

# Law wide open to abuse

## In the name of clampdown on ICT crimes

THE Awami League-led government's proposed changes to the Information and Communication Technology Act 2006, which we, along with media and communications experts and practitioners strongly opposed when it was promulgated as a presidential ordinance, has now been given permanent footing in the form of a law passed in parliament two days ago. Among other things, it empowers law enforcers to arrest alleged violators without a warrant. The new law makes 'hacking' into a computer system a non-bailable offence, punishable with between seven and 14 years' imprisonment, and among the crimes have also been included obscenities and defamatory remarks.

The interpretation of such offences is left entirely to the law enforcers. In the previous law permission had to taken before carrying out an arrest and an offence under the law was bailable too. But now the situation has been reversed.

While ICT crimes must be addressed in this day and age where both use and misuse of ICT are widespread, the strictness of the law borders on the draconian. The cases filed under the ICT act in recent months have highlighted the possibility of its being abused to stifle freedom of speech and expression. We express our concern at the passing of this law by a government which may have approved the positive Right to Information Act but which has disappointed in its approach towards the media in particular and freedom of speech and expression generally. We urge the government to consider the valid concerns of experts and the constitutional rights of the people and to rethink the move.

# Living dangerously!

## Rail tracks should be cleared of bazaars

AS a highly populous metropolis Dhaka bordering on being a megapolis in terms of sheer size of population some of its negative features usually get overlooked but they should not be. One is the proliferation of slums and as a corollary to it you have squatter settlements and make shift businesses along the railway lines.

Here we are confining ourselves to the second negative feature of the city namely, the bazaars and the slums zig-zagging along the railway lines. These are dangerously close to the rail tracks in breach of a standing regulation that people must keep twenty feet away from these. In law it is a punishable offence as well. But who cares? You see people setting up their business on the free railway tracks as a train whizzes passed them on another track. A news photo in our yesterday's issue amply highlighted such incongruity in urban life.

How hazardous such living can be is proven by the fact that sometimes we get to know of fatalities or injuries inflicted on human person. One reason that drives such aberrant behaviour is sheer poverty. The second cause for the proliferation of hazardous existentialism is lack of law enforcement. It is time we paid attention to these sordid facets of urban life.

It is not only for the railway authorities to effectively discourage such dangerous living. Government agencies and voluntary organizations need to lend a hand to sensitize the people against such violation of law and dangerous living.

# War over two jeans

ALAMGIR KHAN

SINCE the Rana Plaza collapse, the list of mockeries played upon garment workers has been long and getting longer everyday. The latest of these mockeries is BGMEA's proposal of a paltry 600 taka for the wage increase of garment workers. Whereas workers' representatives demand Tk 8,114 per month as the minimum wage and CPD proposes Tk 6,560 at entry level.

According to The Economist (May 4, 2013), 'a pair of jeans is typically produced for a quarter of its €20 (\$26) European shop price.' The profit margin for local garment owners is also very large. The government should come forward with training for local garment owners on skills for bargaining with global retailers. Instead, the government has come forward with its police to help the garment owners in their bargaining with Bangladeshi workers to keep their wages cheapest in the world.

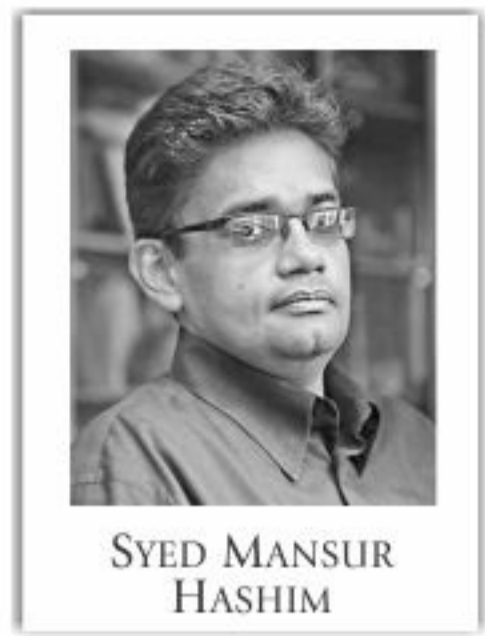
The ruling party needs votes from poor workers in the coming elections but has to look after interests of owners who will fund its election campaigns. About this evil nexus between our politics and garment owners *The New York Times* wrote, 'Business interests dominate Bangladesh's parliament. Of its 300 members, an estimated 60 percent are involved in industry or business. Analysts say 31 members, or 10 percent of the country's national legislators, directly own garment factories, while others have indirect financial interests in the industry.'

