

## HUMAN RIGHTS analysis

# Biofuel: Boon or a crime against humanity?

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DEVELOPMENT comes at a price. This time the price is FOOD! The physical development that we see all around is mostly fuel driven. And till recently it has been almost all fossil fuels. These principally include petroleum, natural gas and coal. Decomposed bodies of plants and animals, which lived on earth 300 million years back, deposited way beneath the earth to form fossil fuels. While burned these fuels release chemical energy that run most of the power plants, factories and even help us cook rice.

So far these have been providing the source of energy that human-kind needs to carry on its development activities. But heavy reliance on these non-renewable sources of energy is potentially risky in that these are exhaustible in nature and reserves of these are ever dwindling. In the worst-case scenario we will consume the rest of fossil fuels within next 17 years, though the best-case scenario allows us to continue the consumption for next 50-70 years. It widely depends on consumption pattern and discovery of new reserves about which there is no telling.

This crisis of energy source makes countries go desperate, wage illegal wars, put unjustified pressures on weaker countries to export their fuel reserve and what not. With the price of petroleum hitting 126 dollar per barrel and projected to touch 200 dollar within six months, oil politics has reached its peak. This fuel crisis is taking on every economy, big and small alike. No wonder the world has been longing for renewable source of energy. Solar power has been around as an alternative source for quite a while, so are windmills, but are not just economically viable enough to be used on industrial scale as yet. Biofuel



reemerged as the answer for many.

What is biofuel? Fuels produced from biomass are generally termed as biofuels. In this sense woods and leaves used for cooking and heating, and biogas produced from cattle waste to generate electricity are also biofuels. In food vs. fuel debate the term is used in a more specific manner to denote production of ethanol from crops for automobiles. Crops having sugar contents e.g. sugar cane, sugar beet or starch e.g. corn, wheat, rapeseed, maize can be used to produce ethanol through fermentation. Or, naturally oil producing plants e.g. oil palm, soybean, algae or jatropha can be reduced to biodiesel.

The idea of using biofuels in motorized vehicles is not a very new one. In fact it dates back to the very early years of automobile industry. But huge supplies of mineral fuels during the post World War II period shifted the balance in favor of fossil fuels. Discovery of large reserves in the Middle East and the USA made the use of fossil fuel lot cheaper than biofuels. Recent development in fuel-

centric incidents including armed conflicts, rapid economic growth in China, India, Russia, Brazil etc, fear of exhaustion within a few years, caused the price of fossil fuel reach levels never seen before. This triggered renewed interest in biofuels among industrialized countries that are no more willing to depend exclusively on the supplies of oil producing countries.

The USA and the EU countries are providing direct and indirect subsidies to the biofuel producers. Regulations are being put in place to mandate use of biofuels up to certain percentage of overall fuel used by consumers. Several US states provide subsidies to support production of ethanol or biodiesel at a rate of \$0.05 per litre or more. The US federal government also grants a \$0.13 per litre tax credit to companies that blend biodiesel with petroleum diesel. According to one estimate the amount of subsidies supplied by the US in promoting biofuel production and usage is expected to reach \$8.3 to \$11 billion a year. Along with direct subsidies of the same kind offered

to biofuel producers, the EU countries encourage the usage of biofuel through tax preferences.

Soaring economies, driven by their fuel hungry industrialization, are also coming along strongly. Chinese government already has made mandatory rules on blending ethanol with conventional fuels. Thailand has opted for the same kind of measures. Governments of Brazil and India are taking steps to expand the production of biodiesel.

These measures swell the biofuel industries at a rate that goes beyond prediction. The U.S. Department of Agriculture (USDA) projects that distilleries will require only 60 million tons of corn from the 2008 harvest. But the Earth Policy Institute (EPI), an organization advocating for sustainable development, estimates that distilleries will need 139 million tons more than twice as much. Moreover, the US president gave a go-ahead to the 'Energy Independence and Security Act' on December 19th of 2007. This law mandates fivefold increase in

production of biofuel over current production level by 2022. This will substantially reduce the capacity of the US, a major food exporting country, in producing food crops.

