

DAILY LIFE blues

Remedy for cell phone blues

Modern technology aids us in every step of life. Without it life becomes difficult and we cannot bear to live without it even for a single day in our lives. Of all the technological sweeteners in our life, one of the most significant is the mobile phone. In recent years this device has been playing an enormous role especially in our country. Albeit there are lots of pros and cons, it is getting more popular day by day. In our country there are six mobile companies and they are very competitive in their call-rates. They offer lots of facilities, as a result of that people are very prompt in accepting all those offers. There are lots of people who use more than one cellular phone. More often than not the cheap rates of call and low SIM Card prices cause several problems and confusion, even people having one number may suffer a lot. One such scenario is depicted below.

A friend of mine named 'Nuzhat' is a university student. In general she has a group of intimate friends. It was helpful for her communication with friends by the help of mobile phone. Suddenly she found that frequent missed calls were coming from several numbers and many messages using some awkward words. Through call screening she created a group in her mobile phone to restrain unwanted numbers but it wasn't very useful. Being outraged by this she went to her service provider's office to get relief from this situation. The suggestions you may receive are almost same for all the mobile companies, which are as follows-

1. First of all a sufferer has to bring a written complaint mentioning all the details.
2. A copy of general dairy that is filed with the nearest police station should also be provided, but this is not necessary for Grameen Phone.
3. After receiving these documents, concerned company will close the number if that belongs to them.

In this way one can get relief from the worst situation of threat or disturbance. However, this seems to be a tedious routine in return for a solution. Another way out, as most choose to do, is shift to another number, inform contacts of the new number and hoping not to receive unwanted missed calls and messages.

- Law Desk



LAW opinion

Revision of Wildlife Act - a timely initiative

ENAYETULLAH KHAN

THE world is becoming increasingly an uncertain place with the huge number of humans and their demands for limited resources. The situation is even worse in the developing countries. The world population in 1990 was estimated to be 5.29 billion, 78 percent of which is occurring in less developed countries, effectively all countries excluding Europe, North America, Japan, Australia and New Zealand. The significant increases anticipated in total world population in the coming decades are largely uncontested and two sophisticated analyses arrive at similar 'middle' scenarios: by 2025 world population will stand at 8.5-9.0 billion people (UN figures, quoted by WRI, UNEP, UNDP 1990).

One prediction says that the world's population is likely to double in the next 45 years, even if fertility rates fall in virtually every developing country. If the demographers' consensus comes true, we are more than half-way towards a level population of between 8 and 12 billion people.

Increasing human population means an inevitable expansion in human demands on the depleting resources of the planet. Moreover, per capita demand for biotic resources has also increased, so that the increase in direct exploitation has been exponential rather than linear. It is said that the human species now uses some 40 percent of the net primary productivity of terrestrial system, much of it as a result of food production. Between 1950 and 1984, per capita grain production increased by 40 percent. Between 1950 and 1990, per capita supply of beef and mutton increased by 26 percent. In addition, world fish catches underwent a 4.6-fold increase between 1950 and 1989, increasing consumption of fish. World consumption of wood also increased 2.5-fold between 1950 and 1991, per capita consumption increasing by a third during 1994.

Some indicators suggest that

ecosystem and resource limits are already being reached. World fish harvests peaked at 100 million tonnes in 1989 and by 1993 had declined 7 percent from 1989 levels. Growth in grain production has slowed since 1984, with per capita output falling 11 percent by 1993. World economic growth has slowed from over 3 percent annually in the decade 1950-60 to just over 1 percent from 1990 to 1993. The Worldwatch Institute, extrapolating from historical data, forecasts that 'if current trends in resource use continue and if world population grows as projected, by 2010 per capita availability of rangeland will drop by 22 percent and the fish catch by 10 percent. The per capita area of irrigated land, which now yields about a third of the global food harvest, will drop by 12 percent. And cropland area and forestland per person will shrink by 21 percent and 30 percent respectively.

This clearly indicates that in Bangladesh we need to use natural resources more cautiously and prudently. One prediction says that Bangladesh population will be 280 million by 2050. The present land area will not increase even an inch by that time. The present forest cover is now about 6 percent. The present nonrenewable resources like gas will be exhausted in another decade. Against this backdrop sustainable use of our biodiversity has become inevitable for sustainable development. I am glad to note that the Forest Department, the custodian of most of our important renewable resources, has taken initiatives to revise Bangladesh Wild Life (Preservation) Order, 1973 (Order of the President No. 23 of 1973), which was enacted in 1974 as Bangladesh Wild Life (Preservation) (Amendment) Act, 1974. During this enactment the Bengal Rhinoceros Preservation Act, 1932, the Wild Birds and Animals Protection Act, 1912, and the Elephant Preservation Act, 1879, were repealed.

