### Journalistic acts won't be considered as spying

2 ministers explain Digital Security Act

STAFF CORRESPONDENT

Two senior ministers yesterday said the Digital Security Act-2018 would not be applied to journalists if they wrote on corruption and illegal acts as it would not be considered as spying.

"There is no relation between journalism and spying. If journalists published reports on illegal acts that will not be treated as an offence of spying under the proposed law," Law Minister Anisul Huq told journalists at his Secretariat office.

If anybody committed spying through the computer and the information technology systems that would be treated as an offence under the proposed law, he said.

He added some people were harassed under Section 57 of the Information and Communication Technology Act, but nothing like that would happen under the proposed law.

He said freedom of expression has not been assassinated and would not be damaged under the proposed act, which was approved by the cabinet on Monday with a provision of 14 years in prison for related offences.

Journalists and rights defenders fear the freedom of the press and expression was put to the sword due to the proposed digital security law. They say there will be every chance of the act being misused against the

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Prime Minister Sheikh Hasina delivers a speech to a huge crowd at the Sylhet Alia Madrasa ground yesterday.

# Vote for 'boat'

corruption. "There's no room for on Bangladesh soil."

Mentioning that the "boat" symbol brought the country's independence and showed the path of prosperity, she said the "boat" was taking Bangladesh towards the path of development.

"When the Awami League comes to power, the country sees development. But the BNP-Jamaat alliance men, who are looters, killers and arsonists, know how to destroy."

alert against terrorism, militancy and indulges in militancy and terrorism ment offices were torched, she added. whenever it comes to power. "When terrorism, militancy and corruption the Awami League remains in power, A movement is for the people and for Bangladesh earns fame and gets realising their demands. But the BNP awards. But when the BNP stays in burned people to death... they [BNP] power, Bangladesh is condemned."

The BNP and Jamaat had resorted to killing and vandalism in 2013-2015 and felled a large number of trees across the country, she complained.

During the "violence by the BNP" in the rally. those three years, some 500 people were killed, more than 3,036 suffered burn injuries as well as 3,252 buses, 29

SECTION 499 OF THE PENAL CODE

"Whoever by words either spoken or

intended to be read, or by signs or by

visible representations, makes or pub-

lishes any imputation concerning any

having reason to believe that such

person intending to harm, or knowing or

imputation will harm, the reputation of

such person, is said, except in the cases

A person may face up to seven years in

jail or Tk 5 lakh fine or both if he or she is

found to have deliberately published or

broadcast something in the website or in

electronic form which can spread hatred

groups and communities and can cause

jail or Tk 10 lakh fine or both for com-

mitting the offence for the second

If anyone illegally enters any critical

information infrastructure, he or she will

face maximum seven years' imprison-

ment or Tk 25 lakh fine or both, and he

or she may face up to 14 years in jail or 1

crore in fine or both for doing any harm

A person may face up to 14 years in jail or

Tk 20 lakh fine or both on the charge of

computer spying or digital spying if he or

she illegally enters the offices of govern-

ment, semi-government, autonomous or

statutory bodies and collect or preserve or

sent any top secret or secret documents

through computer, digital device, com-

puter network, digital network or any

electronic from and help to do this.

ting the crimes second time.

Punishment will be up to 10 years in

and create enmity among different

deterioration of law and order.

hereinafter excepted, to defame that

person."

SECTION 31

**SECTION 17** 

to the infrastructure.

SECTION 32

The PM alleged that the BNP trains, nine launches and 70 govern-

"We have never seen such violence. stopped only when people came out together to resist."

Had the AL not come to power in 2014, the country would not have seen the massive development, the PM told

Bangladesh, said the AL chief, became a role model of development in the world and its people attained

religion of peace, never supports mili- Islam Nahid, Road Transport and tancy and terrorism. "Those who kill Bridges Minister Obaidul Quader, innocent people in the name of Islam among others, spoke at the rally, will never go to heaven."

She urged all, including parents, teachers, religious leaders and guardians, to check whether their children were deviating from the right path.

