

## Phone-tapping legal notice on govt a timely move

*Authorities must carry out their responsibility of protecting the right to privacy*

WE are glad to see that ten Supreme Court lawyers have taken steps to hold the authorities to account with regard to leaked telephone conversations and the violation of the right to privacy that this entails. According to a report in this daily, a legal notice was served on the government in order to know what necessary steps have been taken to prevent the incidents of phone tapping and to ensure the right to privacy of telecommunication. The notice clarified that if the respondents do not provide the information in seven days, the notice senders will have no other option but to take legal action in order to get proper redress.

This legal notice is a timely one since, in recent years, we have seen numerous incidents of eavesdropping and recording of private telephone conversations. One of the most recent such incidents was a phone conversation between a Superintendent of Police and an Additional Superintendent of Police, who were later temporarily suspended, allegedly over their remarks regarding Rab and its officials. Whether such remarks made over private conversations can lead to official action was not made clear by the authorities.

Article 43 of the Constitution of Bangladesh grants every citizen the right to the privacy of their correspondence and other means of communication, subject to reasonable restrictions imposed by law in the interests of the security of the State, public order, public morality or public health. However, in most cases of phone calls being recorded, it is not clear whether it was done in these interests, or even whether it was done with state permission at all. The laws of this country clearly state such recordings can only be made with official consent.

Even if there is just cause to make such recordings, the public leaking of such conversations is certainly a breach of every individual's right to privacy, which the state has the responsibility of upholding. The legal notice that has been served on the government demonstrates how the authorities have failed to carry out their responsibilities and allowed one case of eavesdropping after another to continue unabated, with little concern about the negative repercussions of personal information being made widely available to the public through leakages of (often illegally) recorded conversations. We hope the authorities will take this notice as a wakeup call, shake off their apathy over this issue and take action to ensure citizens' right to privacy that is enshrined in the Constitution. Phone tapping violates our constitutional rights and must be stopped immediately.

## Highest daily infections since mid-April recorded

*How late will be too late for enforcing proper restrictions?*

THE country saw a staggering 5,727 daily Covid-19 positive cases on Wednesday, with a positivity rate of 20.27 percent. The day also recorded 85 Covid-related deaths. Though these are alarming figures, we are not wholly shocked at the severity of the current situation.

While we commend the government's move to enforce lockdown in seven districts around Dhaka till June 30 (restricting vehicular and public movement except during emergencies) and to cut off Dhaka from the rest of the country, we cannot help but wonder why such restrictions are not being implemented evenly nationwide. Why, for instance, should Bangladesh Railway suspend "all passenger trains from Dhaka to other parts of the country" but allow passenger trains between all other districts to run as usual? We understand that Dhaka has yet not been as badly affected by the recent surge as other divisions and so measures must be taken so that it does not get worse. But shouldn't the population outside the capital also be receiving the same type of attention from the authorities (e.g. stricter restrictions on movement)? Despite the movement restrictions in the seven districts, many commuters were seen to be avoiding highway check-posts and using alternative routes and transportation (rickshaws, auto-rickshaws and rented motorbikes) to reach their destinations.

A recent study by the International Centre for Diarrhoeal Disease Research, Bangladesh (icddr;b) found that 72 percent of slum-dwellers in Dhaka and Chattogram cities had antibodies in their blood serum which indicated exposure to Covid-19. The study also revealed that lower antibodies were found in individuals who followed preventive health guidelines such as washing hands frequently and not touching the face/nose.

At the necessary risk of sounding like a broken record, we must urge the authorities to crack down on the Covid-19 situation on a national level. Restrictions on movement should be implemented (and properly enforced) across the country, and not just in a way that protects the centralised capital from the virus. The health system, too, must be strengthened in all divisions equally so that treatment against the virus is equally effective countrywide. It goes without saying that we are too far past the "safe" 5 percent positivity rate to justify being so haphazard about imposing preventive restrictions and health guidelines. But we also believe it is never too late for the government to toughen its attitude towards this third wave of Covid-19, so that we need not witness a fourth one.