Wildlife Trust of Bangladesh (WTB) is helping the Forest Department in the revision process

REVIEWING the views

Linking migration with environment

Global warming vs. climate change: Some confusion revisited

ADNAN SIRAJEE

DURING the 20th century, sea level had risen by 10-20 centimeters, on average. The Intergovernmental Panel on Climate Change (IPCC) forecasts that, by 2050, they would have risen by the same amount as a result of global warming. The same report asserts that an 89cm increase in the sea level would eat up roughly 20% of Bangladesh's landmass, displacing more than 20 million people. The average world temperature is expected to rise by 2°C. This has major trickle down effect on the sea water temperature resulting in intensity and frequency of natural calamities in future.

What is the migration trend from an environmental perspective in Bangladesh?

No in depth study has been carried out on the vulnerability assessment for environmental degradation. The conventional practice suggests areas prone to floods and other natural calamities such as cyclone, river bank erosion and desertification of soil, experience maximum number of migration outflows. In this regard, the basin area of major river networks and the coastal region are the most vulnerable segment for environmental degradation. Most migrants originate from the erosion and flood prone areas of the northern part of Bangladesh.

Are Climate Change and Global Warming synonyms?

Much has been said and discussed on these issues, and yet common misconception arise. To begin with, global warming and climate change are not the same but one can not deal with them separately. Global warming can be reduced to a series of macro events (global phenomenon), while climate change is mostly confined with micro impacts (country specific phenomenon). The ongoing debate on their differences in characteristics is therefore trivial, as the end result is always inter-

twined with one another.

How does Climate Change and Global Warming affect Bangladesh?

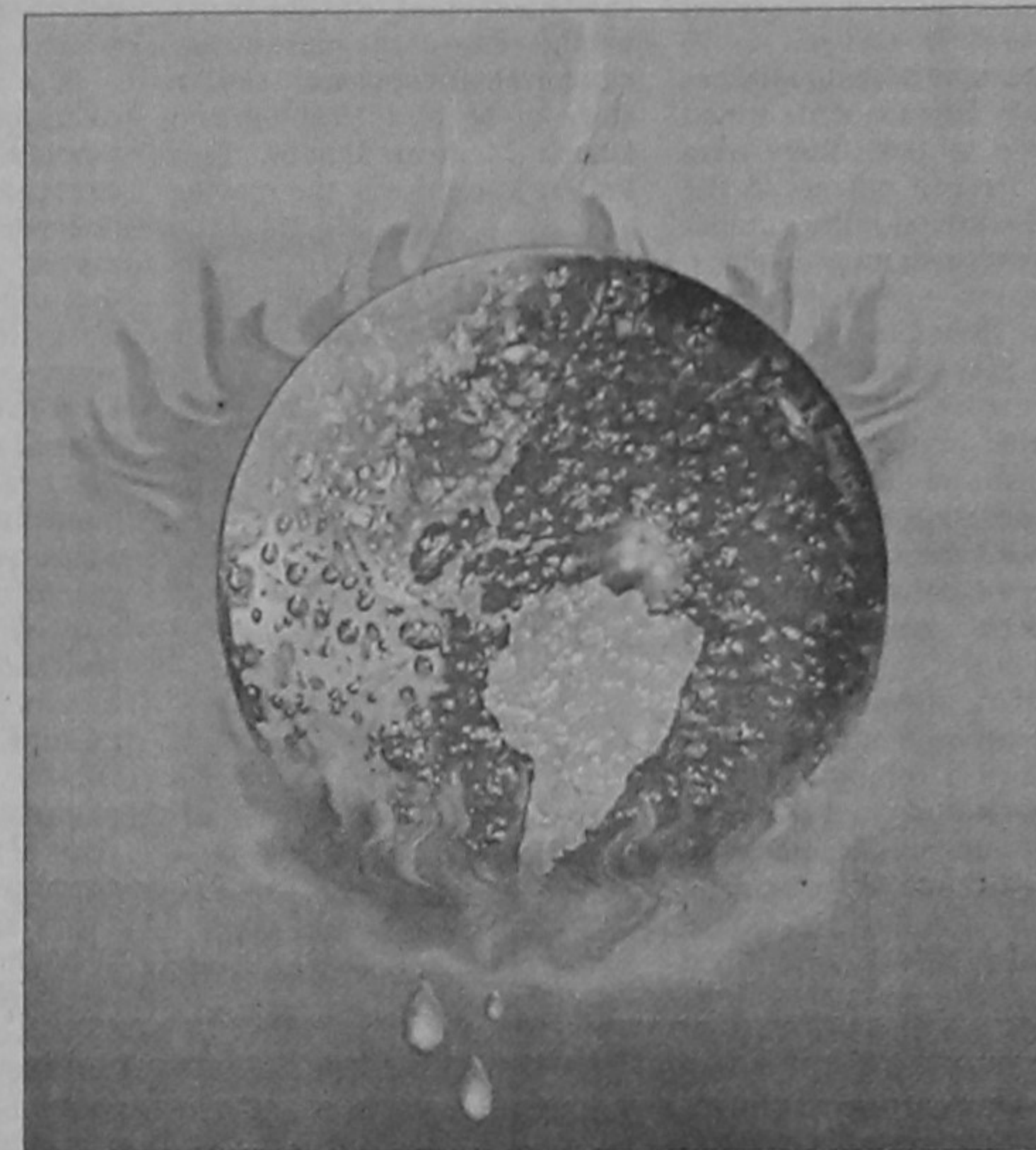
The geographical position of Bangladesh makes it prone to all sorts of geophysical events (floods, river bank erosions, storms and cyclones). The process of environmental degradation only intensifies the effect. With or without climate change, Bangladesh would face these difficulties. The recent SIDR surges, two consecutive floods in the same year, variation of seasons, gradual decline in agricultural production and increased frequency of natural calamities further strengthens this notion.

