

A revolutionary law

The Right to Information Act (RTI), one of the most important laws of Bangladesh that came into force on July 1, 2009, is perhaps also the country's least known. Many see it as the most revolutionary law adopted by the Bangladesh Parliament. This is because, unlike any other law, it empowers citizens to monitor the work of government officials and public authorities, including many NGOs. And in doing so, they contribute to promoting transparency and accountability in governance. The Daily Star has decided to dedicate a regular monthly RTI column to show its readers that it is possible to challenge anomalies within the system and bring about real change.

DR. SHAMSUL BARI and RUHI NAZ
Surveys and reports have shown that a key reason for the tardy progress of the RTI law in Bangladesh is the lack of trust of citizens (the demand side) in the government's intention to implement it wholeheartedly. Many find it difficult to believe that the same authorities (supply side), who for centuries have been denying citizens access to pertinent government information, would now open up just because there is a new law. Despite the disbelief and uncertainty, there are signs of progress. Factors which have contributed to the recent progress in the law include successful promotion of the use of the law by a number of NGOs, particularly among the marginalised communities. In the process, the latter has discovered the tremendous reach of the law to access information on how the benefits of various safety-net programmes of the government, which are aimed at alleviating their poverty, are often denied to them due to malpractices of concerned public authorities. They also learnt how they can change the situation simply by seeking pertinent information through application of the RTI law. Secondly, the Government has of late awakened to its responsibilities under the law and initiated a number of useful measures to help its implementation. This includes directives to all public officials to discharge

their responsibilities under the law more diligently. The third factor is the maturity gained by the Information Commission over the years which is being put to good use

both in terms of promoting greater awareness about the law in the society and in resolving disputes between the demand and supply sides. Taken together, they are likely

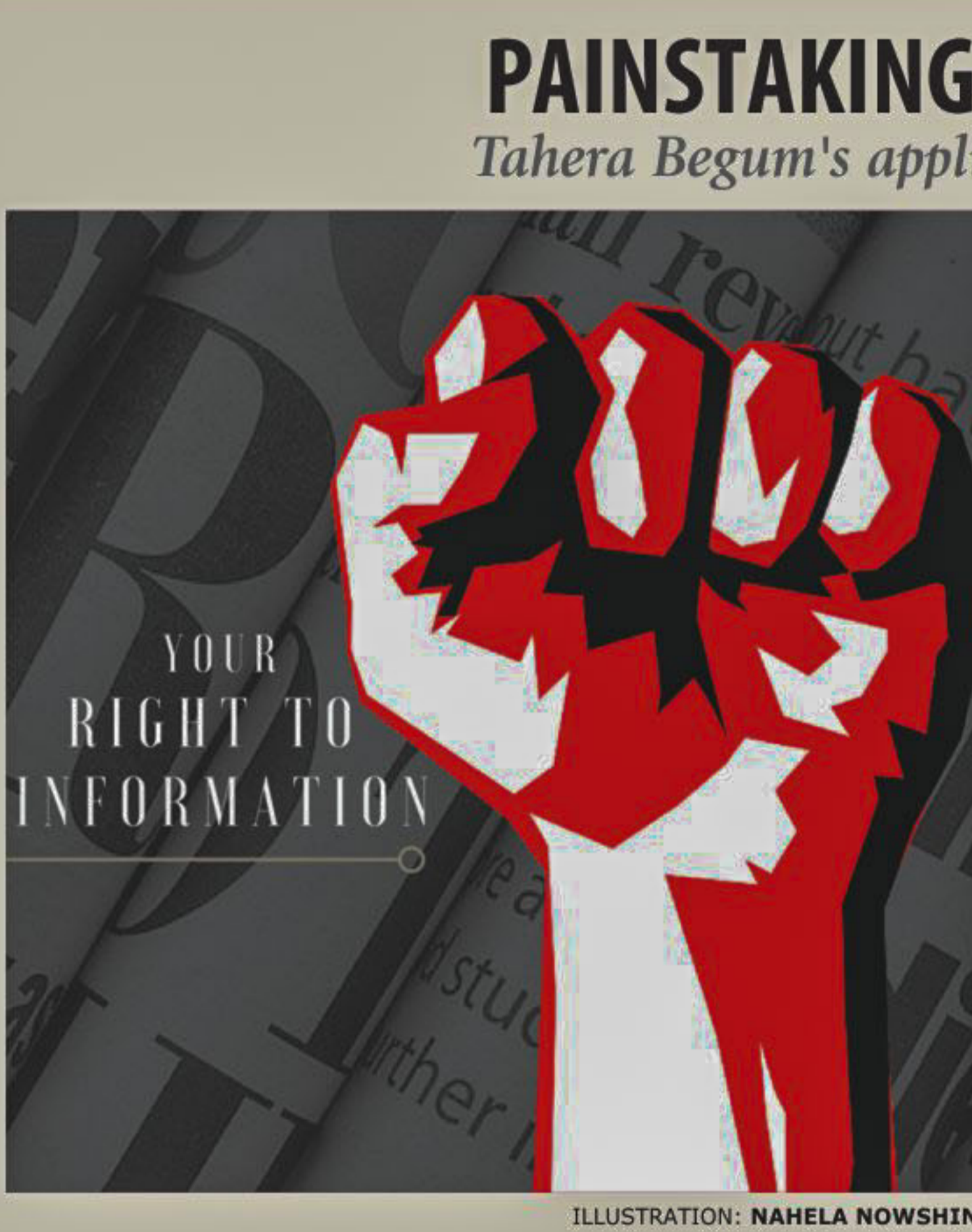
to lead to greater use and success of the law. However, real progress will come only when more citizens, from all sections of society, become ardent