# The sinkhole of unpredictable regulation in Digital Bangladesh

ABU SAEED KHAN

THE telecoms law is going to be amended for the third time to wipe out the residues of notional regulatory independence. The authorities have uploaded a draft amendment in their websites ostensibly for public consultation, which will only be in name. In all likelihood, this amendment will be passed unchanged keeping the feedback of consultation undisclosed, as usual. And then telecoms regulation will further slide into the rabbit hole.

### TECTONIC SHIFT

The Sheikh Hasina-led first Awami League government enacted the telecoms law on July 8, 2001. It gave birth to Bangladesh Telecommunication Regulatory Commission (BTRC). The new-born regulator became functional without financial independence on January 3, 2002. Yet BTRC could independently discharge most of its regulatory duties. The telecoms ministry retained the authority of policymaking. Soon the home ministry sneaked in to eavesdrop through the first amendment of the law in 2006.

Bureaucracy, which was legally dethroned from the regulatory empire in 2001, never forgave BTRC. Prime Minister Sheikh Hasina's second spell at the office began with the much-vaunted "Digital Bangladesh" policy in January 2009. But long before the PM was sworn in, the bureaucracy had rewritten the telecoms law to confiscate BTRC's regulatory power. It became effective through the second amendment on August 1, 2010. And BTRC was turned into merely a post office of the telecoms ministry.

### AFTERSHOCK

The bureaucracy, however, remained uncomfortable with the rubble of telecoms law that addresses BTRC as an "independent" commission. So the authorities decided that only "commission" would be good enough, since BTRC's "independent" jewels were plundered in 2010. This proposed third amendment is all about safeguarding that booty.

A relegated BTRC paves the way for the emergence of an informal regulator named the Department of Telecommunication (DoT). Created on June 25, 2015, the DoT is manned by the telecoms cadre officers of the state-owned incumbent. Therefore, its DNA is structured with blind loyalty to the telecoms ministry.

The telecoms ministry has found the "technically sound" DoT as the perfect sidekick to whiplash the industry. In

December 2020, the ministry adorned DoT with the regulatory power it confiscated from BTRC ten years ago. The ministry-DoT partnership effectively cripples BTRC (where military officers rotate in key technical positions since 2007). A closer look is called for to reveal the bureaucracy's regulatory performance since dwarfing BTRC in 2010.

### OPTICAL ILLUSION

The government has so far issued six licenses for nationwide deployment of optical fibre cable (OFC) networks. Dubbed as "Nationwide Telecommunication Transmission Network" or NTTN, there are three private and three public sector operators. Paradoxically enough, the cash-rich

Telecommunication Company Limited (BTCL) is the only NTTN that has some sort of competence in OFC operations. But Bangladesh Computer Council (BCC) stormed into the NTTN business without any license in 2017. BCC is under the ICT Division of the telecoms ministry. It advises and facilitates the usage of ICI-based applications within the government. Running telecoms network has never been its forte.

Yet BCC has contracted Summit Communication and Fiber @ Home to install, maintain and operate its OFC network. In other words, BCC has bankrolled and outsourced the operation of its unlicensed nationwide OFC network among selected private NTTN providers.



'Bureaucracy, which was legally dethroned from the regulatory empire in 2001, never forgave BTRC.'

PHOTO: STAR/FILE

mobile operators are disqualified for NTTN license. And they are not even allowed to share each other's OFC assets.

However, the NTTN operators are obligated to extensively deploy OFC networks across the country. But nothing of that sort is yet to happen although two private operators, Summit Communication and Fiber @ Home, debuted in 2009. As a result, merely 35 percent of the country's mobile towers are plugged with OFC networks. No wonder Bangladesh (134) is far behind fibre-rich Pakistan's (117) mobile data speed rank in Ookla's Global index of May 2021.

Nationwide OFC transmission deployment needs hundreds of millions of dollars in investments with up to 15 years of payback period. Today's six NTTN licensees together lack that kind of capacity and deep pocket.

The state-owned Bangladesh

There is no technical or financial disclosure about the unlicensed OFC operations of BCC. Private windfall from such an opaquely structured deal out of the taxpayers' pocket to run an unlicensed telecoms network is unprecedented.

