Any cyber law reform must uphold digital rights, not undermine them



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Bangladesh's cyber security laws have historically expanded the criminalisation of dissent and stifling of civic space, creating a culture of self-censorship. During past regimes, cyber laws prioritised the government's image over freedom of speech and the press. The misuse of such laws drew widespread criticism, relegating cybersecurity to secondary importance and fostering public mistrust in the governance of cyber issues. They were drafted using broad and vague terms and definitions which left ample room for biased and arbitrary interpretation as well as manipulation. In this context, misuse of law remains a concern, while the very "use" of a vaguely drafted law can inherently lead to harassment and suppression of dissent.

The interim government passed the Cyber Protection Ordinance, 2025 to address gaps and criticisms levelled at the previous versions of the law. Despite some loopholes in the text and processes, the ordinance dropped several controversial provisions from the earlier law. Recently, however, the government proposed some changes to the Cyber Protection Act, 2026 that raised concerns about digital rights, online freedom, privacy, and press freedom. The government justified the amendment as a way to address disinformation, rumours, AI-generated deceptive content, and online harassment. However, from a human rights perspective, it carries far-reaching risks.

The draft amendment includes provisions that define offences with vague terms, dismantle some of the previous safeguards, impose disproportionate penalties, grant excessive police powers, and reinstate executive overreach. It criminalises "defamation", "humiliation" and "bullying" and increases prison terms and fines. It defines defamation by reference to the definition provided under Section 499 of the Penal Code, 1860, while adding the digital aspects. The constitution, in Article 39, guarantees freedom of speech, expression, and the press. These rights are qualified and subject to reasonable restrictions, and defamation can be interpreted as a reasonable ground. But any such restriction needs to pass the test of precision and reasonableness under constitutional and international human rights principles, especially the International Covenant on Civil and Political Rights (ICCPR).

The UN Human Rights Council (UNHRC) requires the reasonable restrictions on the rights to freedom of opinion and expression to be narrowly tailored with precision, pursue a legitimate aim, and be necessary and proportionate. However, the provisions on defamation, humiliation, bullying, or rumours under the draft amendment of the cyber law reflect overly broad and vague language covering a plethora of expressions, clamping down on rights guaranteed under the constitution and international human rights laws.

Moreover, the proposed amendment increases the maximum penalty for defamation, humiliation, and bullying to five-year imprisonment, extending to 10 years in cases of spreading rumours and disinformation/"fake news". Such high penalties for speech-related offences contradict the proportionality and reasonableness test under international human rights instruments.



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The real concern here is the worrying history of the use/abuse of defamation provisions leading to arrests of numerous activists, journalists, and human rights defenders. Though defamation cases rarely result in conviction, the existence of criminal defamation provisions and the filing of cases threaten media freedom as the litigation process itself, with its wide and discretionary ambit, carries the penalty of intimidation and harassment.

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The proposed amendment also criminalises "rumour", "disinformation", and "fake news" with vague and overly broad definitions and severe penalties. Without clear definitions, executive authorities have ample room for subjective interpretation and arbitrary enforcement of the legal provisions. This relates to the broad powers given to the cyber protection agency, law enforcement agency, the Ministry of Information and Broadcasting, or any other agency or force authorised by the government. The proposed changes allow the authorities to remove or block not only any data or information, but also "disinformation" or "rumour" published or disseminated in cyberspace or through a digital or electronic medium that poses the risk of undermining the country's integrity, security, defence, or public order, or inciting religious or communal hatred or ethnic violence.

The formulation of this provision in vague terms is open to excessive, unfettered and disproportionate exercise of authority that may lead to harassment and suppression. Notably, the proposed amendment removed the safeguards stipulated under the existing law. For example, it removed the requirement to make information about blocked content public in the interest of transparency and the requirement to obtain the tribunal's permission within three days of the removal or blocking of data. There remains reasonable doubt that blocking and removal measures by the executive, without oversight or limitations, may often affect a wider range of content or a larger number of users than necessary.

The proposed amendment also removed the chairperson of the National Human Rights Commission (NHRC) from the National Cyber Protection Council, which is entrusted to take necessary steps in fulfilling the proper implementation of the law. This move reflects weakening institutional human rights safeguards.

Against this backdrop, the following measures can be undertaken to help align the law with international human rights standards.

The provision criminalising defamation should be removed from the proposed amendment, as it is already an offence under the penal law of the country. Similarly, the government should gradually move towards decriminalising defamation under the penal law in light of the UNHRC recommendations, which repeatedly asked state parties, including Bangladesh, to repeal criminal defamation laws as they violate international standards and unreasonably restrict people's right to freedom of speech. Notably, the Organization for Security and Co-operation in Europe (OSCE) reports that 15 participating states have already decriminalised defamation, and some members are considering additional repeal proposals on general criminal defamation and insult laws.

In line with this, the definitions of the offences, including rumours, disinformation, and bullying, should be precisely formulated in the definition clause of the proposed amendment in light of international human rights treaties. In defining such offences, an explicit exemption clause for publishing the truth for public good and in good faith should be included. This may safeguard journalists and media workers from speculative harassment.

The penalty for online speech-related offences, including rumours and disinformation, should be significantly reduced in compliance with the proportionality requirement of international human rights law. In such cases, a proportionate penalty structure may be introduced considering the nature of the speech, truthfulness of the information, unintentional error, or unverified information published in good faith and for public good, among others.

The provision allowing ample authority to block or remove information should be narrowly defined to check the arbitrary exercise of power. As per international human rights law, content removal and blocking should only be carried out based on a law clearly defining the circumstances in which these acts can be taken, based on the decision of an independent, ideally judicial body.

