



FOR YOUR information

Foreign education and immigration law

MUFASSIL M M ISLAM

THE flight took off from the runway of the international airport in Dhaka. Aboard many passengers on it there was a young man with eyes filled with dreams of a new life lauded with education and respect from many.

student from that country even though it is the duty and our right as per agreement on the passport application, for the Bangladesh Government to bring back the stranded Bangladeshis abroad.

- for the tuition fee for the whole course,
• for the regular expenses including rent for accommodation,
• for commuting and even to pay for his/her pass-times.

The source of the finance is also important and the entry clearance officers are aware that our country has a tradition of close-family bonding and even an uncle can sponsor a nephew.

The pre-visa matters

The academic institutions follow different procedures for admission and that differs from one country to the other. The leading and well-established academic institutions usually are very strict in having third party representatives for their institutions and usually tend to have their own offices in foreign countries in order to have foreign students from those countries.

The prospective student can do the relevant research on the web by searching into some of the following links to know more about related immigration rules:



and academic institutions around the world who are not up to the expected level and the Immigration Authorities do not recognise them and it is advisable to check their validity with the relevant Government authorities and with the colleges directly as well.

If a student decides to become permanent in Australia, the Immigration authorities are far more welcoming than many other developed countries. There are a number of lawyers practicing in UK, USA, Canada and Australia and they can help with immigration rules and applications as well.

A student must be aware that it is not easy for a student to change from one course to the other simply on the ground that the initially intended course of study is harder or more expensive and he is not expected to work far from his academic institution. It must also be remembered that there have grown mushroom like colleges in many of these developed countries which are apparently run by very efficient people but in reality the institutions are being run by invisible corrupt operatives at times which may jeopardise a student's academic life and even extension of visa whilst abroad.

I believe that if a student is going to get admitted in an external college in the foreign land rather than as an internal student, he/she should consider our local well-established academic institutions who are working as the external colleges of those foreign universities. The academic backgrounds of the actual professors of the foreign academics should be checked and it is a legal right of the prospective student.

It must be remembered by all students at large that we hail from a developing country and it is expected, desired and advisable to return to this motherland upon completion of their studies and to take part in its further development as we who have migrated abroad often feel a migrant is nothing more than a teardrop for our mother Bangladesh.

The writer is CEO, Law Offices of Islam and Associates.

Department of Immigration and Citizenship, Australia www.immi.gov.au;
UK Border Agency www.ind.homeoffice.gov.uk;
USIS www.uscis.gov
Canada Immigration Service www.canadaimmigrationservice.com

Immigration Bureau of Japan www.immi-moj.go.jp/english/index.html

ICA Singapore www.ica.gov.sg

It must be mentioned that the entry clearance officers in Bangladesh or any representative officer in any of the offices cannot work whimsically with regard to refusing the visas. It is often misunderstood that the visa processing centres or certain countries are the final authorities to issue or refuse visas and with this excuse there have been a number of cases where the prospective visa applicant was subjected to unexpected harsh behaviour.

The prospective student can and should take assistance from the intended academic institutions with regard to accommodation and even with regard to being picked up from the airport.

The prospective student can and should take registered taxis only and it is usually yellow coloured taxis for USA and Australia and Black Cabs for UK. Even though these registered taxis are more expensive than other cab services, they are far safer than other non-registered ones. It will not be wise to rely on relatives and friends immensely with regard to accommodation, part-time jobs and other issues, as lives in the developed countries are comparatively much busier than we often can imagine.

After arrival issues

The student should take registered taxis only and it is usually yellow coloured taxis for USA and Australia and Black Cabs for UK. Even though these registered taxis are more expensive than other cab services, they are far safer than other non-registered ones.

and a letter from a college and a proof of address in the form of a utility bill are often primary requirements to open an account. Australia and USA are still more flexible in this area but banking rules will require a Social Security Number which can be obtained by producing passport and visa to the nearest Town Hall in USA. UK issues National Insurance number to student which is a must even to get a part-time job.

Student in UK and Ireland are not expected to rely on own earnings in any way if he/she really intends to finish the education as the Immigration raids are very common in those countries now and a student without real progress in academic area may become subject to deportation. It is true that Australia has much more flexible immigration rules for students and they can apply for residence upon completing their education in certain areas.

LAW week

RTI given go-ahead

The council of advisers gave final approval to the much-awaited Right to Information (RTI) Ordinance 2008 aimed at ensuring people's right to information.