Prof Muhammad Yunus wrote in his article in *The Daily Star*, OP-ED of May 9 that Bangladesh garment factory produces and sells a piece of garment for five dollars, which an American customer buys for \$35. His proposal is to persuade this happy customer to pay an extra \$.50 for the welfare of workers in Bangladesh. This is good. But what about the prevailing minimum wage that shocked Pope Francis and compelled him to castigate working conditions of Bangladeshi garment workers as slavery? How much BGMEA wants to see the workers freed from this slave labour by proposing to raise it to \$46 from the current \$38 a month? They can tell the pope and see his reaction. Shouldn't they who have even seen God's machination in the Rana Plaza tragedy?

At present the monthly minimum wage of a Bangladeshi garment worker is a pair and a half of jeans at their price in a European shop. Garment owners are proposing to give him/her another quarter piece of that pair of jeans, falling short of two pair in full. Every garment worker demands only 3.85 pair of jeans at their price in a European shop for his/her monthly wage. It is only two jeans pants more than the owners agree to pay a month. BGMEA persons can see nothing but conspiracies in this!

The writer writes on theatre, education and socio-political issues.

# Xinjiang: Answer to China's energy shortage?



SYED MANSUR HASHIM

CHINA'S present energy policy to a certain extent is dictated by the supply-demand imbalance faced in the energy sector. Its existing production capacity requires far greater access to raw materials, particularly energy resources that cannot be produced or sourced domestically. Another shift that is being witnessed is the shifting of production of resources (coal being the primary energy source) from the more populated parts of the country to outlying areas. However, given that China still does not possess a full "blue water" navy, its ability to protect vital sea lanes far from home has made it imperative for policymakers to take a second look inwards as a fallback position.

This is where Xinjiang comes in. The area, as explained by *Stratfor*, an independent geopolitical think tank "It is far more remote than other traditional buffer regions such as Inner Mongolia and Manchuria. Urumqi, the provincial capital, is more than 3,100 kilometres (1,920 miles) from Beijing, while Kashgar, the western-most Chinese city and historically a major Silk Road trading hub, is nearly 4,400 kilometers from the coast. Xinjiang has also played a less-prominent role in Chinese history than the other buffer regions.....Moreover, Xinjiang is largely a desert wasteland cleaved in two by the Tianshan Mountains. The majority of its 22 million inhabitants live clustered in one of three sub-regional cores: the Uighur-dominated Tarim Basin to the south (centered in Kashgar), the majority Han Chinese Junggar Basin to the north (home to Urumqi), and the smaller Ili River Valley wedged in between. Today, Xinjiang accounts for 17 percent of China's total landmass -- an area roughly half the size of India -- but less than 2 percent of its population. The physical environment of the region is simply too harsh to support large populations (by Chinese standards), even with modern agricultural and industrial technologies." Xinjiang's bleak surroundings and sparse population makes it ideal for mining operations. Yet substantial investments will have to be made to develop the region in terms of infrastructure -- roads, rail, pipelines, etc. all of which involve billions of dollars.

