Cyber Security Act and the fear of history repeating itself



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2023, which is supposed to replace the controversial Digital Security Act (DSA), 2018, has been termed by many as "old wine in a new bottle." A quick review of the draft law made Security Agency suggests that this law can in fact be called "old wine in the same old bottle" with slightly reduced alcohol and a new label!

Let me explain. The nine sections

The draft Cyber Security Act (CSA), punishments have been reduced for some offences, and the provision of additional punishment for repeated offences has been omitted. Out of the nine sections that curb freedom of expression, seven sections have been available on the website of the Digital amended in terms of punishment and bail, while no changes have been made in two sections.

For example: Section 8 of the DSA, which empowered the directorgeneral of Digital Security Agency and of the DSA identified as a threat law enforcement agencies to remove

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freedom of expression are sections 8, 21, 25, 28, 29, 31, 32, 43 and 53. The draft CSA contains all these sections, through which the new law criminalises certain kinds of information and news publication and expression of certain thoughts intact under Section 42 of the CSA. and opinions in the same way that the DSA does. The definitions of crimes under this law are also as vague as ever. The only difference is that some offences that are non-bailable under the DSA have been made bailable, flag, which has been reduced to Technology (ICT) Act, 2006 will not

to independent journalism and or block digital content through Bangladesh Telecommunication Regulatory Commission (BTRC), has been retained in the CSA. Similarly, police's authority to search and been reduced from 14 years to seven arrest without warrant under Section 43 of the DSA has been kept

> There is a 10-year jail sentence under Section 21 of DSA for propaganda against the spirit of the Liberation War, father of the nation, national anthem or national



for "hurting" religious sentiments under Section 28 has been reduced from five years to two years and the offence has become bailable.

Five years' jail term for defamation under Section 29 of DSA has been replaced with a maximum fine of Tk 25 lakh. However, according to the law minister, if the accused fails to pay the fine, he or she will face a jail sentence of three to six months. Section 31 of CSA proposes a five-year imprisonment instead of seven years for destroying communal harmony. Under Section 32, the punishment for breaching official secrets has years. While the proposed CSA will replace the DSA, the proceedings and trials of all existing cases under the DSA will continue.

In this situation, how will it be assured that the experience of repealing Section 57 of the Information and Communication the government repealed Section 57 in 2018, but all its provisions were included in four separate sections (25, 28, 29 and 31) of the DSA with reduced punishment. Punishment under Section 57 was 14 years maximum, which was reduced to 3-10 years under different sections of the DSA. At that time, Law Minister Anisul Huq had reassured us that Section 57 would not be retained in the DSA.

The reality is that, despite this reassurance from the law minister, cases under the DSA increased significantly. According to the Centre for Governance Studies (CGS), from 2012 to June 2017, there were 1,417 cases under the ICT Act, of which 65 percent were under Section 57. However, within just two years of DSA coming into effect, the number of cases under this law exceeded 1,000, most of which were filed under sections 25 and 29, mainly for defamation. Before the DSA, such ILLUSTRATION: REHNUMA PROSHOON

cases were filed under Section 57 of the ICT Act. Till December 31, 2022, the total number of cases filed under the DSA stood at 7,664, of which 5,512 are currently under trial.

Like the previous laws, the CSA also may not reduce the number of lawsuits as any person can sue anybody for defamation, spreading false information, hurting religious sentiments, etc. Harassment and oppression under the DSA began before trial as the accused would have to spend day after day in jail before trial. So, what benefit will the CSA bring an accused charged under this law? Even if the offence is bailable, will there be any guarantee of getting bail? In the draft CSA, six sections are still non-bailable. If any non-bailable section is added at the time of filing the case, the accused will have to suffer in jail.

Writer Mushtaq Ahmed, arrested in May 2020 on charges of spreading rumours and carrying out antibail six times. He died in jail after nine months of being locked up. Khadijatul Kubra, a student of Jagannath University who was arrested in August 2022 on charge of spreading anti-government statements online and tarnishing the country's image, has been in jail for almost a year, also without any trial. Although the High Court granted her bail, it was stayed in the Supreme Court, and her bail hearing has been adjourned for four months. What benefit will the CSA bring detainees like Khadija?