New posts will be created in most of the government offices and non-government organisations (NGOs). Officials holding those posts will provide people with the information they seek within 20 days of receipt of applications from them, says the ordinance. But in cases of issues concerning a person's life and death, arrest and release from jail, the officials will have to provide primary information within 24 hours, it says.

The widely-debated law ensures people's right to information from organisations run with public money, and the NGOs using foreign funds, Information Secretary Jamil Osman, who placed the proposal before the council of advisers, told The Daily Star. The law covers government offices down to upazila level. - The Daily Star, September 21, 2008.

RPO of contention

The Representation of the People Ordinance promulgated on August 19 has already become the centre point of a debate about how the parties should behave themselves in elections and how they should reform themselves for fair polls. As the political parties are widely divided on changes to the RPO, it is worthwhile to take a look at the basic changes the new rules. Following are the highlights of the amendments for the readers to understand how relevant the rules are and what their aim is:

Registration of political parties with the Election Commission is made compulsory and a ban is slapped on having front organisations and overseas units of political parties.

Loan defaulters and war criminals, declared by a local or international court, are made ineligible to run in elections. An option to cast no-vote is given to voters and if 50 percent of votes are no-votes then the constituency will have re-election. - The Daily Star, September 22, 2008.

HC stay on re-demarcation of constituencies throws the spanner

The Election Commission (EC) finds itself in a tight corner in gearing up for the December 18 poll as two of its vital tasks -- preparing the constituency wise electoral rolls and finalising the list of polling stations -- remain suspended because of a High Court (HC) stay on recent re-demarcation of the constituencies.

The stay order will expire on November 6 while the EC must announce the detailed poll schedule in early November in order to allow a required gap of 42 to 45 days between the polling date and the date of announcing the detailed schedule. And constituency wise voter lists are required before announcing the detailed poll schedule.

EC officials said at least a week will be needed to have the constituency wise voter lists ready, which must be available at the offices of returning officers for prospective candidates, as soon as the detailed poll schedule is announced. - The Daily Star, September 22, 2008.

Dear reader, You may send us your daily life legal problems including family, financial, land or any other issues. Legal experts will answer those. Please send your mails, queries, and opinions to: LawDesk, The Daily Star, 19 Karwan Bazar, Dhaka-1215, telephone: 8124944, 8124955, fax 8125155; email: dslawdesk@yahoo.co.uk, lawdesk@thedailystar.net

EU pledges continued help in climate change strategy

The European Commission (EC) will continue its support for the Bangladesh government's Climate Change Strategy and Action Plan through substantial contribution to various programmes, Ambassador and Head of Delegation of the EC to Bangladesh Dr Stefan Frowein said.

A huge fund is required for mitigation and adaptation projects, said Stefan while speaking as the chief guest at a workshop on 'Climate Change: Facing the Challenge Together,' organised by Institute of Media and Communication Studies at the Chhayanaut Seminar Hall in the capital. The challenges of climate change should be faced with combined efforts by all, he said. Stefan said Bangladesh would be one of the worst sufferers of the impacts of climate change though it is not responsible for emitting greenhouse gas according to the forecasts of Intergovernmental Panel on Climate Change (IPCC). - The Daily Star, September 23, 2008.

2 new PS start functioning in city today

Two more police stations under Dhaka Metropolitan Police (DMP) start functioning. With the new ones, Darius Salam Police Station and Kadamtoli Police Station, the number of police stations under DMP will rise to 35. Darius Salam Police Station has been set up taking some areas from Mirpur Police Station while Kadamtoli Police Station from Shyampur Police Station. Inspector General of Police Nur Mohammad will formally inaugurate the two police stations. - The Daily Star, September 23, 2008.

36 Bangladeshis held in Delhi

Thirty-six Bangladeshi nationals, including women and children, were arrested in the national capital for residing here without valid documents, police said. The illegal immigrants were taken into custody from Kalyanpuri in east Delhi during checking in the area on Sunday. Deputy Commissioner of Police (East) Ajay Choudhury said. Among the arrested, ten are women and 11 are children. Police has intensified its drive to flush out illegal immigrants in the wake of serial blasts in the national capital on September 13 which claimed 24 lives. - The Daily Star, September 23, 2008.