users of the law. Citizen groups that are yet to be excited about the law includes the middle and educated classes, as well as all professional groups, including the media, lawyers

and politicians. If more people were to learn about the inherent strength of the law to help individual citizens redress personal grievances and about the crucial role it can play in changing the colonial mindset of public officials, they too would be attracted to make use of it. It is hoped that the case studies in these columns will attract more members of these groups towards using the law. It is only through participation of citizens from all walks of life that the basic objectives of the law would be achieved.

The case studies will be prepared by the RTI team of Research Initiatives Bangladesh (RIB) which is involved in the promotion of RTI in Bangladesh. They will be based on incidents gathered from all over the country by the RTI Forum of Bangladesh and also those reported by the Information Commission. Apart from focusing on the substantive aspects of each case, the studies would also seek to throw light on the processes involved in the implementation of the law. These would include the process of application by the demand side, response from the supply side or the lack of it, and resolution of disputes between the two sides by the Information Commission.

The writers are Chairman, Research Initiatives, Bangladesh (RIB) and Project Coordinator, Project Coordinator (RTI section), RIB respectively. Case studies prepared by RTI team, (RIB).



PAINSTAKING BUT REWARDING

Tahera Begum's application to the police station

On July 12, 2011, Tahera Begum, a housewife who lived in Saidpur, decided to submit an RTI application to the local police station asking for information on the number of complaints filed at the police station on torture and abuse of women during the first six months of the year 2011. She had been trained by RIB on how to apply. As mundane as the application sounded, the whole process turned out to be a long drawn ordeal for her. When she went to the police station together with a few other group members, at first, the officer on duty rudely refused to accept her application. However, when the group informed him about the RTI Act and his responsibilities under it, the officer accepted the application but refused to provide any receipt for it, as required under the law. He told them that an acceptance letter would be provided in the evening after the Officer in Charge (OC) returned to office. Accordingly they returned to the police station that evening, only to learn that their application was 'lost' and could not be traced. Having no other choice, another application was sent through registered mail on July 30, 2011. After that, 20 working days passed without any answer from the concerned police official, as required under the law. An appeal was therefore filed with the Appellate authority, the Police Superintendent,

again through registered mail. Receiving no response this time too, the applicant submitted a complaint to the Information Commission on October 30, 2011. The Information Commission summoned both the parties to attend a complaint hearing in Dhaka. After hearing both sides, and learning that the applicant was harassed and badly treated at the police station, the Information Commission ordered the police officer concerned to provide the required information within one week upon return to their home town. Eventually Tahera Begum was able to receive the information she sought. The local media reported the matter and gave it wide publicity. The incident created ripples among the public in Saidpur. The RTI animator of the group commented, "In our area, ordinary people avoid police stations for fear of harassment and insult. Here was a simple housewife whose complaint took the SP to Dhaka! The incident was a first step toward removing such fear. It served as a tonic for the people. They are no longer afraid of government offices. This incident is an example of how the RTI Act can empower people through its application." [Ref: Complaint No. 41 of 2011 http://www.infocom.gov.bd]