This is alarming because this overwhelming increase in biofuel production will claim more cropland and in turn will reduce the production of grains. This way the interest of the world's 800 million motor vehicle owners would be pitted against the right to sustenance of over 2 billion poorest people. While the volume of world food production failed to catch up the consumption need in six of the last seven years, this unethical contest over cropland can only worsen the situation. We already are experiencing an unprecedented high in food price world over. Increasing biofuel production partly accounts for that and its contribution to food crisis will increase over time.

But how effective an alternative biofuel is or can it potentially replace the conventional fuels? No, it is not as good as some optimists may portray it to be. Bio-ethanol produced by distilleries is mainly used in automobiles. But the amount of grain enough to feed one person for whole one year can only fill a 25-gallon fuel tank once. And if the USA opts to convert its entire grain harvest to biofuel, it would only be enough to keep 16 percent of their automobiles mobile.

It is often claimed by the biofuel producers that biofuels are carbon neutral as the carbon absorbed by new plant growth balances the carbon released during the use of fuel. Thus these are adding no net increase of carbon dioxide in the atmosphere. This CO2 recycling story conceals some important facts to make it appear better than it really is. The calculation does not take account of the energy that is required to grow crops and process them into fuel. Agriculture of crops requires manufacture of fertilizer,

fuel-driven agro-plants and machineries. Again more need of land to produce biofuels would lead to destruction of forests that are acting as significant sinks of carbon dioxide.

Soon, biofuels would catch the imagination of multinational companies and their venture would not remain limited to home countries. Countries like ours would fall prey to their all-devouring need. Croplands today used for food production would be taken over by cash crops to satisfy the needs of fuel hungry countries. We would be in deeper crisis, as the country will have no other choice than to import its necessary grains. So we better beware before it is too late.

We need new sources of energy, possibly renewable sources, but not at the expense of our right to food. But how this crisis of humanity can be confronted? Biofuel producers are doing no crime as such though their actions render millions of people descent below poverty line. One possible way I can see is to argue our point from a human rights perspective using the established principles of international environmental law. One such principle is sustainable development of which 'equitable' use of natural resources forms a core element. It implies that use by one state of its natural resources must take account of the needs of other states. This, in other words, is called intra-generational equity. It makes sense as environmental and human rights issues do often disregard artificial national borders and actions in one place adversely impact people of other nationalities. We live on one Earth and must take care that realisation of the vested interest of a few does not bring the downfall of many.

The writer is advocate, member of Dhaka Bar Association.

## RIGHTS corner

### What is right to food?

The right to food means that Governments must not take actions that result in increasing levels of hunger, food insecurity and malnutrition. It also means that Governments must protect people from the actions of others that might violate the right to food. Governments must also, to the maximum of available resources, invest in eradicating hunger. The right to food is not about charity, but about ensuring that all people have the capacity to feed themselves in dignity.

The right to food is a human right and is a binding obligation well-established under international law, recognised in the Universal Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights, as well as a plethora of other instruments. The right to food has also been recognised in numerous national constitutions. The right to food has been well defined in the General Comment No. 12 of the Committee on Economic, Social and Cultural Rights. This defines the right to food as: "the right of every man, woman and child alone and in community with others to have physical and economic access at all times to adequate food or means for its procurement in ways consistent with human dignity."

Under article 2(1) of the International Covenant on ESCR States agreed to take steps to the maximum of their available resources to achieve progressively the full realisation of the right to adequate food. Under article 2(2) of the Covenant States agreed to guarantee that the right to food will be exercised without discrimination. Finally, under article 3 of the Covenant States agreed to ensure the equal right of men and women to the enjoyment of the right to food.

Source: www.righttofood.org.

## FACT file

### Profiling human traffickers

FOR a universally condemned crime, not much is known about individuals involved in human trafficking. That said, available information shows that traffickers often do not fit common perceptions. They come from different social backgrounds, are of different nationalities and age, and can be women as much as men.

"We have to remember that some of the reasons for becoming a human trafficker, or a victim, might be very much the same", notes Kristina Kangaspunta, Chief of the Anti-Human Trafficking Unit in UNODC. "Poverty, inequality and unemployment impact on both traffickers and victims."