Like in the past, the AL president yesterday launched her party's electoral campaign from Sylhet for the 11th parliamentary polls.

Finance Minister AMA Muhith,

dignity as her party was voted to power. Agriculture Minister Matia About militancy, she said Islam, a Chowdhury, Education Minister Nurul chaired by Sylhet city AL President

PHOTO: BSS

Badar Uddin Ahmed Kamran. The premier opened 18 development projects and laid the foundation stones of 17 others by unveiling plaques from the meeting venue.

Earlier, Hasina offered fateha at the shrines of Hazrat Shahjalal (RA), Hazrat Shah Paran (RA) and Hazrat Gazi Borhan Uddin (RA) in the city.

# 'Analogue' law for 'Digital Bangladesh'

FROM PAGE 1 child in distress triggers a social movement, leading to quick solutions or answering the needs.

Such freedom of expression will be severely curbed if the law in question is passed.

We will be the first to admit that there are incidents of serious abuse of the social media space. But we cannot cut off the head to get rid of a headache. In fact we will still not get rid of the "headache" because those who abuse the social media space will continue to do so regardless of what the law is. It is only the general people who will be affected and harassed by it.

We have had cases of Facebook posts triggering communal disturbances and shattering religious harmony. But all these were deliberate and pre-planned. Those who did it committed serious crimes under several existing laws. Surprisingly, however, most of them have never been apprehended, leave alone punished. It is hard to believe that the new law will come in the way of their nefarious

In some very specific sense, the draft law that the cabinet approved on Monday spells the death of freedom of expression and of independent journalism as we know it today. Ostensibly, it is only applicable for digital media. But all newspapers now have online presence and they offer multimedia contents, which makes the law applicable for newspapers too.

We wonder why Sheikh Hasina's government is going for this law.

We ask: Has any democratic country, anywhere in the world, ever benefited from curbing freedom of expression of the people and by controlling its independent and free media? Has any elected government ever performed better by throttling freedom of expression? Can a single instance be cited (other than China, which operates on a totally different system) where a country prospered with the press shackled? Has any purpose been served by muzzling the press other than delinking an elected government from its electorate?

The answer is an emphatic no.

In fact there is sufficient evidence to conclude that within democratic countries it is the enemies of democracy who mislead an elected government into believing that the free press is an impediment to their "good" intentions and goad them into adopting anti-freedom laws. The inevitable distancing of the government and the people that follows results in their marked drop in popularity and subsequent fall.

### PROPOSED DIGITAL SECURITY ACT

#### **SECTION 21**

Anyone spreading negative propaganda against the Liberation War or the Father of the Nation, using digital devices or instigates to do so, will risk being sentenced up to 14 years' jail or a fine of up to Tk 1 crore or both.

He or she will face up to life sentence or Tk 3 crore fine or both for committing the offence for the second time.

#### **SECTION 25**

A person may face up to three years in jail or Tk 3 lakh fine or both if he or she is found to have deliberately published or broadcast in the website or electronic form something which is attacking or intimidating or which can make someone dishonest or disgruntled; knowingly publish or broadcast false and distorted (full or partial) information to annoy or humiliate someone; knowingly publish or broadcast false and distorted (full or partial) information to tarnish the image of the state or to spread rumour.

A person will face up to five years in jail or Tk 10 lakh fine or both for committing the offence for second time.

### **SECTION 28**

A person may face up to seven years in jail or Tk 10 lakh fine or both if he or she is found to have deliberately published or broadcast something in the website or in electronic form or get it done to hurt religious sentiment and values.

A person will face up to ten years in jail or Tk 20 lakh or both for committing the offence for the second time.

#### **SECTION 29**

cal masters.

A person may face maximum three years in jail or Tk 5 lakh fine or both if he or she commits offence stipulated in section 499 of the Penal Code through website or in electronic form.

He or she will face up to five years in jail or Tk 10 Lakh fine or both for committing the offence for the second time.