### LOST IN SPACE

Bangladesh has launched Bangabandhu-1, its first commercial satellite, on May 12, 2018. "There are more than 750 union parishes in the country where there is no internet connectivity and we want to ensure broadband internet with this satellite over there," the telecoms minister Mustafa Jabbar told *The Daily Star* the day this satellite was launched.

Fast forward to 2021. Bangladesh Computer Council (BCC) under the telecoms ministry has decided to contract Bangladesh Army to deploy OFC network across the hilly districts. Fifty-nine union

parishads under Bandarban, Rangamati and Khagrachhari districts will get broadband internet connectivity under this scheme.

The Army will be contracted considering the security risk and other relevant impediments in installing OFC across remote hilly areas, said the cabinet division's additional secretary Shamsul Arefin. The budget and source of fund for this commercial project remain undisclosed.

The Army acts whenever the government asks. It, of course, never questions the legality of the task. But the said optical fibre project in the hilly districts is unlawful, because the BCC does not have an NTTN license. Therefore, Bangladesh Army should be contractually indemnified from the legal backlash of this project.

Taxpayers of Bangladesh have paid USD 248 million including a USD 188.7 million loan from HSBC to launch the Bangabandhu-1 satellite. An additional USD 28 million was paid to rent the orbital slot. This USD 276 million satellite will last in the orbit until 2033 and then self-destruct. Commercially exhausting its huge pool (75 percent) of idle capacity to recover the investment, if not profiting, should be the government's top priority.

Meanwhile, the telecoms ministry fosters the BCC's OFC misadventure while jeopardising the fate of Bangabandhu-1. This satellite, paradoxically, mitigates all the risks being cited to engage Bangladesh Army for the said OFC deployment. Who will maintain and operate this public-funded OFC network in the hilly region also remains unanswered.

### WAY OUT

BCC reports to the Ministry of Posts, Telecommunications and Information Technology. It could not operate outside the scope of the law without the line ministry's blessings. This has compromised the telecoms ministry's moral authority to impartially govern the sector with the highest priority to public interest, let alone arbitrarily regulating telecoms.

Regulatory credibility has already plummeted to its lowest ebb. The chronological exit of Singapore's SingTel, Japan's NTT DoCoMo and India's Airtel write unpleasant texts on the telecoms sector's wall. The government should restore the BTRC's authority to the pre-2010 era. Otherwise, its "Digital Bangladesh" will remain a different goal to achieve.

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# We must support and enable those at risk of cyberbullying



SHIVANANDA CS

A 17-year-old girl in India hanged herself after a friend posted intimate photographs of her on social media to take revenge. Bangladeshi national cricketer Shakib Al Hasan

faces offensive and obscene comments on a photo of his 4-year-old daughter on social media. A Canadian teen, Amanda Todd, took her own life after being sexually exploited and bullied online for years.

These are not isolated incidents. According to UNICEF and the UN special representative of the secretary-general, one in three young people in 30 countries said they had been victims of online bullying.

Going down memory lane for a couple of years will help many of us remember what it felt like to be harassed and bullied in school or the neighbourhood. Maybe a joke was made about our shortcomings, a kick was inflicted during the football game, or perhaps it was just a simple act of locking the bathroom door from outside. Sometimes it was a silly prank; other times, the pain was intentional. But we remember them even after all these years.

However, one thing that was certain during those times was the ability to forget and heal the wound in the protection of the home. No bully could penetrate the walls of a house, which made us feel safe for a significant portion of each day, while learning to cope with childhood.

However, everything has changed now. Today, a central part of many people's life revolves around internet-enabled electronic devices, especially the young. The use of technology has increased immensely, as has cyberbullying. Unfortunately, the conflicts that once took place on the playground have moved to an invisible plane. There is no escaping the harassment that is essentially everywhere.