From recruitment to exploitation, many actors come into contact with trafficked victims. A common belief is that traffickers are predominantly men. In fact, "many criminal groups include women traffickers either at the recruitment, transportation, or even exploitation stage", informs Kangaspunta. Women are often involved in the recruitment of victims where gender and age contribute to quickly establishing trust with vulnerable persons.

Traffickers are also not always adults. People of different ages are involved; although recruiters are often older than those they recruit. They can more easily manipulate and ultimately recruit a younger person. On the other hand many children are forcibly recruited as child soldiers by other children. Either way, recruiters are extremely skilled at gaining the trust of victims and are often selected because of their appeal to potential victims.

Some traffickers are former victims themselves. Motivations include fear of violence by the exploiter or an improvement in circumstances. The victim is 'promoted' within the trafficking enterprise and is given responsibility to control other victims. In some instances, victims become

## LAW opinion

# Migrants and remittances: Important issues for Bangladesh

BARRISTER HARUN UR RASHID

DURING the days of globalisation, capital, goods and service-sector move easily from country to country. But movement of people is blocked by immigration laws. Intending migrants, therefore, find very difficult to move from one country to another, although there is a huge demand of workers in industrialized countries. The consequence is illegal or undocumented workers in many countries.

The undocumented workers

The Convention enjoins state-parties to ensure that working and living conditions of undocumented workers should not be less favourable than those applied to national workers for the sake of health, safety, fitness and human dignity of workers.

Bangladesh together with other migrant-sending countries may robustly campaign within the UN and other international and regional forums for the ratification of the UN Convention by the labour-receiving countries.

cent of Bangladeshi workers go to the Middle East countries.

As far as women workers, according to Bangladesh Manpower Employment and Training Bureau the number of women workers reportedly stood at 74,074 of August 2007. Of them 54,835 left the country in the last three and half years.

Some say that the figure will be more because there are many unauthorized agencies in the country that send women workers abroad (only seven recruiting agencies are being authorized by the govern-

ment for sending women workers).

It is reported that among total expatriate workers, six per cent constitute female workers.

Total remittances: Remittances from migrant workers have crossed over US\$6 billion in 2006 contributing 8.7 per cent of the Gross Domestic Product (GDP) of the country. It is the second foreign exchange earning for the country after the export earnings of the garment sector that contributes 12.7 per cent of the GDP.

This year about \$7 billion are being expected from remittances. By 2015, the target is about \$ 30

### Why do people migrate?

Migration is a social process that is historically seen in a politico-economic context. During the 16th and 17th centuries Europeans migrated to new countries such as in America, Australia, Latin America and Africa for better quality of life and opportunity. There are several reasons for migration and some of them are:

- economic and demographic factors
- civil wars and discrimination among minority community
- promotion of entrepreneurial skills
- opportunity known to be available in foreign countries.

A study for Britain's Department for International Development found that three-quarters of African immigrants have university education and roughly half of Asia's and South America's. Of the one million people from India living in the US, three-quarters of those of working age have a university degree.

In future the number of migrants from developing countries would increase because of the ageing population in the industrialized countries.

According to a report in the next 30 years, the labour force in Germany will shrink from 41 million to 21 million, in Italy from 23 million to 11 million. Japan will require about 90,000 a year falling

to a longer-term figure of about 700,000 a year.

### Suggested strategies

The thumb rule is higher the skill of the migrants, the remittances will be bigger. The question is how to capture the emerging labour market by Bangladeshi workers.

Accordingly, many experts suggest three essential strategies, among others, need to be put in place to meet the goals.

First is the English-language or foreign language skill is to imparted to intending migrants

Second is the establishment of vocational schools in the country so that well-qualified trades people, such as carpenters, auto-mechanics, air-conditioning technicians, joiners, masons, plumbers, and electricians can migrate to overseas as there is a huge demand of trades people in the industrialised countries.

Third, health care workers need to have the international standard of quality of education and training as they are in a great demand in overseas.

Furthermore women workers need training before they leave abroad. Often they are misled and abused by unauthorized agencies. Many of them fall victim to cheating and they are not provided with jobs they are promised.

