

## Swiss banks, second home and "Begum Palli"

### Is the government serious about money laundering?

In the wake of the reports that there has been year on year increase in the amount of deposits of Bangladeshi account holders in Swiss banks, we are informed by a report in the leading Bangla daily of the country that Bangladeshis rank third among those who have made Malaysia their 'second home'. Malaysia is another destination of laundered money from Bangladesh, invested in a very well publicised project of the Malaysian government. And who does not know of the "Begum Palli," an honorific given to a locality of Toronto where the wives and children of the rich and power in Bangladesh have flashy residence.

Money laundering has been a plague for this country. Reportedly, illicit financial flow, or IFF, a euphemism for money laundering, from Bangladesh between 2005 and 2016 has been between 6 and 9 billion dollars. Regrettably, the government's attempt to address this matter has at best been lackadaisical as the statements of the finance minister that the amount of money laundered in Swiss banks is too insignificant to take note of, exemplifies. The 19 percent increase from 2015, is too much even for a finance minister to dismiss off hand as being over stated by the media.

Given that the nature of money that lends itself to free flow beyond borders, we have not seen adequate measures to create incentives for the investors to keep, and invest, money at home. Small sums laundered, gradually accrete into large amounts and are tied up with the culture of loan default and other financial mismanagement to which the government has turned a blind eye. This attitude must be purged.

## Sewage wastes dumped on road

### Another example of utter irresponsibility

A photo published in The Daily Star on July 13 shows pitch-black sewage substances spread over the road near the Mayor Hanif Flyover in the capital's Donia area. It is reported that the cleaners left the wastes on the road after extraction from a nearby sewer. The air of the whole area has been filled with foul odour. It is also posing a serious threat to public health. It clearly indicates the complete disregard of the city authorities for public suffering.

But this is not an exceptional case. In many places of the city we see similar pictures of dumping of garbage and sewage wastes on roads and footpaths. Moreover, city-wide repair and construction works of utility lines followed by road digging leave heaps of mud, brick chips and other construction materials on the roads. And the situation turns worse during rainy days. Heavy pouring washes away wastes into water-logged roads and people have to commute through these dirty waters risking contamination of infectious and water-borne diseases.

Numerous reports about such sufferings of the city people have been published over the years. A lot have been said about the solutions of these problems. But very little has improved. It seems city people have become hostage to the whims and disregards of city authorities and utility providers. Is there no one to respond to the desperate condition of the suffering city-dwellers?

## LETTERS TO THE EDITOR

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### Cause of delay in BCS exams

It is a good thing that the non-cadre results are also published under the BCS. However, the PSC Chairman Mohammad Sadik, in a recent interview, mentioned that only one education cadre is responsible for 79 subjects. So the PSC has to communicate with 79 types of experts for making question papers, checking answer scripts and for *viva voce*. It is a massive task that very possible causes the delay in result publication.

We request to Prime Minister and concerned authorities to establish a separate PSC for teachers, and a separate one for non-government educational institutions.

Mawduda Hasnin

By email

### Rehabilitate flood victims

The recent floods have rendered thousands of people homeless, lying in camps in a miserable condition, with no means of livelihood. The dirty water they are forced to consume is also causing skin diseases and other severe illness. We need to fight this natural calamity together and help these victims. We need more barrages and canals in our river systems. The authorities should immediately provide food, clothing and medicines for the affected people. Students, social workers and generous citizens can also contribute to the relief projects.

Every one of us can send at least a day's salary for this cause. While it is the responsibility of the Health Ministry to rehabilitate the victims, I urge the readers of this newspaper to forget caste, religion, and political affiliations, and come forward to help them together.

Zubair Khaled Huq

By email

# EIGHT YEARS OLD

## How is the Right to Information Act faring?

SHAMSUL BARI and RUHI NAZ

**T**HE freedom of a nation cannot be upheld by laws alone, but also by the light of the nation and knowledge of their use." These words by Anders Chydenius, a Swedish enlightenment thinker and politician of the eighteenth century, had set the ball rolling for the adoption of world's first freedom of information law in Sweden and Finland in 1766. Since then around 115 countries/territories have enacted similar transparency laws.