The law should specify objective criteria for the authorities before blocking content or information. The threshold test, as suggested by the OHCHR, may include the consideration of social and political context, status of the speaker, intent to incite the audience against a target group, content and form of the speech, extent of its dissemination, and likelihood of harm. It should require authorities to make a written order recording reasons for requesting the removal or blocking of certain content. It should also reinstate the requirement of publishing information about the removed or blocked content publicly available for the sake of transparency.

Finally, as journalists, including online journalists, engaged in professional duties are often victims or are at risk of violence, threats, and harassment under cyber laws, the government should immediately formulate and enact a rights protection law for journalists, as proposed by the Media Reform Commission. Once this law is passed, a new subsection can be added to the application of the draft amendment of the cyber law (Section 3). The new provision should assert that the application of the cyber law would be complementary to the journalism rights protection law. This added provision may help close the gap in press freedom and provide adequate legal protection for journalists, online human rights activists, and bloggers.

Saudi-bound workers deserve a fairer skills-testing system



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Saudi Arabia is Bangladesh's biggest labour market, which mostly recruits many semi-skilled workers to low-paid jobs, including cleaning, construction, and loading and unloading. However, the cost of entering this labour market is not low, as migrant aspirants, have to undergo mandatory skill verification processes among other things and the fees for those keep rising, making migration to Saudi Arabia almost unaffordable for low-income workers.

Last month, the Saudi Arabian government increased the fee for Takamol—a test foreign workers must take for skills verification—from $50 to $85, in other words, a 70 percent hike in test fees. The test was made mandatory for workers from Bangladesh in 2022. Since then, 4,47,572 migrant aspirants have taken the exam, and 1,22,909, or 27 percent, failed.

While there is no objection to the need to verify workers' skills through tests, as it helps employers ensure that workers have the required skills for the jobs, the structure, scope and cost of this exam often do not match the reality migrant workers face.

Saudi Arabia launched the skills verification programme in 2021 and the pre-arrival testing was rolled out in phases in labour-exporting countries from 2022 for technical professions such as plumbing, electrical work, welding, refrigeration, and automobile electrical work. Later, it was expanded to 73 other professions, including cleaning and loading. It is worth examining how effective a computer-based skills test can be for a cleaner or a general worker, and to what extent the test result helps secure a job or increase a worker's wages. So far, there is little evidence of significant wage increases.

According to workers and media reports, the monthly income of cleaners and construction workers ranges from Tk 25,000 to Tk 30,000. But a worker needs to pay Tk 3.5 lakh to Tk 5 lakh in migration costs to go to Saudi Arabia. The increase in test fees is adding to this cost. If a worker fails the exam, he has to retake the exam, paying $85 again.

If a certificate makes a worker more skilled, strengthens their ability to negotiate, and ultimately helps increase their wages, then the certificate certainly has economic value. But when a worker has to pay fees repeatedly for the same exam while their wages remain stagnant, the effectiveness and rationale of the entire process from the worker's point of view must be examined.

Last year in November, the Bangladesh government tried to push back against the fee. The then Secretary of the Ministry of Expatriates' Welfare and Overseas Employment Neyamat Ullah Bhuiyan, raised the issue during a meeting with Takamol officials in Riyadh. He requested that the $50 fee be waived for workers retaking the test as it places extra burden on low-income workers. A year later, the waiver did not come; a fee hike of 70 percent did.

A labour agreement was also signed between Bangladesh and Saudi Arabia last year. It stated that every worker would receive a written job offer and employment agreement through an approved digital system before travelling to Saudi Arabia. It also prohibited employers from deducting unauthorised fees or other charges from workers' wages and required wages to be paid through bank accounts.

It is crucial that this agreement is implemented properly because the cost of migration does not end with travelling from Bangladesh to Saudi Arabia. Visa fees, medical tests, training, biometric registration, skills tests and other mandatory processes all add to the total cost of migration. And to recover that cost, a Bangladeshi cleaner in Saudi Arabia, for instance, must work for more than a year.

Another important issue is the recognition of skills. According to some media reports, this year the Bangladesh government has proposed that the Saudi Arabian government directly recognise the national skills certificate conferred by the National Skills Development Authority. If the proposal is implemented, workers who have a skills certificate from Bangladesh may not have to sit for the pre-arrival Takamol skills test. This could reduce the additional cost of migration for workers.

The largest share of Bangladesh's remittances come from Saudi Arabia. According to Bangladesh Bank, Bangladesh received $35.59 billion in workers' remittances in FY2025-26, of which $5.85 billion came from Saudi Arabia. That means Saudi Arabia alone accounted for around 16 percent of Bangladesh's total remittance inflows. Therefore, it is crucial to examine how much these workers spend to enter the Saudi labour market and what they earn in return.

If migration is to become a means of improving a family's economic condition, then the process must be worker-friendly. Skill evaluation is obviously important, but if it places an additional financial burden on workers in the name of skills testing, while the financial value of those skills is not reflected in their wages, then there remains a gap between the intention of the tests and the outcome.

In the end, the value of a certificate for a worker does not lie in the paper itself. It lies in what that certificate does for his life. If it helps increase his wages, improve his job security, and create opportunities for better jobs, then it has a clear purpose. Otherwise, who really benefits from these tests remains unclear.

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Invitation for Tender (Goods)
e-Tender Notice

e-Tender is invited in the National e-GP System Portal (http://www.eprocure.gov.bd) for the procurement of following goods (details are given below):

Sl	e-Tender ID No.	Brief description of goods	Tender/Proposal Publication Date & Time	Tender/Proposal Document Last selling Date & Time	Tender Opening & Closing Date & Time
1.	1346247 OTM (Framework Agreement)	Supplying of Training Materials	08 Oct. 2026 and 11:00	19 Oct. 2026 and 12:00	19 Oct. 2026 and 15:00

07.10.2026
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