In government sector, reportedly there is one training centre in Mirpur and six centres have been set up in divisional level. Many more centres need to be set up together with private sectors.

These strategies could be in place through the joint initiative of government and private sectors. Bangladesh may derive benefit from the experience of the Philippines.

### Remittances and certain open questions

Although remittances have grown to become a central factor in the domestic economy of the country, certain issues need to be further investigated such as:

- How can government improve on incentive schemes to channel remittances to productive investments?

- Is there a role for micro-finance institutions in linking formal remittances to development?
- Is it feasible to pool migrants' savings and form mutuals or pension funds?
- How does one best bring about improvements in the existing banking network in its ability to compete effectively with informal arrangements?
- Has there been an assessment in the context of hypothesis that incentive schemes tend to meet with limited success when other relevant micro-economic factors are unfavourable?
- How does a financial crisis affect the issue of remittances?
- How to stop leakages of about 20% remittances through unofficial channels despite various policy initiatives to steer remittances toward the formal banking or post office sectors?

### Conclusion

Migration issue is not all about control of immigration but an issue of the 21st century where demand for young workers will increase in the industrialized countries because of ageing population. Accordingly there must be a sensible policy in which both sending and receiving countries may reconcile their interests for peace and harmony in the world.

Bangladesh with its younger population must seize the opportunity to send skilled workers to industrialised countries. The need of coordination and cooperation between government and private sectors is imperative in the country. Hopefully all stakeholders will rise to the occasion to have a compact with regard to smooth migration.

The subject of remittances is in the final analysis inseparable from the broader issues of mobility of labour, ageing population in many industrialized countries, and international migration, such as the number and characteristics of migrants and the rates at which they return home.

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involved in trafficking to pay off debts with their exploiter. Once they have done so, they continue with the illegal activity to make money.

Given that almost every country is either an origin, transit or destination country, traffickers are of any nationality. Recruitment of victims is significantly easier where the recruiter speaks the same language or comes from the same culture. Many organised criminal groups in diaspora communities have been shown to maintain strong ethnic links with their countries of origin, and to exploit these to their advantage.

Trafficking is conducted through informal low-level groups, as much as highly organised international networks. In some situations, whole families collaborate in the crime. Such arrangements can exist across borders. Even more horrifying, the exploitation of family members and acquaintances is not uncommon in some countries.