Yet the investments will be made because of Xinjiang's strategic geographical location. As explained by *Stratfor*, "Xinjiang is indeed blessed with some of the world's largest untapped reserves of thermal coal, and its coal output could

*With the ultimate goal being to secure over the long term, energy resources, China will have to demonstrate to its neighbours that its interests are wholly economic and nothing beyond that.*

reach 750 million metric tons by 2020 (up from 141 million metric tons in 2012). But compared with well-developed coalfields in western Inner Mongolia and northern Shaanxi province, much of Xinjiang's reserves remain untapped and understudied." It could very well prove to be mainland China's bridge to Central Asia, a region that holds one of the largest proven finds of oil and gas. It is hardly surprising to find China's plans to invest an estimated US\$196billion on upgrading both power generation capacity and ultra-high voltage transmission lines that will link the region's coalfields to population centres more inland. Xinjiang's star is certainly on the upswing as China's planners intend to spend \$392billion to connect the region with national freight transportation network over the next five years.

Xinjiang poised to enable China to make inroads into Central Asia to transport much needed oil and gas. Indeed Kazakhstan is very much central to securing China's future energy needs. It is estimated that by 2014, China will be importing from Kazakhstan around 1.5million barrels of crude oil and anywhere between 60-65billion cubic metres of natural gas from Turkmenistan annually. Yet, questions have been raised whether such ambitious targets can be met on the timelines being planned. This is more so because the resource-rich nations of the region are all former Soviet

States which all suffer from varying degrees of dilapidated infrastructure that was the result of decades of centralised planning. There is also the question of political will for Central Asian states to go along with such ambitious plans, especially when one takes into account the historic distrust of "Chinese intentions".

Beijing will have to tread carefully here. As it has already had the bad experience of seeing years of political and economic investments suddenly going sour in a "democratic" Myanmar, it would be wise for China to woo its neighbours with some "goodwill" projects which would not necessarily carry much economic benefits. With the ultimate goal being to secure over the long term, energy resources, China will have to demonstrate to its neighbours that its interests are wholly economic and nothing beyond that. As 2014 draws near, Beijing will have to factor in the planned withdrawal by the United States from Afghanistan, which will have direct security repercussions on the region that has enjoyed relative peace over the last couple of years. These are all variables that will have to be factored in as China expands into Central Asia, for at the end of the day China needs those resources to keep the wheels of its economy moving.

The writer is Assistant Editor, *The Daily Star*.

# Can US-Iran move towards rapprochement?

MAHMOOD HASAN

THE 68th session of the UN General Assembly attained significance because of two speeches -- first by US President Barack Obama and then by Iranian President Hassan Rohani. Both spoke on September 24, the first day of the General Debate.

President Obama devoted almost his entire speech to problems facing the Middle East -- Syria, Arab-Israeli conflict (over Palestine) and Iran.

Obama made some candid remarks about American interests in the Middle East and policies to protect them. Wary of a decade of war, the US was "shifting away from a perpetual war footing" he said. He outlined American policy towards the Middle East: (a) US will use force to secure its core interests in the region; (b) confront external aggression against its allies (meaning Israel); (c) ensure flow of oil from the region to the world; (d) take direct action with allies to dismantle terrorist networks; and, (e) will not tolerate development of weapons of mass destruction (nuclear weapons by Iran). He said his diplomatic efforts will focus on two issues during the remaining tenure of his presidency -- Iran's pursuit of nuclear weapons and Arab-Israeli conflict.

Dwelling further on Iran, Obama recognised that there existed deep mistrust and suspicion between the two countries. He went on to say that this difficult history cannot be overcome overnight. "But I do believe that if we can resolve the issue of Iran's nuclear programme, that can serve as major step down a long road towards a different relationship, one based on mutual interest and mutual respect," was Obama's optimistic view.

Referring to the exchange of letters between him and Ayatollah Khomeini and the statements coming from newly elected President Hassan Rohani, Obama felt encouraged and asked John Kerry to pursue the issue in close cooperation with the European Union, Russia and China. He warned: "US will never compromise our commitment to Israel's security, nor our support for its existence as a Jewish state."