Governments usually have two

channels of information -- official

channel and the independent media.

Official channels are always manned

by government servants who loath

giving unpleasant news to their politi-

tic information must by definition

depend on the media. So when it

muzzles the media, the government in

effect shuts its own source of inde-

pendent information. This makes

them totally dependent on bureau-

So any government seeking authen-

crats and we all know the conse-

He or she will face up to life sentence

or Tk 1 crore in fine or both for commit-

quences. In Soviet Union, the whole socialist experiment collapsed because the Brezhnevs and Kosygins never knew whether the policies they were enunciating and the directives they were giving ever saw the light of the day and got implemented. Everything was okay on paper till one day the ground from under their feet shifted and the whole

edifice fell apart. So then why, we repeat, is the government of Sheikh Hasina adopting

laws whose anti-people characteristics are so palpably clear? The prime minister often talks about "conspiracies" being rife. In our view, this is among the biggest of them and the government is clearly falling into a trap of its own creation.

When police are given the power to search and arrest without warrants, can

any civic activist or journalist be ever expected to report facts that run counter to the official versions? When a journalist can be hauled up before the court for "spying" because he or she is in possession of a secret government document, notwithstanding the law minister's assurance yesterday, no media will dare to report it.

Has the world been served better because of Wikileaks, Panama Papers and Paradise Papers? Under the law in question, all the Bangladeshis whose names appeared in those papers could take us to court and the police could arrest us for publishing "secret" docu-

The biggest danger of the law in question is that it does not sufficiently distinguish between genuine cybercrimes and impediments to freedom of expression and the freedom of media. The draft is replete with provisions that can easily be used and abused to curb the press. This is further exacerbated by vagueness of language that leaves too much room for interpretation which, in turn, poses threats

to freedom of expression. We in the media suffer from a "trust deficit" because of our experience. Laws are implemented or otherwise on political grounds and other extra legal considerations. Defamation cases filed under the Penal Code are regularly accepted by lower courts even when the law clearly states that only aggrieved persons can lodge such

cases. It is to be noted that between 2012 and June 2017, a total of 1,417 cases were filed under the ICT act -- a whopping 65 percent of them for defamation under section 57. As high as 65 percent accused were acquitted by the court after or during trial. In addition, police did not even find any merit to press charges in some 180 cases.

This makes it clear how the ICT act, particularly section 57, has been abused to gag freedom of expression.

Therefore, our fear that the proposed law too will be misused is only justified.

A free and vibrant media has served Bangladesh well. It has contributed significantly to improving the image of the country and of its democracy. The Digital Security Act will affect both

## Khaleda in court

FROM PAGE 1

The three other accused are: Harris Chowdhury, Khaleda's political secretary when she was in power between 2001 and 2006, Ziaul Islam Munna, assistant private secretary to Harris, and Monirul Islam Khan, APS of former mayor Sadeque Hossain Khoka.

Of them, Harris is on the run.

Judge Md Akhtaruzzaman of the special court at the city's Bakshibazar adjourned yesterday's proceedings until this morning. Fourteen other graft cases filed against the former premier have also recently been transferred to the same court.

The judge on January 25 fixed February 8 for delivery of verdict in the Zia Orphanage Trust graft case filed against Khaleda and her son Tarique Rahman after the defence finished their closing arguments and rebuttal.

In her written statement, Khaleda had then alleged that the verdict would be delivered as per the will of after year. But the case proceedings the ruling quarter.

"But I want to believe that you [Judge] will deliver judgment in line with the law with boldness and honesty, keeping yourself free from the government's influence," she added.

On the Zia Charitable Trust, she yesterday said it was formed completely under private initiative aimed at serving the people and conducting various welfare activities.

"This organisation never took any kind of monetary assistance from any state or public organisations. Not a single penny was allocated to the trust from any public or government fund. No money was collected for the trust with influence of the prime minister's post or using the prime minister's power."

She also said the Zia Charitable Trust fund was formed as per the existing trust laws and was registered. There was no violation of law.

