions alongside the Hong Kong Convention. It must ensure that exporting countries cannot evade responsibility for the hazardous waste they send here. At the same time, the authorities must strengthen the enforcement of existing environmental and safety standards through regular independent inspections, proper management of hazardous waste, and strict penalties for violations.

Delay in rebuilding a library concerning

Authorities must meet the revised deadline for the National Public Library

We are disappointed that the Sufia Kamal National Public Library in Dhaka's Shahbagh area remains inaccessible even more than four years after its modernisation project began. Originally scheduled for completion in December 2024, the project is still only around 66 percent complete, with its deadline reportedly pushed to June 2028. To illustrate how painfully slow it has been of late, the project was around 65 percent complete in April, meaning that only one percent of work has been completed in about seven months. This raises questions about the planning and professionalism of those involved.

The prolonged delay comes with considerable financial implications as the estimated project cost has increased by Tk 27 crore from the initially approved Tk 561.3 crore. While the director general of the Department of Public Libraries assured that work on the steel structure, lifts, escalators, and air-conditioning system was underway, a recent visit to the site revealed very little construction activity, with only a handful of workers present.

Since the old building's demolition in 2022, the library has been operating from the 12th floor of the Institution of Engineers, Bangladesh (IEB) building in Ramna. There, only about 70,000 books are on display, out of around 350,000, while the rest are kept in cartons due to space constraints. Limited space and fewer available books have reduced the number of visitors to 35 to 40 people each day. While we understand the logistical and technical challenges that may be involved in a reconstruction project of this scale, it is nothing that a well-executed plan cannot address.

The library, once complete, is expected to accommodate around 1,500 readers at a time, while about 5,000 people will be able to use the premises simultaneously. It will also have separate science, reference, and general reading rooms, an e-library, and facilities for children, adolescents, and people with disabilities. All that sounds promising, but we hope the new complex will also be adequately staffed and properly maintained. Public libraries are inclusive spaces essential to build an informed, curious, and critically thinking society. Unfortunately, we have far too few of them, limiting our access to shared spaces for accumulating knowledge and exchanging ideas. The authorities, therefore, must expedite the reconstruction of the National Public Library and ensure that the revised deadline is met without failure.

Caught between extradition and voluntary return



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■ **KAMAL AHMED**

Two reports concerning Sheikh Hasina—who has been tried in absentia and sentenced to death by Bangladesh's International Crimes Tribunal for crimes against humanity—have generated considerable political speculation and heated debate in recent weeks. The first concerned a reported request by a British lawyer, claiming to represent her, for the issuance of a Bangladeshi passport and National Identity Card (NID). The second claimed that New Delhi had set two preconditions for sending her back to Dhaka.

The first story emerged following the leak of a letter written by London-based barrister Steven Powles KC to Bangladesh's Acting High Commissioner in New Delhi. The letter, however, did not explain why Hasina needed a passport and NID, the latter of which reportedly remained locked rather than revoked. Her supporters portrayed the request as further evidence of her determination to return home, come what may. None of her supporters are ready to accept that she also needs a passport to move to a third country, if she chooses to. Some even argued that Dhaka's subsequent rejection of the idea of issuing her a passport to facilitate her return demonstrated its inability to execute the tribunal's verdict, and suggested that keeping her away from Bangladesh might, in fact, be the preferred option.

What they fail to explain, however, is what a reasonable conclusion to the official extradition process, initiated in December 2024, would look like. Should Dhaka withdraw its extradition request, which both India and Bangladesh have acknowledged as a major obstacle to normalising bilateral relations? Issues ranging from trade and water sharing to consular matters have remained entangled in the dispute over the ousted prime minister's future. Her political activities from exile have been characterised as destabilising and subversive by both the interim administration led by Professor Muhammad Yunus and the elected government of Tarique Rahman.

The second report, published by BBC Bangla, was even more intriguing. According to the report, Indian officials have indicated that Bangladesh must arrange for Hasina's return through its military to ensure her safety and security.

On August 5, 2024, at the height of the mass uprising, Hasina left Dhaka aboard a military transport aircraft bound for New Delhi. India's External Affairs Minister, S. Jaishankar, told the Indian parliament on August 6, 2024: "On 5th August, demonstrators converged in Dhaka despite the curfew. Our understanding is that after a meeting with leaders of the security establishment, Prime Minister Sheikh Hasina apparently made the decision to resign. At very short notice, she requested approval to come for the moment to India."