The Bangladesh Right to Information Act (RTI) 2009 was inspired by the same objective of empowering citizens with the right to know how the government exercises its authority under the laws of the land. On July 1, 2017, it completed eight years since it became operational with the establishment of the Information Commission of Bangladesh.

The anniversary provides a good occasion to assess how the law itself and the Information Commission have fared over the years. The exercise is equally important in relation to the implementation of Sustainable Development Goals (SDG) 2030, of which RTI is an integral part. To obtain a good rating when Bangladesh's RTI use is measured against international standards, we must identify the shortfalls and mend them quickly.

We can base our assessment on the Information Commission's Annual Report 2016, combined with the perspectives of individual users of the law, activists engaged in its promotion and media reports and emerging literature on the subject.

The speech delivered by the Honourable President of the country on "International Right to Information Day" last year indicates support to the RTI Act from the highest level of government: "Having or not having the right information is like living under light or darkness. Just as light shows the path to human wellbeing and progress, right information helps citizens to claim their legitimate rights and dispel corruption and unfair practices from society. Contrarily, darkness promotes misfortune and spreads corruption."

Is the Information Commission living up to the claims of the government and the expectations of the people?

The Annual Report shows that in 2016, some 6,369 requests for information were made to public authorities. Of these, over 95 percent were provided with the information sought.

539 complaints were lodged with the Information Commission by disgruntled information seekers. Of these, 364 were accepted for hearing. The rest were either rejected for faulty submissions or decided without a hearing.

From 2010, the first year of the law, the number of requests for information declined from 25,401 to 6,181 in 2015. Altogether, some 82,412 RTI applications were recorded in eight years. One may ask if this is a respectable figure for a country of over 160 million people.

A quick comparison with our two giant neighbours, India and China, may help. In 2015-16, some 1.2 million RTI requests were entertained by public authorities under the central government of India alone, of which 94 percent received positive responses. During the same period 106,556 appeals and complaints were resolved by the Central Information Commission (CIC). The numbers would be much higher for the entire country if State figures were added.

For China, the available figure was 1.5 million for the year 2011. Of these 85 percent resulted in disclosure. Who would have thought that a transparency law would work under a totalitarian system?

Lest readers attribute the large numbers to population sizes, the following figures from countries with lesser populations than Bangladesh may help. The UK FOI requests in 2016 numbered 45,415. The figure for Australia for 2015-16 is 37,996. It shows that population size does not determine use.

It would be simplistic to claim that the Bangladesh Act is failing. A transparency regime, by nature, makes slow progress. It takes a long time to break away from a deep-rooted culture of official secrecy and change people's mindset forged over centuries.

A more constructive position would be to check if we are going in the right direction and if corrective measures may change the situation. Some positive

indications are available from the Annual Report, including the following:

The list of issues on which RTI requests were made in 2016 show a growing maturity of users. Many more requests now relate to public interest and transparency/accountability issues, and not simply to personal needs.

The overwhelming use of the law by marginalised communities is slowly giving way to more users from the middle and educated classes. More requests are now made to Central Ministries and authorities, departing from the earlier focus on local bodies.

The emergence of a breed of passionate RTI users, named in the Annual Report, is another notable development.

The Designated Officials (DOs) appear to be less likely to get away by falsely claiming at complaint hearings that the RTI requests never reached them.

The Information Commission is slowly moving towards making greater use of penalties on defaulting DOs. Seven DOs were fined in 2016 alone, which is more than 50 percent of the total of 12 imposed till then.

Written decisions by the Information Commission on complaint hearings are in many cases better reasoned and articulated. It indicates evolution of a good jurisprudence.

Let us also pay heed to less encouraging trends so that we may address them.