What is the link between environment and migration?

Migration, due to unfavorable environmental degradation in the past, sometimes caused a village to pack up their relatively few belongings and move to a better area. In contrast, migration today is a more complex phenomenon that involves major restructuring and adjustment process. The reason is straight forward and simple-we have massive societal, agricultural and industrial infrastructure in place, which cannot be easily moved. Lack of land, constant degradation of soil, seasonal floods and economic hardships have shaped the better half of migration dynamics and caused a good number to move and live in extremely vulnerable areas. Environment degradation causes occupational dislocations along with demographics.

Who are environmental migrants?

There is no specific definition for environmental migrants. But the working definition, which is now widely accepted across countries asserts that those who have been forced to leave their traditional habitat temporarily or permanently because of marked environmental disruption that jeopardize their existence and/or seriously



affected the quality of their life are identified as environmental migrants.

What are the environmental anxieties for Bangladesh?

Bangladesh stands to be affected in a number of ways and seemingly from all directions. Global warming effects include changes in temperature, sea-level rise, and increase in the frequency and intensity of extreme weather events. The most obvious impacts of such environmental changes will tax the climate dependant activities in the country such (Rangpur, Dinajpur, Gainbanda) region (G-B-M basin area). Also, strong cases of migration were found from the southern region (Kuakata, Shoronkhola, Potuakhali etc.) of the country.

What are the driving factors of environmental migration?

Low productivity of crops; food

insecurity after flood; lack of safe drinking water; lack of infrastructure; inadequate health services; job insecurity; land erosion; no land tenure rights; destruction of home and agrarian land and salination of land influence people to migrate.

What are the future challenges?

As global warming is induced by developed and some newly industrialized countries and the aftermath is usually observed in some other countries, it is very difficult to point to one nation and ask for compensation. Currently, there is no framework under which such compensation programme can be practiced. The global initiatives and regional dialogues have not been able to come up with sustainable long term solution to address the problem.

Source: Migration Update, IOM MRF Dhaka Newsletter.

LAW week

EPR bail prayers to be heard on 3 grounds

A full text judgment of the Supreme Court (SC) was published were it was observed that the High Court (HC) may consider bail petitions in cases filed under the Emergency Power Rules (EPR), on three grounds.

According to the SC observations, the HC may entertain petitions for bail in cases filed under EPR if they are filed with mala fide intentions, on suspicion, or with a court which does not have jurisdiction over the matter. The latest SC judgment allows the government's appeal against the HC judgment. Legal experts termed the latest SC judgment as 'self-contradictory', as the apex court set aside the HC judgment while empowering the HC to grant bail on three grounds. They also urged the SC to make its judgment more clear with specific directions. The amended EPR revoked the right to bail of those who are accused in criminal cases filed under EPR. -The Daily Star, May 29, 2008

Special court weakens fair trial safeguards

The caretaker government has brought 'politically motivated' charges against individuals and weakened fair-trial safeguards by setting up special courts, according to the latest global report of Amnesty International (AI).