According to Jaishankar's statement, Hasina had decided to resign and sought permission to travel to New Delhi, which the Indian government granted. The phrase "for the moment" is particularly significant. It suggests that India may not have envisaged her indefinite stay on its soil when it initially agreed to accommodate her.

The second precondition, according to BBC Bangla, is that Bangladesh must guarantee Hasina the opportunity to appeal against her death sentence and ensure a fresh trial concerning the killings during the July uprising. While no government can simply overturn a judicial verdict through an executive order, the possibility of an appeal or other judicial remedy cannot be entirely ruled out. A precedent of sorts has already been set when the Supreme Court granted former Jamaat-e-Islami leader Moulana Abul Kalam Azad, also convicted by the ICT of crimes against humanity, permission to seek a hearing on the admissibility of his long-delayed appeal against the death sentence.

When asked about these reported preconditions, Randhir Jaiswal, a spokesperson for India's Ministry of External Affairs, neither confirmed nor denied them. Instead, he reiterated that the extradition matter would be handled through established legal channels. Although officials at Bangladesh's foreign ministry expressed ignorance of any such demands from New Delhi, one cannot help but wonder why Jaiswal avoided directly addressing the question of preconditions.

If India has indeed demanded guarantees concerning Hasina's security and her right to appeal, could it be interpreted as a signal of its willingness to honour Bangladesh's extradition request? Indications emerging from diplomatic circles in India also suggest that her continued presence there may soon become less welcome, if it hasn't already. BBC Bangla further reported that her attempts to relocate to other countries had also been unsuccessful.

Is there another way to resolve the extradition question, such as voluntary return? The answer is yes, but it would require an admission of guilt and an agreement to surrender to the requesting country. Without a guilty plea, withdrawal of an extradition request is unprecedented. One recent example is the case of Julian Assange, the celebrated founder of WikiLeaks, whose organisation published a trove of classified US documents in 2010.

Assange faced multiple charges, including allegations relating to computer hacking and espionage. Following prolonged negotiations, the United States reached a plea agreement with him in June 2024, ending its pursuit of extradition from the United Kingdom. Assange agreed to plead guilty to a single charge under the Espionage Act. He subsequently appeared before a US court in the Northern Mariana Islands, where the agreement was approved. Having been sentenced to time already served, he was allowed to leave as a free man.



VISUAL: **ANWAR SOHEL**

Hasina's case, however, bears a closer resemblance to that of another elected leader turned authoritarian ruler: Peru's Alberto Fujimori, who was eventually convicted in his own country for crimes against humanity.

Of Japanese descent, Fujimori was initially elected president of Peru. His rule, however, became synonymous with authoritarianism, entrenched corruption, extrajudicial killings and serious human rights violations. He was subsequently found guilty of responsibility for the activities of the clandestine Colina Group, comprising military and security personnel who carried out a series of killings. He fled Peru for Japan in 2000 after controversially securing a third presidential term. The Peruvian Congress removed him from office despite his resignation from abroad. Lima subsequently sought his extradition, but Tokyo refused, recognising his Japanese nationality and citing constitutional and legal obstacles to surrendering him to another country.

After a prolonged diplomatic deadlock, Fujimori, hoping to launch another presidential bid, travelled to Chile, where a friendly conservative government was in power. But Chilean authorities arrested him, and its Supreme Court eventually authorised his extradition to Peru in 2007.

Back in Peru, Fujimori was tried and convicted. The verdict was particularly significant for its treatment of indirect responsibility and the doctrine of authorship by command: a leader could be held criminally responsible for crimes committed by others acting under his orders, even if he had not personally carried them out. In 2017, Fujimori received a presidential pardon, ostensibly as part of a national reconciliation effort. The decision, however, triggered widespread outrage, bringing protesters back onto the streets of Lima. Fujimori's political movement retained a substantial support base, and his daughter, Keiko Fujimori, in her fourth attempt, got elected as president last June.

In resolving Sheikh Hasina's extradition issue, few relevant precedents exist other than Fujimori and Assange's cases, which offer very different pathways: one through extradition and subsequent prosecution in the home country, the other through a negotiated plea agreement and surrender.