The practice of rejecting complaints on procedural grounds continues to be a key factor impacting negatively on prospective applicants. The Annual Report shows that 70 out of 175 complaints (40 percent), rejected by the Information Commission was because applications/appeals were not addressed to the right persons.

The non-appointment of DOs, or their non-replacement upon transfer, is linked to the above factor. So far around 24,103 DOs have been appointed against a possible figure of 39,000 for the whole country. Where would applicants go when no DOs are appointed or the authorities disregard the directives of the Information Commission to appoint them?

The time taken by the Information

Commission to resolve complaints sometimes exceed the legal limit of 75 days by many times. It is known to postpone or reschedule hearings frequently at the urging of powerful authorities. This causes much frustrations, lengthy delays, increased expenses and undue suffering to ordinary complainants.

The practice of resorting to one-party hearing by the Information Commission to resolve complaints disappoints users who find it contrary to basic principles of justice.

A growing practice of the Information Commission to declare a complaint to be "sub judice", if a writ petition on a similar claim remains pending in the High Court, is another source of frustration. Many complaints are kept hanging on this ground though clear precedents exist.

We hope that this analysis of the implementation of RTI in the country would help all concerned—the government, the Information Commission and citizens—to appreciate that the potential of the law can only be achieved through their combined efforts. While there are reasons to worry about the low use of the law, there are also some gleams of hope.

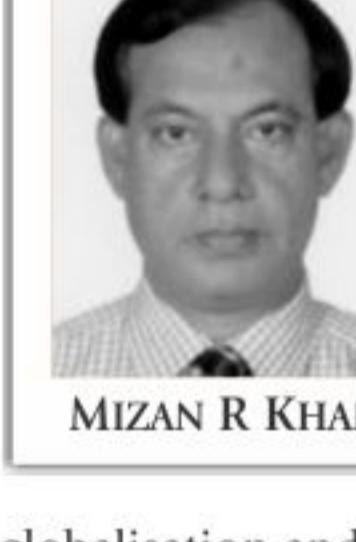
The government must provide the necessary moral and ancillary support to help the Information Commission undertake the required corrective measures. It should ensure inclusion of legal expertise in future composition of the Commission. On its part, the Commission must strive to win back citizen's trust by earnestly removing all impediments in the use of the law and setting examples of its own transparency and accountability. This should enhance growth.

Let us keep in mind that "there is not a crime, there is not a dodge, there is not a trick, there is not a swindle, there is not a vice which does not live by secrecy." (Joseph Pulitzer). Together, we can pierce the veil of secrecy from the work of public offices. It would strengthen our democracy and promote good governance.

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## G20 SUMMIT 2017

### A retreat from multilateralism



**T**HE two-day summit of the exclusive but informal club of G20 comprising of the big industrial and developing countries, held between July 7-8, ended with the issuance of a Communiqué, a ritualistic outcome of such events. The 13-page document includes issues like terrorism, displacement, poverty, food security and health, globalisation and trade, job creation, energy security and climate change, inequality including gender inequality, and digitalisation. Its Preamble says: "We are resolved to tackle common challenges to the global community... We will continue to work together with others, including developing countries, to address these challenges, building on the rules-based international order." The intention is surely pious reflecting the theme of the meeting: Shaping an Interconnected World. But it sounds vacuous when tested against what really transpired there. There was actually a backtracking from multilateralism, the right mode of addressing those challenges.

All the media analyses of the summit outcome that I have come across agree on one point: that it was more of bilateral parleys between friends and foes, than mini or plurilateral summits. Sure, bilateral meetings are something one gets into the bargain in such settings, but this time they stole the whole show. Actually, the meeting convened in times of a waning trend in global cooperation and rising economic nationalism, led and fuelled by Trump's "America First" policy. This upswing in bilateralism has manifested in recent trade deals, with protectionism now likely to be reinforced by the agreed clause that recognises "the role of legitimate trade defence instruments." Trump's threats of disengagement from global commitments, his pull out from the Trans-Pacific Partnership just in three days of his presidency, his threat to scrap North American Free Trade Association, his pressure on the UK for bilateral trade deals, the EU trade deals with Canada in October and with Japan just the day before the G20 meeting began. The latest deal was more than symbolism just prior to the G20 meeting, that other nations and their trade exchanges are likely to survive and grow despite some pullouts by the mighty and the powerful.