The "Amnesty International Report 2008: State of the World's Human Rights" observes that the police lack adequate training and equipment, effective accountability and oversight mechanisms. It reports that wide-ranging media restrictions, although not strictly enforced, compelled the media to intensify self-censorship. The report also reports of continued violence against women and the lack of government action to bring war criminals to justice. -The Daily Star, May 29, 2008

CG-formed PAC set to be scrapped

The ad hoc Public Accounts Committee (PAC) created by the caretaker government in December last year to scrutinise reports of the Comptroller and Auditor General (CAG) is now about to be cancelled as it 'violates the constitution'.

In the wake of the criticism, the finance ministry is now pondering cancellation of the circular that declared the formation of the ad hoc PAC, a senior official of the ministry told The Daily Star on condition of anonymity. In absence of a PAC, the number of unresolved audit reports involving hundreds of crores of taka, and the cases of retired government officials who are not getting their pensions due to unsettled objections, are increasing. Moreover, recovery of public money that might have been misappropriated has also been stalling. -The Daily Star, May 29, 2008

Bid to revive deal for repatriation

Bangladesh and UNHCR, the UN refugee agency, agreed to revive the tripartite agreement under which Rohingya refugees would be able to voluntarily return to their homeland in Myanmar.

A 1992 agreement among Myanmar, the UNHCR and Bangladesh allowing voluntary repatriation of Rohingya refugees has not been in force since 2006 when 92 refugees decided to return to their home in Myanmar. Until 2006, around 237,000 refugees returned to Myanmar. Most of the remaining refugees live in two camps in Nayapara and Kutupalong in Cox's Bazar, where they receive assistance from the UNHCR and World Food Program. A large number of Rohingyas, mostly unregistered, continue to live in southern Cox's Bazar without any facilities. -The Daily Star, May 28, 2008

Manpower export to Bahrain stops

Employment of Bangladeshi workers in Bahrain comes to a halt, as the country on Monday stopped issuing work permits to Bangladeshis, Bahraini newspaper Gulf Daily News reported yesterday.

Recruitment businesses observe the ban is a great shock for Bangladesh's overseas labour market that came after a halt of recruitment in Kuwait in late 2006, reduction in employment in Saudi Arabia and a temporary ban in Malaysia. Jobseekers now in Bahrain with work visas but yet to get work permit and those with visas but yet to leave for Bahrain will be in troubles, agencies told The Daily Star. In a reaction to the ban, a recruiting agent said this particular country is not a very big labour market for Bangladesh, but the fact is that it will have bad impact on Bangladeshi workers. -The Daily Star, May 28, 2008

EC gets 1057 appeals from the aggrieved

Aggrieved by the Election Commission's (EC) move to redraw parliamentary constituencies, politicians and other people have filed 1,057 appeals with the EC against re-demarcation of 43 constituencies.

Amidst growing opposition from major political parties, the EC on April 29 unveiled a draft list of parliamentary constituencies with 133 of the 300 seats redrawn, and invited appeals against it by June 1, if any. Election Commissioner Brig Gen (ret'd) M Sakhawat Hussain however said from only six or seven constituencies have merits and the remaining ones do not contain sufficient substances.

The EC will start hearing of appeals from the second week of June so that it can publish final list of the re-demarcated parliamentary constituencies by the end of the month. Major political parties are opposing the EC move saying it would create obstacles to holding the ninth parliamentary polls by the year end, as per the announced electoral roadmap. The EC however repeatedly said this would in no way hamper holding of parliamentary polls in time. -The Daily Star, May 28, 2008

LAW lexicon

Defunct - A corporation no longer operative; having ceased to exist.
Deliberation - The jury's decision-making process after hearing the evidence and closing arguments and being given the court's instructions.
Directed verdict - In a case in which the plaintiff has failed to present on the facts of his case proper evidence for jury consideration, the trial judge may order the entry of a verdict without allowing the jury to consider it.

Disbarment - Form of discipline of a lawyer resulting in the loss (often permanently) of that lawyer's right to practice law.

Discharge - The name given to the bankruptcy court's formal discharge of a debtor's debts. In probate, the release of the estate's representative from fiduciary responsibility.

Disclaimer - To refuse a gift made in a will.

Discovery - The name given pretrial devices for obtaining facts and information about the case.

Dismissal - The termination of a lawsuit.

Disposition - The order of a juvenile court determining what is to be done with a minor already adjudged to be within the court's jurisdiction. In criminal cases, the settlement of a case.

Dissent - To disagree. An appellate court opinion setting forth the minority view and outlining the disagreement of one or more judges with the decision of the majority.

Dissolution - The termination; process of dissolving or winding up something.

Source: Jurist International.

*Dear reader,
We would like to address daily life problems and the solutions to them. Please write to us if you have any queries, comments or ideas regarding problems you would like to be informed about in Law & our rights.*
- Law Desk

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