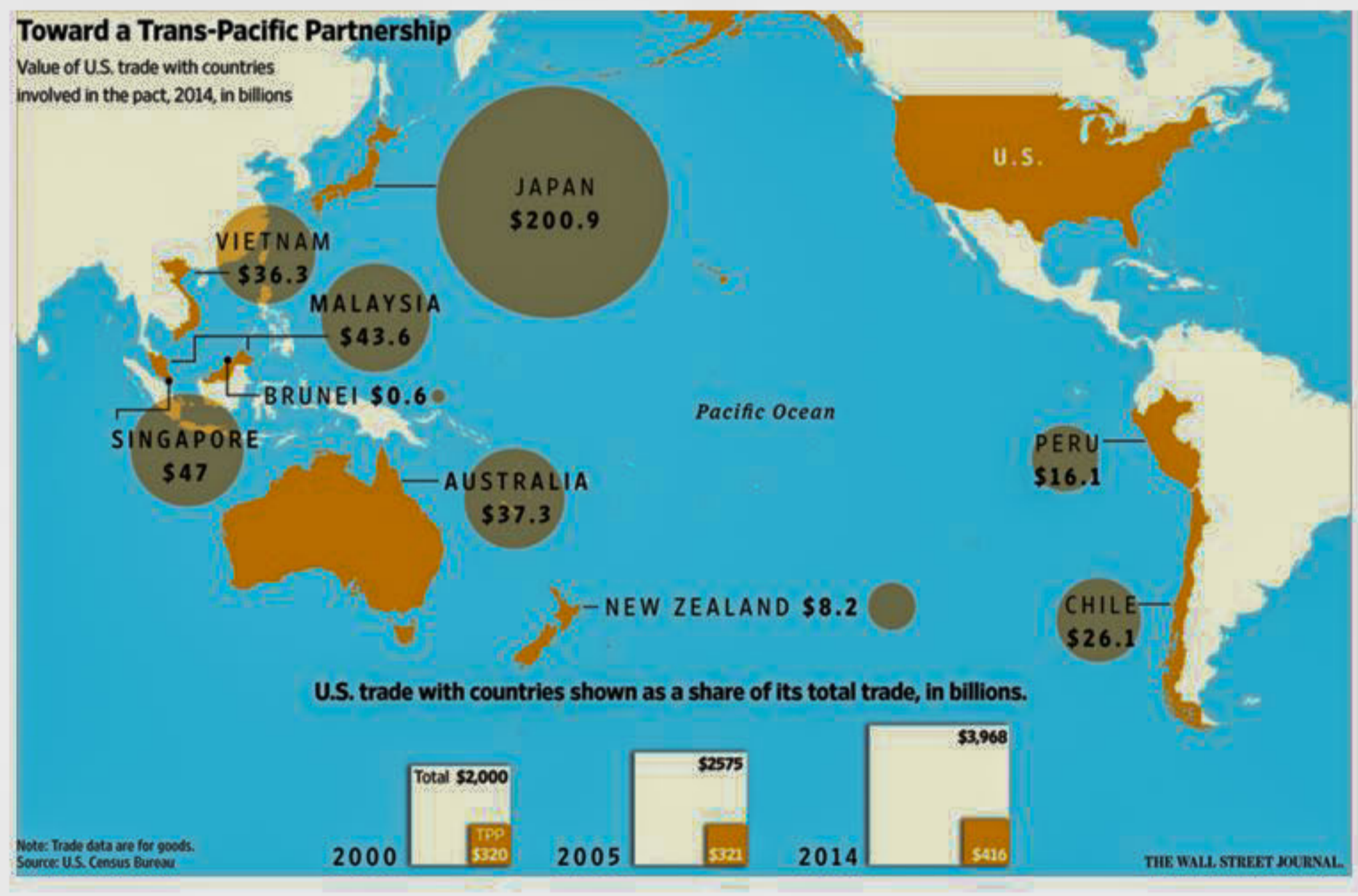
ILLUSTRATION: NAHELA NOWSHIN

Trans-Pacific Partnership Treaty and Bangladesh

DR. ABDULLAH SHIBLI
THE Trans-Pacific Partnership (TPP) treaty currently under negotiation could potentially affect Bangladesh's economy in the near future, although at this point it is not clear how large the impact might be since many of the details are still under wrap. However, it is known that some of Bangladesh's major trading partners, including the USA and Japan, have joined the Partnership, and so is Vietnam which is a significant competitor in the international readymade garments market. Therefore, in the coming months it behooves well for Bangladesh to pay close attention to the final outcome of the treaty and undertake effective measures to counter any adverse effect on our economy. TPP has been in the works for over five years. Currently twelve countries accounting for 40 percent of the world's GDP are slated to be signatories to this agreement: Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the US, and Vietnam. The treaty has both trade and non-trade sections. The main feature of this treaty envisages that tariff and non-tariff barriers to trade between the signatories will be eliminated and members will refrain from currency manipulation. There are other aspects particularly as they relate to intellectual property and investment. The Obama Administration is strongly pushing the agreement with Congress and the public. According to the US Trade Representative's office, it is "a trade agreement that will open markets, set high-standard trade rules, and address 21st-century issues in the global economy. By doing so, TPP will promote jobs and growth in the United States and across the Asia-Pacific region." However, as can be expected with a treaty of such global reach, until "all t's are crossed and i's dotted", many aspects will remain under a cloud of uncertainty.

The effect of any free trade agreement depends on the countries involved, the scope of the treaty, the time frame, and the commodities covered. When two countries decide to lower tariffs on their imports from each other, they import more from the partner. This is due to two effects: trade creation and trade diversion. For example, if United States lowers tariff on Vietnam's steel, the US will import cheaper steel from Vietnam at the expense of domestic steel mills. This is an instance of trade creation. On the other hand, if increased import of steel from Vietnam reduces US steel imports from China, increased trade between USA and Vietnam happens at the expense of China, and US trade with China is reduced i.e., diverted. In the previous scenario, if you switch the countries, Bangladesh for China, and also readymade garments for steel, you can probably get a sense of the potential impact of TPP on Bangladesh in the not too distant future.