As harassment and oppression begins with the filing of cases, reducing the punishment in the CSA or making certain offences bailable will not solve the core problem. A fundamental flaw of the DSA was criminalising defamation, spreading false information, hurting religious sentiments, etc - acts that are not criminalised in any civilised democratic country. If any article or statement seems objectionable to someone, it is dealt with by counterargument, not by putting the writer or orator in jail.

No one would have any objection if a cybersecurity law was enacted to deal with cybercrimes without infringing freedom of speech, such as illegal access and hacking of computers and digital devices, digital or electronic fraud and deception, theft of personal information, etc.

Therefore, the DSA should be completely repealed and a new law should be enacted only to combat specifically defined cybercrimes. The sections that threaten independent journalism and people's freedom of expression should not be included in the new law. Also, all pending cases under the DSA should be quashed and the accused suffering in jail government activities, was denied should be released unconditionally.

Investment in children will give lifelong returns



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Investing in the well-being and development of children is not just a moral obligation; it is a fundamental necessity for any nation aspiring to thrive in the long run. By investing in children, governments lay the groundwork for a brighter future where all children, regardless of their background, have equal opportunities to flourish. Investing in the early stages of human development also has a higher return, which gradually decreases over time. It generates the highest return since early learning facilitates later learning and helps develop skills as children grow into adults. Evidence shows that every additional dollar invested in quality early childhood development programmes yields a return of \$6-17.

Moreover, it is rational from an economic perspective. Data shows that a child's additional year of schooling increases their future earnings by about 10 percent. There is also a strong correlation between the ability to read and write and reduced child marriage for girls. Only eight percent of literate girls in South and West Asia are married off as children, compared to almost 25 percent of illiterate girls from the same region.

In recognition of the significance of investment in children, many countries have embraced the concept of a national child budget a dedicated financial plan aimed at ensuring children's welfare and holistic development. Governments affirm their dedication to providing quality healthcare, education, social protection and other essential services by allocating specific funds for child-related initiatives. It underscores the belief that children deserve the best start in life and lays breaking the cycle of poverty.

articulated in the current national five-year plan (8FYP) for 2020-2025. Indeed, the government reported child-focused budgets from FY2015-16. The children's budget has doubled since its inception in FY2019-20; however, the aim to allocate at least 20 percent of the total national budget for children has not been achieved yet. Since the onset of Covid-19, the government did not publish child budget reports in the last three consecutive years, and FY2023-24 is no exception. A Save the Children study estimated that about 14.9 percent of the FY2023-24 budget is planned towards child-related activities based on the latest available coefficients. The estimate includes allocations that directly benefit children and also indirect allocations that support parents, teachers, social service providers and other duty-bearers who are involved in child-focused activities. Considering children comprise about 40 percent of the population and our window of accessing our demographic dividend is going to close in a few years, we must meaningfully allocate more resources for children's development.

Higher public expenditure in the social sectors provides greater benefits to children. Education spending has been hovering around 1.5-2 percent of our GDP for over a decade, while the government aspires to raise the share to three percent by FY2024-25. In contrast, Bhutan has been persistently spending over 5.5 percent of its GDP on education. India has been spending about three percent of its GDP on education since 2019. According to an Implementation Monitoring and Evaluation Division (IMED) report, regrettably, the Ministry of Primary the foundation for a fair and inclusive and Mass Education and the Ministry society. It also plays a pivotal role in of Education were the two worst performers in FY2021-22 in terms Like many other countries, of spending the funds they received Bangladesh is also committed to from the Annual Development investing in children's welfare, as is Programme (ADP), among the 15 efficiently.

ministries or agencies that received the highest allocations.

Health sector allocations do not reflect any optimistic view either. The sector's budgetary share has been less than one percent of GDP for over a decade, compared to India's 2.2 percent investment. Bangladesh's outof-pocket health expenditure is about 74 percent of total spending – one of the highest in the world. It is also evident from the past trend that we put little emphasis on early childhood care, including balanced nutritional intake. The Bangladesh Demographic and Health Survey 2022 report evinced a deteriorating trend in severe acute malnutrition (SAM). In FY2023-24, the health sector comprised only five percent of our national budget. The lesser the investment, the lesser the scope to address child healthrelated issues.