Khaleda said it was a common and acceptable practice across the world to operate trust activities with financial assistance of donors.

"The case was filed as it [Zia Charitable Trust Fund] was the initiative of the BNP and my connection with it as the BNP chairperson. The present ruling quarter considers me and the BNP as their rival. Their behaviour and different statements prove that they are determined to harass me and the BNP by any means."

The BNP chief said it could not be proved clearly that "I have misused power. The case was filed only because of the ruling quarters' will proved.

and their instruction."

"I therefore want to say unequivocally that the allegation of misusing power against me is totally untrue and baseless," she said, adding, "Rather the Anti-Corruption Commission filed the case against me misusing power."

The BNP chief said none of the 32 prosecution witnesses could submit any evidence before the court in favour of her alleged misuse of power.

"Once again, I want to inform you [Judge] that I did not operate any activities of Shaheed Ziaur Rahman Charitable Trust as prime minister. Therefore, there is no relation between my premiership and the trust

Khaleda claimed that the Awami League after assuming power filed "the totally false, baseless and politically motivated case" to harass the opposition.

"There are so many important cases which remain pending year against me got the speed of a rocket. It seems someone from behind is instructing to complete the case proceedings quickly and deliver verdict against Khaleda Zia. Why such hurry? Will it ensure justice or will it bury justice?"

Khaleda said the people have serious doubts whether justice would be served. "We are also worried.

"During investigation and the case proceedings, the prime minister, many members of the cabinet and leaders of the ruling alliance have issued statements accusing me in the case.

"Some ministers and leaders of the ruling alliance have been repeatedly threatening to minus me from the political arena."

Khaleda said various cases were also filed against Awami League President Sheikh Hasina in connection with corruption, misuse of power, irregularities, and extortion.

"But she is so lucky that she never had to appear before the court like I had to.

"... all cases against her, including on charge of corruption, irregularities and extortion, were quashed one after another after she assumed power."

Earlier, Chief Prosecutor Mosharrof Hossain Kajol demanded the highest punishment, seven years' jail, for Khaleda and three other accused during his closing arguments. He claimed that the allegations of misuse of power and misappropriation of money had been

# Amazon opens own rainforest in Seattle

its main campus. Company office towers and high-

FROM PAGE 16

end eateries have taken the place of warehouses and parking lots in Seattle's

South Lake Union district. The Spheres complex is the pinnacle of a decade of development here.

The Spheres' three glass domes house some 40,000 plants of 400 species.

Amazon, famous for its demanding work culture, hopes the Spheres' lush environs will let employees reflect and have chance encounters, spawning new products or plans.

The space is more like a greenhouse than a typical office. Instead of enclosed conference rooms or desks, there are walkways and unconventional meeting spaces with chairs.

Jeff Bezos, Amazon's billionaire founder, officially opened the project in a ceremony with Amazon executives, elected officials and members of the media - by voice command. "Alexa, open the Spheres," Bezos

said, as a circle in the Spheres' ceiling turned blue just like Amazon's speechcontrolled devices, whose voice assistant is named Alexa.

Amazon has invested \$3.7 billion on buildings and infrastructure in Seattle from 2010 to summer 2017, a figure that has public officials competing for its "HQ2" salivating. Amazon has said it expects to invest more than \$5 billion in construction of HQ2 and to create as many as 50,000 jobs.

"We wanted to create something really special, something iconic for our

campus and for the city of Seattle, " John Schoettler, Amazon's vice president of global real estate and facilities, said. Earlier this month, the online retailer

narrowed 238 applications for its second headquarters to 20. The finalists, from Boston and New York to Austin, Texas, largely fit the bill of being big metropolises that can attract highly educated tech talent.

Amazon started the frenzied HQ2 contest last summer and plans to pick a winner later this year. At the Spheres' opening, Governor

Jay Inslee said the project now ranked along with Seattle's Space Needle as icons of Washington State. The Spheres, designed by architec-

ture firm NBBJ, will become part of Amazon's guided campus tours.