

# The Daily Star

FOUNDER EDITOR: LATE S. M. ALI

## DSA 2.0 is every bit as dangerous

### Cabinet-approved final draft fails to address long-held concerns

The cabinet on Monday approved the final draft of the Cyber Security Act (CSA), bringing the curtain down on two weeks of speculations about it. This is supposed to be a "replacement" for the repressive Digital Security Act (DSA) – a "transformed" and "modernised" version, as officials have billed it. However, as a careful reading of the final draft shows, what has transpired, even after the so-called incorporation of feedback from stakeholders, is not a replacement but a poor repackaging, making it "a spitting image of the very law it means to improve on," as a report by this daily puts it. So why bother bringing it in then?

In letter and spirit, the final draft remains almost the same as the one first presented to the cabinet on August 7. Experts have highlighted how it retains all but one offence from the DSA, and how all other changes are related only to sentencing, meaning that all controversial sections/provisions of the DSA remain intact. Moreover, cases filed under the DSA will remain active under the CSA, which means there will be no relief for the DSA victims. And even though we're told that the bill, once passed into law, will have "safeguards" against the filing of cases or arrest without a court order in all but four sections, we know how fragile such safeguards can be when the state wants to harass critical voices.

The government claims that it has consulted with the international organisations before preparing the CSA draft. This is only half-true sans actual results. But what about consulting with the most important stakeholders of this law – the journalists? What about addressing the concerns they frequently raised? We still remember how the lawmakers made a mockery of pre-legislative review by media representatives when passing the DSA in 2018. The CSA appears to be headed in the same direction. So far, beyond cosmetic changes and the pretence of consultation, nothing has been done to indicate that citizens' rights to speak, write or publish will not be muzzled.

The government can bulldoze its way through the legislation of DSA 2.0 but the fact remains that, in its current form, it is every bit as dangerous as its earlier iteration. We, therefore, urge the government to properly engage journalists and rights defenders and address their concerns before proceeding with it. Not doing so will only further tarnish the country's image abroad.

## Why is remittance from KSA falling?

### Govt must address migrants' reliance on unauthorised channels and the skills gap

We are concerned about the downward trend of remittance inflow to Bangladesh from Saudi Arabia as seen over the last three years. According to Bangladesh Bank data, remittance earnings from Saudi Arabia was \$5.7 billion in 2020-21. It dropped to \$4.5 billion in 2021-22, and further to \$3.7 billion in 2022-23. This is despite the fact that the outflow of migrant workers from Bangladesh to the Gulf state surged around four times during this time – while some 161,726 Bangladeshis went there in 2020, the number rose to 612,418 in 2022, according to the Bureau of Manpower, Employment and Training (BMET). For a country overly dependent on remittance earnings, the situation is indeed concerning.

Economists have identified a number of factors behind it. According to them, the growing use of hundi in recent years could be the main reason behind the fall in remittance earnings. Sending less skilled workers to Saudi Arabia is another factor. According to a report by the Refugee and Migratory Movements Research Unit (RMMRU), about 78.64 percent of workers who migrated abroad from Bangladesh in 2022 were less skilled. Naturally, less skilled workers get lower wages than skilled ones. Reportedly, many of our workers are also without jobs in Saudi Arabia, while some have become victims of cheating. The central bank has also observed that the global economic uncertainty and high inflation have adversely affected migrants' real incomes and consequently remittance inflow.

This demands a proper response from the government if we are to get the expected remittance from Saudi Arabia. Since hundi is a major reason behind the decline, the government must address migrants' continued dependence on such channels and take measures accordingly. Currently, migrants get a 2.5 percent cash incentive when they send money through the banking channel. The government may consider increasing the rate of this incentive to attract more formal remitters. Equally importantly, the authorities need to give more importance to enhancing our workers' skills level before they go abroad, which can definitely bring some positive results.

## LETTERS TO THE EDITOR

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### Extend jobseekers' age limit

Jobseekers have long been demanding for an extension of the age limit to 35 years for public jobs. This is because delays in result publication, session jams, and corruption make it so that their age is already close to 30 when they become eligible. Millions of people in the country remain unemployed. And many lost their jobs in the last couple of years because of large-scale disruptions in the job market caused by the pandemic.

If the demands of jobseekers are taken into account by the state, our socioeconomic condition will improve and hundreds of thousands of families will be able to live well.