Could either provide a way forward for Dhaka and New Delhi? The Fujimori precedent suggests that extradition, even after years of political and diplomatic complications, remains possible. The Assange case demonstrates that a negotiated settlement may also offer an alternative, provided the parties concerned are willing to accept its legal and political implications. The way forward may depend not only on Dhaka and New Delhi's calculations but also on Sheikh Hasina herself.

Regular, risk-based forensic auditing must become the norm

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Public money is not protected simply because every expenditure has a bill, voucher or approval. Behind apparently legitimate transactions may lie inflated costs, fictitious suppliers, collusive contracts or conflicts of interest. By the time irregularities surface, the money may be gone. Bangladesh must ask: are we auditing transactions, or actually following the money?

For too long, forensic auditing has been treated as an exceptional response to corruption allegations, financial scandals or institutional failure. Yet substantial public resources flow through development projects, procurement contracts, financial institutions and social programmes. Forensic auditing should therefore become a regular, risk-based component of financial oversight, not merely a response after losses occur. Traditional financial audits examine the accuracy of financial statements and compliance with rules. Forensic audits go further: they investigate suspicious transactions, trace funds, identify potential beneficiaries and gather evidence of possible misconduct. A payment may be properly recorded without being legitimate. A contractor may submit all required documents although the work is incomplete or overpriced. A bank may conceal questionable related-party transactions behind its financial statements.

Public procurement is an obvious starting point. Although electronic government procurement (e-GP) has improved transparency and record-keeping, digitalisation cannot eliminate collusion, conflicts of interest or manipulation of competition. Suspicious bidding patterns, repeated contract awards, unusual price variations and questionable contract amendments warrant closer examination. The banking sector presents another compelling case. Non-performing loans, irregular lending and connected borrowers show why financial statements alone are insufficient. Investigators must trace loan disbursements, identify ultimate beneficiaries and check whether funds served their declared purposes. Even apparently sound banks need independent scrutiny to identify emerging risks.

Similar questions arise in public healthcare and development projects. Are procured medicines reaching hospitals? Do payments match deliveries? Does infrastructure spending reflect completed work? Are social protection funds reaching eligible beneficiaries? Expenditure records cannot always provide the answers. Forensic auditing should establish not only who benefited from irregularities but also why the system allowed them. Where procurement irregularities recur, identifying offenders is not enough. Weak tender evaluation, supplier verification, contract management and payment controls must also be addressed. Individual accountability matters, but so does institutional accountability: preventing misconduct from recurring.

Bangladesh needs a structured framework for regular, risk-based forensic auditing without subjecting every transaction to a full-scale investigation. Periodic forensic reviews should complement conventional audits, with greater scrutiny of high-risk transactions and institutions. First, national guidelines should specify when and how forensic audits are initiated across public institutions, state-owned enterprises, major development projects and financial institutions. Second, investigators need professional independence, access to records and protection from undue interference, particularly when influential individuals or organisations are involved.

Audit reports that identify irregularities without prompting corrective action serve little purpose. Implementation of audit recommendations should be transparent, subject to legal and confidentiality requirements. Forensic auditing should be seen not as an accusation against institutions but as a mechanism of responsible governance. Regular scrutiny can protect institutions as much as it can expose wrongdoing.

Third, Bangladesh must invest in specialised expertise in financial investigation, procurement analysis, digital evidence and data analytics. Finally, findings must lead to action. Coordination among the Comptroller and Auditor General of Bangladesh, the Anti-Corruption Commission, Bangladesh Bank and other oversight bodies should help ensure appropriate recovery of funds, administrative action, legal proceedings and institutional reforms.

Audit reports that identify irregularities without prompting corrective action serve little purpose. Implementation of audit recommendations should be transparent, subject to legal and confidentiality requirements. Forensic auditing should be seen not as an accusation against institutions but as a mechanism of responsible governance. Regular scrutiny can protect institutions as much as it can expose wrongdoing.

Bangladesh must move beyond recording expenditure to examining financial risks, tracing beneficiaries and correcting systemic weaknesses. The question is not why forensic audits are needed after scandals, but why institutions are not routinely examining risks before they occur.

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