President Rohani, in his unequivocal speech, accused the West for its "Cold War" mentality reflected through "coercive economic and military policies." "The age of zero-sum games is over," he said. He went on: "Unjust sanctions, as manifestation of structural violence, are intrinsically inhumane and against peace ... it is the common people who are victimised by these sanctions." On Iran's nuclear programme, Rohani categorically stated: "Iran poses absolutely no threat to the world or the region."

Elaborating, Rohani laid out two mutually inseparable parts of a political solution for Iran's nuclear programme: (a) nuclear weapons and other weapons of mass destruction have no place in Iran's security and defensive doctrine; and (b) acceptance of the right to enrichment (of uranium) inside Iran for peaceful purposes provides the only path towards achieving the first objective. Rohani said he listened to President Obama's speech and sought constructive engagement with other countries. Iran, he said, did not seek to increase tensions with United States and that "peace is within reach." He wanted "time-bound and result-oriented talks."

The positive tone and tenor of the speeches by these two leaders created a flurry of diplomatic activities at the UN building. That led to a meeting of the foreign ministers of 'P5 plus Germany' with their Iranian counterpart Javad

Zarif on September 26. The meeting prepared the ground for the first round of substantive meeting on October 15, 2013 in Geneva.

Earlier, it was expected that President Obama and President Rohani would have their first handshake at the luncheon hosted by Secretary General Ban Ki Moon on September 24. But that did not happen as the Iranian president did not appear for the meal. But what happened next shocked the Saudis, the Gulf States, Jordan, Turkey and above all Israel. On September 27, while Rohani was on his way to the airport to leave for Iran he received a phone call from President Obama. This was the first contact between the highest leaders of the two countries for more than 34 years. Obama later told reporters that he had a constructive conversation with Rohani.

All these developments did not come by suddenly. Oman, which maintains good relations with both US and Iran, played an important role to soften them and bring the two adversaries together at the United Nations.

Obama's ice-breaking overtures with Iran by did not go down well with Israel's Benjamin Netanyahu. Netanyahu termed Rohani's offer as "cynical." Rohani's message was a "real diplomatic challenge for Israel" commented an Israeli Professor. On October 1, addressing the General Assembly, Netanyahu spent his entire speech lashing at Rohani. He cautioned that Rohani was using charm to get the sanctions lifted. He declared that "Israel will stand alone" to defend itself. Iran retaliated by calling upon Israel to sign the NPT and declare that it did not have nuclear weapons.

Rohani has no doubt increased Iran's profile with the West by departing from the rhetoric of his predecessor. But can Iran really deliver what the West is asking for? Is Iran's Supreme Leader Khamenei agreeable to open up all

Iran's nuclear facilities and satisfy the IAEA and 'P5 plus Germany' that it is not involved in anything dreadful? Can Rohani override the Revolutionary Guards (IRG), who are deeply anti-West, and make a deal on it nuclear programme?

As for the Americans, lifting the sanctions and getting a deal will be equally difficult. Firstly, some sanctions were imposed by the UN, some by the US Congress and some by President Obama. Obama can do little with the Congress imposed sanctions. Especially when Congress has shut down Obama's government. Besides, the powerful American Israeli Public Affairs Committee (AIPAC) will wield all its powers to stop Washington from reaching any understanding with Iran. Yet, in the words of Obama, it is worth trying the diplomatic approach to resolve this problem. Obama said in his speech that waging wars did not guarantee the results US had wanted in Iraq and Afghanistan. He did not want US to fight "dumb wars." Why not first try the peaceful approach? There is a saying: "You can catch a fly with honey not with vinegar." Clearly, Obama Doctrine is evolving.

The first step towards a new discourse has been made by both US and Iran. But actual rapprochement can be achieved only after some irreversible confidence building measures are put in place. To put it in John Kerry's words: "A lot of work remained to be done."