Digitisation must for land reforms

A high-powered government taskforce is going to recommend digitisation of the country's entire land records and turning district administration offices into monitoring bodies from its present role of service provider to ensure transparency and reduce corruption.

Led by former adviser to a caretaker government Abdul Mueyed Chowdhury, the five-member taskforce said a commission should be formed comprised of government and non-government experts to spearhead modernisation of records and land registration system.

The proposal notes that the entire reform is possible with the present strength of the government and using local resources without having to take foreign consultancy. - The Daily Star, September 24, 2008.

ACC sits on \$7.5m money laundering evidence

A Korean citizen claims that an Anti-Corruption Commission (ACC) official has stopped proceedings of filing a case regarding laundering of about \$7.5 million although National Coordination Committee (NCC) to combat serious crime and corruption has evidence.

Ok-Kyung Oh in a press conference at Jatiya Press Club said a taskforce team this year found evidence of laundering the amount to South Korea by her former husband Bo-Sun Park, chairman of TaeHung Packaging (BD) Ltd, and forwarded the matter to ACC for further action.

She alleged ACC did not make any probe into the matter for mysterious reasons except changing the enquiry officer three times. - The Daily Star, September 25, 2008.

LAW news

INTERNATIONAL DAY OF PEACE

UN spotlights link between human rights and peace

TEAMING up with a range of actors, from artists and students, to cell phone companies and chess enthusiasts, the United Nations is celebrating the International Day of Peace (September 21) which this year holds special meaning since 2008 also marks the 60th anniversary of the adoption of the Universal Declaration of Human Rights.

"We know that human rights are essential to peace," Secretary-General Ban Ki-moon said in his message to mark the Day, which is observed every year on 21 September.

"Yet too many people around the world still have their rights violated especially during and after armed conflict. That is why we must ensure that the rights in the Declaration are a living reality that they are known, understood and enjoyed by everyone, everywhere," he stated.

Mr. Ban kicked off this year's celebration of the Day at the traditional peace bell ringing ceremony in New York on Friday, joined by four UN Messengers of Peace. During the event, the Secretary-General sent a text message for peace, as part of a UN campaign that urged cell phone users to compose peace messages to be published on a website and delivered to world leaders gathered for the General Assembly this week.

Assembly President Miguel D'Escoto Brockmann, in his message, said it is fitting that the Day closely coincides with the opening of the body's new session each September. "This is when representatives of the 192 Member States gather to renew their commitment to work together in the quest for world peace, the eradication of poverty and to pursue the progressive advancement of human rights," he stated.

"We must never delude ourselves, or let others pretend, that peace is merely the absence of war or some exalted state of impassivity," he added. "World peace will only be achieved through active resistance to all that negates and diminishes human dignity, and waging peace, is therefore, eminently political and oftentimes provocative."

Noting that this year also marks the 60th anniversary of UN peacekeepers, Mr. D'Escoto urged support for the Organization's efforts to bring calm to conflict-ridden areas and for the over 100,000 soldiers, police and civilians deployed worldwide to keep the peace, prevent conflicts, and safeguard fragile peace processes.

The UN's peace operations around the globe are also commemorating the Day with various activities. For example, children in Naqura



were invited to paint their visions of peace on the walls of the headquarters of the UN Interim Force in Lebanon (UNIFIL).

In Juba, the UN Mission in Sudan (UNMIS) and its partners are celebrating the Day a photo exhibition entitled 'Images of Peace,' focusing on similarities and differences in the cultures of Southern Sudan and aiming to foster better community dialogue and understanding.

Meanwhile, communities across Afghanistan are marking the day with sports events, marches and gatherings, all part of what the UN mission there known as UNAMA has described as an 'unprecedented' campaign in the run up to the Day. In addition to the many events, teams of health workers fanned out across the country in the most ambitious Peace

Day polio vaccination effort to date, aiming to reach 1.8 million children.

Other UN-organized activities taking place around the world include a peace walk in Accra, an observance in cooperation with Chulalongkorn University in Bangkok, a peace bell ceremony in Mexico City, and a traditional UN Cup Chess Festival entitled 'sports for peace' in the Armenian capital, Yerevan.

In addition, 60 students from Belgrade, Ljubljana, Podgorica, Sarajevo, Skopje, and Zagreb are gathered together in the Austrian capital for a forum entitled 'Uniting for Peace,' organized by the UN Information Service (UNIS) and the City of Vienna.