At the recently concluded Bangladesh Development Conference at Harvard University, many international observers voiced their concern that due to tariff preferences and technology transfers following TPP, Vietnam is likely to overtake Bangladesh as the second largest RMG exporter in global trade by 2024. A researcher observed that if TPP adopts the flexible rule of origin on sourcing, as favoured by Vietnam, it could boost its share of the growing market from 4 percent to 11 percent, while Bangladesh's share remains almost stagnant in the 7-8 percent range. Currently, Vietnam is at a comparative disadvantage in the RMG world mainly due to its higher cost of production and greater labour cost. Bangladesh has been able to retain its edge in the sourcing world in spite of the higher tariff (Vietnam pays 8.38 percent in contrast to 15.61 percent for Bangladesh), but it is expected that TPP, once it is fully implemented, will trigger some trade diversion from Bangladesh to Vietnam.



An aspect of the treaty that might play an important role in the aftermath and its impacts on trade is the implementation of "Rules of Origin (ROO)" requirements. ROO define those goods that originate in the TPP countries and therefore are eligible for preferential treatment under the agreement. With regard to textiles and apparel, the United States has used the "yarn forward" rule in the past. This rule, stricter than the others, requires that an apparel product could be considered from within the free trade area, and therefore eligible for preferential treatment, if the entire manufacture of the product, from the spinning of the yarn to final assembly, has occurred within the country or countries in TPP. Representatives of the U.S. textile industry have argued for tighter "yarn forward rule" to be included in the TPP. Some U.S. apparel firms, retailers, and distributors, as well as

some TPP countries, including Vietnam, seek a less restrictive "cut and sew," or single transformation, rule, which would allow its products manufactured from materials of non-TPP origin to benefit from the TPP. Many alternative variations or hybrid rules are also being considered. These are based on percentages of inputs, origin of inputs, and other criteria. However, it is known that flexible rules are opposed by some US partners, particularly Mexico and Peru, where textile and apparel industries have been oriented to trade with the United States. In the coming months, Bangladesh will need to keep an eye on the final outcome of the ROO negotiations since a) flexible rules will affect Bangladesh in the short run, while b) strict rules might give us headaches in the long run. Another area where international investors might be giving Vietnam a slight head start is in the upstream industries. According to the