The writer is a former ambassador and secretary.....

# LETTERS TO THE EDITOR

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## Resist anti-Sundarbans power plant

Our heartfelt gratitude to the National Committee to protect oil, gas, mineral resources, power and ports for their endeavour to save the Sundarbans. They arranged a long march to Rampal in protest of the government's plan to set up a coal-fired power plant near the world's largest mangrove forest thereby destroying the world heritage once and for all.

In the weekly magazine of *The Daily Star* of September 27, 2013 an article titled, 'How to kill a forest,' has been published. An independent Environmental Impact Assessment report prepared by Dr. Abdullah Harun, professor of Khulna University, revealed that impacts of most coal-fired power plants are "negative and irreversible, which cannot be mitigated in any way". The researcher believes that the selected area is not suitable for any type of coal-based power plant. What an unfortunate nation we are! The government is least bothered about the welfare of the country and its people.

So, sixteen crore people of Bangladesh must come together and compel the government to abandon the plan of setting up the power plant at Rampal. People must not give up until the goal is achieved.

Nur Jahan  
Chittagong

## Perils of US govt. shutdown

The US government shutdown could hit the foreign aid programs and their recipients hard. Even the world food price could be affected due to the shutdown as the US Department of Agriculture would be unable to produce latest crop estimates. Farmers and traders all over the world rely on this estimated data. Stoppage of producing the crop estimates could cause huge swings in the price of grain and other major agricultural produces.

The US Congress should resolve the deadlock to settle budgetary differences in the greater interest.

Professor M Zahidul Haque  
Dean, Faculty of Agriculture  
SAU, Dhaka

## Comments on news report, "Two tribunal staff involved," published on October 5, 2013

S. M. Iftekhhar Ahmed

It all seems too fishy to me. Didn't the idea of maintaining confidentiality and better security regarding such a sensitive issue cross anyone's mind?

Jafar Iqbal

The mastermind behind the leakage should be arrested before he leaves the country.

Fardeen

What a story! A novelist could have helped the police or investigation team to come up with a better story than this...

Nnworx

Can it get any more theatrical? Now the blame goes to the cleaner. Apparently he has computer literacy. On top of that, police commissioner (Monirul) said Nayan often used computers in tribunal offices. If a cleaner can often use computers in highly sensitive premises, why do we even bother investigating who leaked the verdict?

Nds

It reflects the state of total callousness that pervades the entire administration in this country. It is also a glaring testimony to the fact that the high-ups in this country are always protected using the underdogs as their shield.

Spiderman

Incompetence in such a sensitive case is proving that there is flaw in the system.

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## "Rampal gets rolling" (October 6, 2013)

Abbasuddin

India will drain out more than 2000 crore taka each year from Bangladesh with a target of 75000 crore taka within next 35 years by 500 MW supply. It appears there is no engineer or economist in Bangladesh to calculate this loss.

Ahmed Zakaria

I find it staggering how so many people in leadership positions can give the go-ahead to a project like this. This is not the right step. If the Sundarbans is harmed in any way, the people of Bangladesh will not forgive the AL. Who do they think we are? Children? That we will believe anything that comes out of their mouths?

Pasha

Showing least care for environment but asking for money for environmental disaster mitigation from UN is a double standard.

Nds

No power plant is possible with zero disturbances to environment and ecological balance. That can't be the reason for abandoning such projects altogether. The objections against the Rampal project are driven more by politics than by environment concern.

Ash C.

What an irony! The PM of India visited Bangladesh sometime back to sign the long overdue Teesta treaty that at the last moment he did not sign -- the excuse being West Bengal's CM Mamata's objection. However, there was no such problem with regard to Rampal project inside Bangladesh as far as India was concerned and Mr. Singh smilingly inaugurated the project along with equally smiling PM of Bangladesh -- despite vehement protests from green groups. It was a business proposition that would benefit India much more than Bangladesh and also spell disaster for the Sundarbans.