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# Find the unadulterated truth about all alleged disappearances



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KAMAL AHMED

It was in December 2010 that the United Nations General Assembly (UNGA) designated August 30 as the International Day of the Victims of Enforced Disappearances, in order to express its deep concern about the increase in enforced disappearances across the world, as well as harassment, ill-treatment, and intimidation of witnesses of disappearances or relatives of persons who have disappeared. Though there has been widespread allegations of enforced disappearances in Bangladesh, particularly from the second term of the current Awami League government, no credible and independent investigation has been carried out into any of the alleged incidents. First came wholesale denial of the allegations; then began the ridiculing of accusers. And presently, authorities – in their desperate attempt to suppress the facts – have resorted to intimidating anyone who dares to speak up. The result, however, is a hugely varied number of disappeared persons being referred to by human rights groups, local and international media, and independent observers.

Though the UN Working Group on Enforced or Involuntary Disappearances (WGEID) has been working on more than 80 reported cases for the last few years, a leading rights group, the Asian Human Rights Commission (AHRC) claims it has documented at least 623 victims of enforced disappearances between January 2009 and June 2022. As of September 2022, according to the AHRC, among those 623 victims, 153 people still remained disappeared, 84 bodies were found after disappearance, while 383 victims were found alive (either imprisoned or returned home) but refused to reveal their ordeals.

Ministers have repeatedly tried to deflect the issue of enforced disappearances by conflating it with incidents of voluntary disappearances or people hiding themselves for various reasons, including psychiatric issues. This seems to be a deliberate attempt by lawmakers to create confusion among the wider population. But, in most

of the alleged incidents of enforced disappearance, witnesses and families reported the involvement of law enforcement agencies, which nullifies the official explanation of people going missing of their own volition.

Whether or not an incident should be considered an "enforced disappearance" does not depend on any political narrative. Rather, as defined in the UNGA's Declaration on the Protection of All Persons from Enforced Disappearance, an enforced disappearance occurs when "persons are arrested, detained or abducted



ILLUSTRATION: BIPOLO CHAKROBORTY

against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organised groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law."

All of the alleged incidents in Bangladesh fit the pattern mentioned

in the UNGA definition. There was complete silence on the part of authorities after each abduction, followed by a refusal to disclose the whereabouts of the disappeared or guarantee the victims and their families of their right to seek protection of the law. Relatives of disappeared persons are caught between hope and despair, wondering and waiting, many for years, for news that may never come. Their quest for truth and justice is another struggle owing to the harassment, threats, or reprisals to deter their search and investigation activities. All of these acts on the part of the perpetrators are quite common in every country where autocratic or authoritarian regimes resort to employing the inhumane tactic of disappearing people to suppress dissent.

Many observers have noted that enforced disappearances and so-called crossfire deaths markedly decreased following the imposition of sanctions

arson, militancy, and other criminal offences. In the first six months of this year, the AHRC documented 16 such incidents, as confirmed by an executive of the commission to this columnist.

Though Bangladesh is not among the 72 signatories to the International Convention for the Protection of All Persons from Enforced Disappearance, and thereby is not required to regularly report to the Committee on Enforced Disappearances (CED), it is still subject to scrutiny by another UN special procedure known as the Working Group on Enforced or Involuntary Disappearances (WGEID). The WGEID applies to all member states of the United Nations, without the need for ratification or accession of the convention. The Working Group assists families of disappeared persons to ascertain the fate and whereabouts of their disappeared relatives. It also assists states and monitors their compliance with obligations deriving from the Declaration on the Protection of All Persons from Enforced Disappearance.

In recent years, we have heard ruling party ministers and intellectuals alleging that the WGEID has made a fictitious list of victims of enforced disappearance. But the Working Group apparently saw these as an attempt to question the humanitarian procedure of the WGEID and communicated its concerns to the government. On December 22, 2022, it wrote to the Bangladesh government about an emerging pattern of intimidation and harassment against relatives of disappeared persons, human rights defenders, and civil society organisations working to clarify the fate and whereabouts of disappeared individuals. It specifically referred to "continued harassment and intimidation against Mr Adilur Rahman Khan, Sanjida Islam Tulee, and the members of Odhikar and Maayer Daak."

There's no being content about the fact that the number of enforced disappearances has fallen significantly. These incidents must cease to occur altogether. Besides, without finding out the truth and ensuring justice, any closure of past incidents should be unimaginable. Unadulterated truth can only be achieved through an independent and transparent investigation into all those alleged incidents. All political parties should commit to make this happen as soon as possible. We need to bring an end to the agonies of families of the disappeared.