Likewise, the social protection budget is also not on par. Evidence shows that the global average spending on social protection for children aged 0-14 years is about 1.1 percent of GDP, while for low-income countries, the figure is only 0.1 percent. In Bangladesh, the scenario is no different. Children's share for this is even less, on top of a small percentage of beneficiary coverage. Socially disadvantaged children like street children, children with disabilities, and child labourers received little attention in the SSNP budget.

Overall, the budgetary allocation specifically earmarked for childrenrelated programmes and initiatives in Bangladesh is insufficient to meet the diverse needs of children across the country.

To fulfil the initial target to raise the child-focused allocations to 20 percent of the national budget, the resources required will be grossly Tk 150,000 crore for FY2023-24. Addressing these challenges requires concerted efforts from government agencies realising the importance of investing in children, strengthening children's representation in decisionmaking processes, and prioritising long-term socioeconomic benefits. Government bodies, civil society organisations, and individuals must advocate for children's rights and well-being, ensuring that they receive a fair share of national budgets, and a separate national reporting of child budgets will take place to track the overall spending on children

Government of the People's Republic of Bangladesh

Power Division Bangladesh Secretariat, Dhaka

			Invitation	on for Ten	der (OTM)	
1	Ministry/	/Division	Power Divis	Power Division, Ministry of Power, Energy and Mineral Resources		
2	Procuring entity name		Power Divis	Power Division, Ministry of Power, Energy and Mineral Resources		
3		g entity code		Not used at present		
4		g entity district		Dhaka, Bangladesh		
5	Invitation			Stationary goods, Desktop Computers & ICT Equipments, Printer Toner.		
6		n Ref No.		27.00.0000.043.07.021.23.367		
_	7 Date			13.08.2023		
	NFORMAT	ION	10.00.2020			
8		ment method	ОТМ			
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9		and source of funds	Revenue/G0	Revenue/GOB		
10	Develop applicab	ment partners (i		Not applicable		
PART		IFORMATION	_			
11	Tender F	Package No.	01 (2023-20	01 (2023-2024)		
12					ds, Desktop Computers & ICT Equipments, Printer Toner.	
13	Tender publication date 14.08.2023					
14					Time: 3.00pm	
15		closing date and time		29.08.2023 Time: 12.00pm		
16						
17		address of the office(s)		Power Division, Bangladesh Secretariat, Dhaka.		
	Selling tender document (principal)		t Assistant S Bangladesh	Assistant Secretary, Administration-3, Power Division, Room # 212, Building # 6, Bangladesh Secretariat, Dhaka.		
l	Selling tender document (others)			Accounts Officer, Power Division, Secretariat Link Road, Biddut Vabon (Level-10), Dhaka.		
	Receiving tender document		Bangladesh	Assistant Secretary, Administration-3, Power Division, Room # 212, Building # 6, Bangladesh Secretariat, Dhaka.		
	Opening	tender document		Deputy Secretary, Administration-1, Power Division, Room # 205, Building # 6, Bangladesh Secretariat, Dhaka.		
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19	Brief des	scription of goods	Lot-01 (Stat	Lot-01 (Stationary goods), Lot-02 (Desktop Computer & ICT Equipments), Lot-03 (Printer Toner).		
20	O Brief description of related Not applicable services					
21				3) Tk. 1,000/-		
22	Lot No.	Identification of lot	Location	Tender security	Complementary equipments	
				amount Tk)		
		Lot-01 Stationary goods, Lot-02 Lot- Desktop Computer & ICT Equipments,	Power Division, Bangladesh Secretariat,	Lot-01 for Tk. 15,000/- Lot-02 for Tk. 20,000/- Lot-03 for Tk.	Ready stock or purchase/supply from main dealer/reputed company of Bangladesh within 30 days from the date of issue work order. The Tenderer Must submit sole distributor certificate/distributor authorization letter along with tender	

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