In the 21st century, especially during the pandemic, online platforms are the new schoolyards and street corners. Now, cyberbullying can occur anywhere, even

at home, through emails, texts, social media, anonymous apps, etc. Digital technology is used to threaten, harass, or cause humiliation over the Internet. Unlike traditional bullying, cyberbullying does not require physical power or face-to-face contact and can occur 24 hours a day. A survey conducted by the Cyberbullying Research Centre says that almost 34 percent of students in middle and high school had been cyberbullied

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in 2016. This was the most substantial percentage reported since the organisation had started tracking such cases around ten years ago.

Moreover, cyberbullying has been on the rise since the pandemic started. According to a study by Light, hate speech among children and teens has risen by 70 percent since students started conducting online classes.

Children are growing up with a misperception of what is normal because most content they see on social media is fabricated and threatening. This kind of negativity influences their academic performance, social adjustment, and self-image. Being a victim of a bully is already a bitter experience; when the internet is added to the equation, it can be highly traumatic.

One of the many reasons online bullying can be so emotionally and psychologically damaging is that it is repetitive. Too often, victims succumb to depression, anxiety, eating disorders, and other stress-related conditions. In

addition, many have taken their lives due to societal pressure and character assassination after speaking up. Unfortunately, 60 percent of Internet users have either witnessed or have been targeted with cyberbullying. Thus, it is critical to take actions against it, as the effects of cyberbullying can lead to extreme consequences including self-harm. Even sometimes, victims have a relationship with the bully, albeit a destructive one. Under such circumstances, it gets hard for them to fight back or retaliate.

We are gradually learning that unlike the conventional type of bullying, which frequently caused a bodily injury that most parents could see, cyberbullying usually leaves parents unaware of the situation. Therefore, they are unable to help the child in time. Most of the time, children lack the perspective to recognise cyberbullying and put it in a proper context. Therefore, the assistance of parents or an adult is crucial to teaching children the right skills required to shape them for the future.

To combat the situation, Stop Cyberbullying Day was launched by The Cybersmile Foundation on June 17, 2012. The day is internationally recognised and observed annually every third Friday in June to promote a healthy online environment. Stop Cyberbullying Day brings together schools, governments, leaders, institutions, and organisations from all corners of the globe.

People must take necessary action to prevent cyberbullying, whether we choose to be involved directly with the day itself or tackle cyberbullying all year around. Many things can be done, like holding a cyberbullying awareness event at the school, joining the Stop Cyberbullying Day campaign as an official school partner, or partnering up with non-profit organisations in fundraising events. It is imperative that people become affiliated with #StopCyberBullyingDay in speaking out against cyberbullying and abuse of any kind to defend the fundamental human rights of freedom of speech and respect.

As parents, we must teach our children to be respectful on online platforms before becoming active on social media. We should also provide them with helpful information about cyberbullying so that they can come to us as soon as they sense

a red flag.

During the ongoing pandemic and afterward, guidance on responsible and secure online behaviour should be a central part of the curriculum. Furthermore, schools must develop pastoral care support, which deals with expanding students' self-esteem, social skills, and ability to handle stress. Children with behavioural issues, emotional problems, or personal difficulties can be helped with pastoral care.

Many schools in the country have started to recognise the importance and urgency of cyberbullying, and some have taken significant measures to look out for their students. For example, different schools have extended counselling sessions for parents. Other than this, the school monitors students' mental health regularly through wellbeing programmes and sessions.

The traditional notion is that bullying usually happens to children. However, that is not the case anymore. According to the Workplace Bullying Survey in 2014, 6.5 million workers were affected by bullying in the workplace. Furthermore, 61 percent said that their employers failed to react to abusive behaviours, both online and physically. As a result, the bullying only stopped once those targeted either quit or were fired. Amongst those, 29 percent said that they contemplated suicide. Workplace cyberbullying results in increased absences, lost productivity, lower employee morale, and stress at work, which ultimately has the power to affect the economy negatively.

Bullying can be traumatising for both children and grownups. The wounds are internal, not physical. In the formative years of life, children are especially vulnerable to being influenced by what others think of them. By listening to and supporting children regularly, we can help them to heal emotionally. We must act now to ensure that everyone is given equal opportunity to adopt technology without fear. Parents and teachers together can help the victim build a strong base of self-esteem, confidence and make them feel supported. It is essential that people feel safe and valued in their school environment.

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