## MTFE SCANDAL

# Bangladesh, a constant victim of MLMs and ponzi schemes



A CLOSER LOOK

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TASNEEM TAYEB

Bangladesh's troubles with financial crimes seem to have no end in sight. Apart from the persistent problem of rampant money laundering, over the years, fraudulent e-commerce sites and ponzi schemes have added another dimension to the country's woes. According to the commerce ministry, multi-level marketing (MLM) and e-commerce schemes have robbed around 10 million victims of more than Tk 22,000 crore. The latest in this damaging string of financial crimes is the Metaverse Foreign Exchange (MTFE) scandal, which has snatched away the life savings of its vulnerable "clients."

Despite such crimes getting bigger in scale and more vicious with time, we have miserably failed to curb them. Let's look at the case of MTFE since it is currently making headlines.

Metaverse Foreign Exchange Group Incorporated described itself as a company based in Canada and Dubai, and started operations in Bangladesh this January. While it did not have an office in Bangladesh, the company promoted its app, MTFE, through social media platforms, including Facebook and YouTube. As MTFE conducted transactions virtually in financial markets, including stocks and cryptocurrencies, it also leveraged the Bangladesh Bank and other financial transaction systems, including mobile financial services (MFS), to make transactions.

Now, the question arises: how did the authorities allow such a large-scale ponzi scheme to run for so many months? On August 9, Bangladesh Financial Intelligence Unit (BFIU), in a formal statement, said illegal transactions have increased in recent years. So, why were no steps taken earlier? Had the financial watchdog shared this information with relevant authorities on time, perhaps MTFE would not have dared to spread its criminal web with such speed. Moreover, what was the Cyber Crime Investigation Division doing during all this time?

What is even more alarming is how all relevant authorities are now trying to wipe their hands off this issue by dumping the blame on each other. For example, the commerce ministry said the MTFE scam falls outside its jurisdiction, and the central bank pointed fingers at the Bangladesh Telecommunications Regulatory Commission (BTRC). The BTRC chairman volleyed the ball back to the central bank's court, saying that "the issue of MTFE is related to financial transactions." The Directorate of National Consumers Rights Protection (DNCRP) pointed to the BFIU, as it is responsible for investigating suspicious transactions, illicit financial flows, and similar activities.

However, amidst the cacophony of so many voices, the statement that

stood out was of Bangladesh Bank Executive Director Mezbaul Haque. He said, "I read about the MTFE scam in the newspapers. Legal channels are being used to carry out illegal business. It is the people's right to use their money as they will. Bangladesh Bank can't say anything about that."

There are multiple problems with

**How did the authorities allow such a large-scale ponzi scheme to run for so many months? On August 9, Bangladesh Financial Intelligence Unit (BFIU), in a formal statement, said illegal transactions have increased in recent years. So, why were no steps taken earlier?**

this statement. First of all, how can the central bank of a country not know about such a scam besides what its employees have read in newspapers? Doesn't the BFIU inform it of major developments? Secondly, how can the BB have nothing to say when illegal businesses are using legal channels to carry out financial crimes? Of course, it is the people's money and their individual decisions. But if the central bank can do nothing to regulate the flow of money, especially in regards to suspicious transactions, what really is its role in the greater ecosystem?

The BFIU's statement is also unsatisfactory. The authority said it has shut down close to a thousand apps, and is working to raise awareness among people through newspaper advertisements. But it has

also pointed fingers at the victims, saying that "people are not learning from history – this is a big challenge." But the question remains: why couldn't it stop a transnational gang from looting innocent people?

But let's also discuss this lack of awareness. A large number of victims of the MTFE ponzi scheme are from the fringes, including the upazilas. Many of them are not literate – or are semi-literate, at best – and are certainly not equipped with enough knowledge about safe digital interactions or transactions. As a result, they have become easy targets.

With digital technology, mobile financial services, and the internet penetrating rural areas, it has become imperative to educate the end users about internet safety and safe financial transactions. The Information and Communication Technology Division could perhaps initiate robust projects to educate these people about the pitfalls of digital technology and how to best navigate around them. Clearly, the ongoing cybersecurity education programmes are not yielding desired results.

Coming back to the core issue of victim-blaming, the relevant authorities should refrain from such disgraceful activities and own up to their responsibilities. Such blame games only expose the discord among the agencies and lead to negative perceptions about them among common people.

It is unfortunate that the authorities remain shrouded in confusion when it comes to preventing financial crimes; they themselves must be aware of this much. These events should jolt them and, hopefully, generate enough initiative to strengthen cybersecurity and catch financial criminals.