The dishevelled collage comprised of a unilateralist America, a withdrawing Britain, a still-consolidating Macron, but avowed multilateralist, together with his elder soul-sister Merkel, a revisionist Russia, an increasingly conservative and authoritarian Turkey, and a not yet dominant China, with lesser powers trailing behind.

Against this odd personal chemistry, raging violent street protests targeted uneven and runaway market-led globalisation, resulting in worsening social outcomes in recent years. The perception that global economy serves the few than many has proven real. What do we see of globalisation after more than two decades? It's a form of financialised capitalism, riddled with cyclic crises, beginning in the 1990s in East Asia and spreading to Russia, Argentina, the US and Europe. Now investments flow more into trading in virtual assets, financial assets



Demonstrators are hit by water cannons as they protest on July 7, 2017 in Hamburg, northern Germany.

and their derivatives rather than in production of real goods and services.

Many LDCs remain largely "off the map" of finance, both discursively and materially. Nobel Prize Economist Joseph Stiglitz in his book *The Price of Inequality* (2012), shows that globalisation has increased inequality both within and between nations, who developed the thesis of "1% of the people, 1% by the people and 1% for the people." Just one number suffices to testify: only 400 persons in the US own assets more than the combined worth of 185 million US citizens. It is interesting to note that now about 80 percent of the global poor live in the middle income countries, such as China, India and countries of Latin America than in the LDCs.

A recent McKinsey estimate shows 45 percent of global working age population the world over is underutilised—unemployed or underemployed. Unless there is a redirection of investments in manufacturing and in other productive sectors, the desired job creation may not happen, and further rise of populist authoritarianism will continue to challenge the multilateral governance process. For right reasons, Merkel and Macron, the dynamic-duo led in adopting the Africa Partnership programme, only to combat poverty upstream in Africa to arrest the flow of mass migration to downstream Europe.

In hindsight, internationalists had the upper hand since the Second World War, with their profession of cooperation and multilateral institutions to promote global public goods like peace, security, financial stability, and environmental sustainability. These were shared norms and values that constrain Westphalian model of national sovereignty. But the end of 2016 witnessed an upscaling of views of realist bilateralists, who consider balance of major powers as the guarantor of peace and security. But this model favours the strong and further

weakens the weak. Trumpism over Wilsonian and Rooseveltian internationalism represents this downside.

The global challenges mentioned in the Communiqué are actually more interrelated, synergistic, more sweeping in social effects than the ability of deregulated, market-led globalisation. So a new narrative on sustainable globalisation embedding the collective, multilateral and accountable policy designs are the need of the day, which the G20 representing just 10 percent of comity of nations cannot deliver. Whatever ways the existing multilateral institutions like the WTO, the UN or even the World Bank systems are regarded as imperfect, they at least have some kind of accountability and transparency in their operations. But unilateral clubs like the G20 lack any kind of such operational norms. Just about 10 members of the G20 cannot represent about 150 developing countries in such an exclusive functioning process.

Obviously, holding on to centuries-old lens of sovereignty predicated on a zero-sum game in the global arena cannot deal with the emerging global challenges the Communiqué refers to. So a new type of what Igne Kaul calls "smart or pooled sovereignty" is needed. Joseph Nye cogently argues that while the US led in production of global public goods since World War II, now global cooperation is needed, because power has become a positive-sum game for achieving global goals.

But at the moment we are in what political scientist Bremmer calls a "G-Zero World" where no one country can shape events. So the cacophony and discordance are likely to continue for some time until some better democratic, accountable and transparent multilateral mechanisms for shaping an interconnected world can be devised.

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