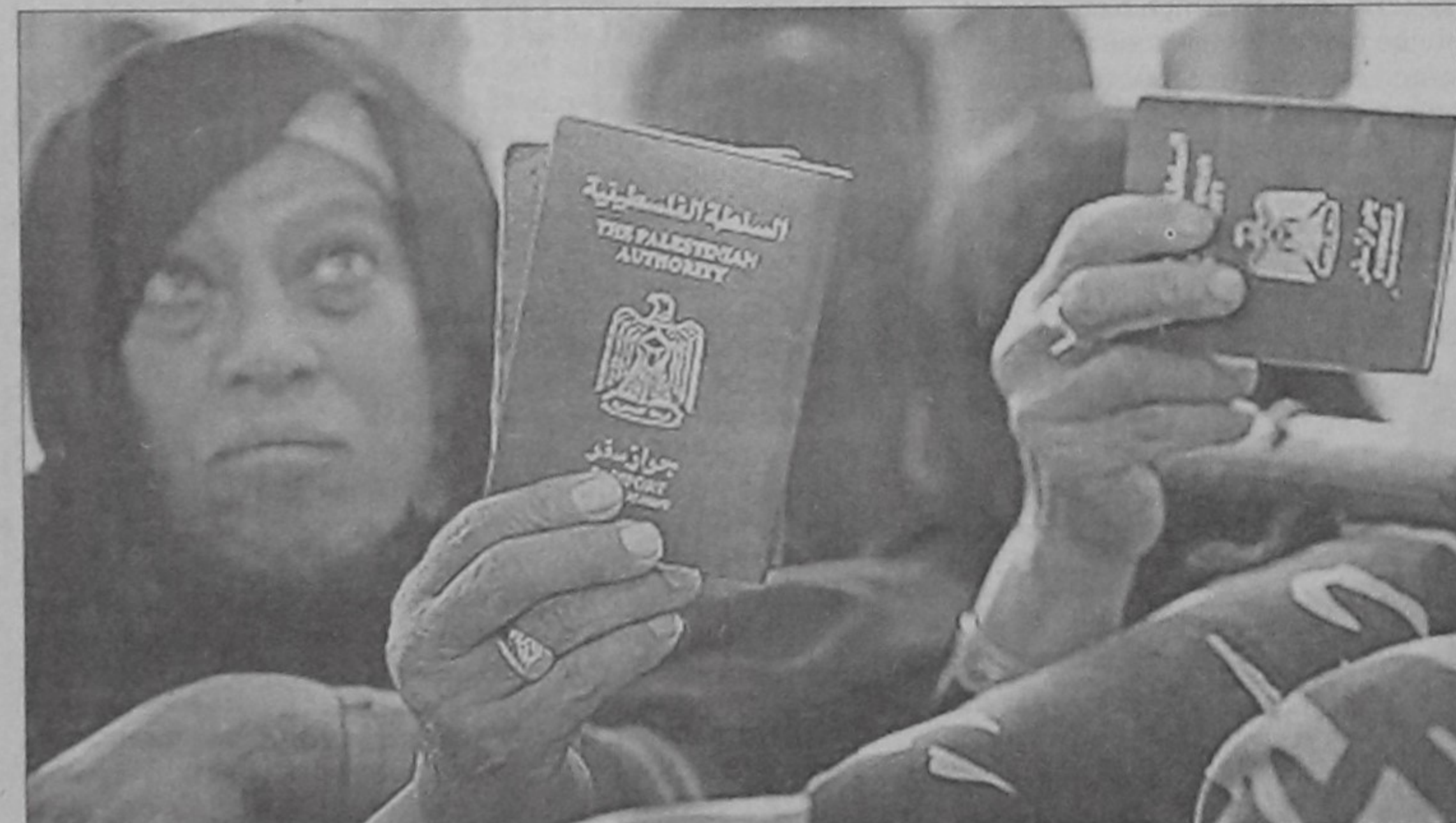
In terms of international networks, not much is known about the way they operate. "There are indications that groups involved in trafficking are very often also involved in smuggling of migrants as transportation methods are the same", informs Kangaspunta. "Specifically in areas where the drug trade is active, people are exploited for both trafficking and drug smuggling."

How traffickers became involved in this crime or who they are outside of being traffickers remains unclear. It is however known that their motive is always financial. Some want to grow rich while others are struggling to make a living. Recruiters often come from the same disadvantaged social and economic background as those they recruit.

While some traffickers have criminal histories, not all do. In fact, many involved in the different stages of trafficking are professionals who use their trade to support their criminal activity. Some studies show that before becoming traffickers, most individuals had a strong link to the industry into which they ultimately supplied victims.

Despite international efforts to eradicate trafficking, there are very few convictions of traffickers, states Kangaspunta. Increased data on how people come to commit this crime, their respective role in trafficking networks, and a better understanding of trafficking modus operandi would help efforts to identify and prosecute traffickers, and protect potential victims.

Source: United Nations Global Initiative to Fight Human Trafficking.



contribute to the economy of the receiving countries. But they have no legal protection and they suffer from low wage, harassment and humiliation in the receiving countries.

Although they are engaged in jobs what are known as 3-D jobs (demanding, dangerous, and demeaning or dirty, dangerous and difficult), they are not covered by the 1990 UN Convention on the Protection of Rights of All Migrant Workers and Members of their Families because the receiving states have not ratified the Convention.

### Remittances

The remittances from migrants are an important segment in contributing to Bangladesh's socio-economic development. The remittances have a multiplier effect not only for the family members but also for the people in general.

It is reported that about 5 million Bangladeshi workers are now abroad, spreading almost in 100 countries. Last January it is reported that about 92,000 have found employment overseas and that is a good record. Last year about 832,000 Bangladeshi workers have found employment abroad. 85 per

cent of the total remittances from migrants are an important segment in contributing to Bangladesh's socio-economic development.

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