Vietnam Investment Review, "a new wave of foreign investments in the spinning, weaving, and dyeing sectors has been kicked off, since investors can see the profits they can gain from the TPP." Trade journals report that foreign manufacturers have invested more than \$1 billion in Vietnam's textile and apparel sector in anticipation of a TPP agreement. According to Saigon Times, textile and garment manufacturers based in Japan, Hong Kong, South Korea, Taiwan, Austria, and Australia are also setting up new production or have expanded current production in Vietnam.

Bangladesh trade officials, BGMEA and BKMEA, regulators, and the civil society need to also pay special attention to the TPP and other free-trade negotiations which are moulding "21st-Century Trade Policies". These new state-of-the-art trade deals offer prominence to environmental and labour standards, and might allow non-tariff barriers, such as burdensome safety standards or regulatory hurdles for trade services and direct foreign investment, to be codified. These, nonetheless, may no longer be overlooked in trade negotiations.

For Bangladesh, if the Treaty goes through, there are a number of pathways to mitigate the aftershocks, and take advantage of the opportunities. The most important imperative is for the government and the business community to keep it to the radar screen. In the worst-case scenario, Bangladesh might find itself in a situation where it loses its current position as the second largest garments exporter in the world to Vietnam. In the best case scenario, the country decides to join the Partnership and finds its niche in trade, in textiles, leather, and services. However, if it does nothing there is a possibility for the country to see a potential slowdown in the growth of its RMG export sector.

The writer is an economist who writes on policy issues.

QUOTABLE Quote

I am among those who think that science has great beauty. A scientist in his laboratory is not only a technician: he is also a child placed before natural phenomena which impress him like a fairy tale.

MARIE CURIE

CROSSWORD BY THOMAS JOSEPH

Across

- 1 Fancy flapjack
- 6 Sun-powered
- 11 Black bird
- 12 Tex-Mex staple
- 13 Delighted
- 15 Signing need
- 16 Sprint
- 17 Homer's neighbor
- 18 Orlando team
- 20 News summary
- 23 Halley's sighting
- 27 Whole range
- 28 Volcano flow
- 29 Grant's successor
- 31 Ring competitor
- 32 Javelin
- 34 Coffee, in slang
- 37 Granola bit
- 38 In the style of
- 41 Pressured
- 44 Perfume
- 45 Choose
- 46 Looks after
- 47 Hazards

Down

- 1 Field yield
- 2 Gushing review
- 3 Flat
- 4 For each
- 5 Catch
- 6 Like vistas
- 7 Resistance unit
- 8 Safari sight
- 9 Lotion additive
- 10 Lemon part
- 14 Embrace
- 18 Tests for rats
- 19 Tint
- 20 Stadium cry
- 21 Greek vowel
- 22 Playfully shy
- 24 Upper limit
- 25 Genesis woman
- 26 Road goo
- 30 Newscast part
- 31 Tub user
- 33 Have lunch
- 34 Only
- 35 Formerly
- 36 Genesis site
- 38 Historic times
- 39 Gambler's aid
- 40 Picnic pests
- 42 Finale
- 43 Yale student

BEETLE BAILEY

by Mort Walker

BABY BLUES

by Rick Kirkman & Jerry Scott

Yesterday's answer

M	I	N	T	C	O	P	S
B	O	R	E	A	R	I	E
A	D	O	R	E	P	E	E
D	E	N	V	E	R	R	E
G	L	E	E	F	L	A	C
E	A	R	F	L	A	C	O
P	E	E	K	S			
C	A	R	R	I	E	T	I
B	E	L	O	N	G	S	I
O	R	B	H	E	L	E	N
S	E	A	T	S	V	I	S
C	A	N	O	E	D	I	T
L	Y	N	X	R	E	N	E