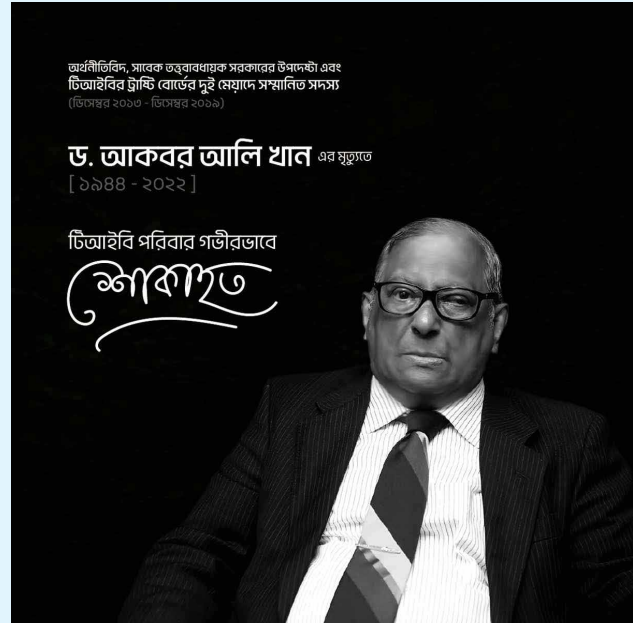


TIB mourns the death of Dr Akbar Ali Khan

Dhaka, 9 September 2022: Transparency International Bangladesh has deeply mourned the death of former TIB Board of Trustees member Dr Akbar Ali Khan, who had also served as an advisor to the interim government and as the cabinet secretary.

In a statement to the press, TIB Executive Director Dr Iftekharuzzaman said, “The death of Dr Akbar Ali Khan is an irreparable loss for the nation. His learned advice alongside active and brave participation in TIB’s anti-corruption movements and good governance efforts will always be remembered. He will always be an inspiration to us as an honest and patriotic person.”

Dr Iftekharuzzaman further said, “Dr Akbar Ali Khan has served as a member of the TIB Board of Trustees in two terms from 2013 to 2019 and had actively contributed to mobilizing the social movement against corruption and for good governance. We were inspired to go forward with the fight against corruption following his well-thought advice on strategies and policies. TIB is forever indebted to him for his contributions. TIB Board of Trustees, management, and all CCCs and YES groups pray that his soul may rest in peace and express their deepest condolences to the grieved family members.”



International Day for Universal Access to Information: TIB pivots on youth to use the power of information, calls for an end to the culture of secrecy in government offices

Transparency International Bangladesh (TIB) observed this year’s International Day for Universal Access to Information (IDUAI) with a particular focus on capacity building for youths who can utilise the power of technology and e-governance based information gathering to curb corruption, protect fundamental rights, and promote good governance at institutions. TIB took month-long initiatives to train youths and government officials on the Right to Information (RTI) Act, which was implemented back in 2009 with the help



With corruption institutionalized in public offices, and the government gripping onto the colonial legacy of secrecy and suppression, people in Bangladesh find it immensely difficult to report, challenge, or question any forms of corruption and injustice. Restriction of information is also the government's weapon of choice for curbing fundamental rights, enabling unhindered public looting, money laundering, and choking the free press. But is there a way out of this deep-rooted crisis?



TIB knows that youths can lead the way. Bangladesh has more than 125 million internet users, mostly young people with the zeal to ensure social justice, accountability, equality, and a state free of corruption. TIB understands the power of youth and has centered its capacity building initiatives around young people, empowering them with the tools to fight corruption at the grassroots. At the RTI workshop, organised jointly by TIB and Kapaeeng Foundation, 25 indigenous youths from the remote Chittagong Hill Tracts



As part of month-long programmes centered around IDUAI, TIB also took the initiative to train designated information officers of different public institutions in order to enable people friendly behavioral changes, build the capacity of information officers, and train government officials to eliminate the colonial culture of secrecy. A total of 58 government officials from 12 districts of Mymensingh and Rangpur divisions received a two-day online training on RTI this September in two phases (7-8 & 14-15 September).

Officials from law enforcement agencies, land offices, education institutes, and many administrative divisions of the government were trained by two experienced trainers.

TIB Executive Director Dr. Iftekharuzzaman thinks that coming out of the culture of secrecy and enabling transparency is difficult but achievable. In his closing remarks at the workshop for indigenous youths on right to information, he said, “Experiences and research findings show that countries with open access to public information can extensively protect human rights, establish good governance, and curb corruption. The RTI Act was supposed to end the culture of secrecy in public institutions, but there is still a long way to go as the government still dearly holds onto the colonial legacy of the Official Secrets Act, 1923. The mentality of government officials needs to change, and institutions must be modified to get out of this. At the same time, people, mostly the youths, must be made aware of their right to information and taught how information can be gathered in order to make them agents of change.”



Alongside national level events, TIB's Civic Engagement Division arranged various local level programmes with 45 Committees of Concerned Citizens (CCC) offices to celebrate IDUAL. CCCs in Chattogram and Dinajpur divisions collaborated with the district administration, information office, law enforcement agencies, and local anti-corruption activists to mark the day by organizing rallies, discussion sessions, processions, and RTI inaugural sessions.

With TIB's support, Youth Engagement and Support (YES) group members and enthusiastic students across Dhaka and other districts also took part in events promoting access to information.

Students from the Institute of Education and Research (IER), and the Development Studies Department of the University of Dhaka, the YES group at the Asia Pacific University, and different student bodies took part in RTI orientation sessions, quiz competitions, rallies, and discussions with experts throughout the month of September.

Apart from the workshops, like every year, TIB also developed a cartoon sticker depicting how free and fair access to information can curb corruption, control bribes, ensure accountability, and empower the people.



Calls for necessary legal reforms to ensure a level playing field required for an acceptable national election

Dhaka, 15 September 2022: Transparency International Bangladesh (TIB) thinks that turning the upcoming 12th national election into a free, fair, neutral, acceptable, and inclusive democratic process is a big challenge for sustaining democratic good governance in Bangladesh. In a virtual press conference on the occasion of International Day of Democracy, the anti-corruption organisation has called on the government to ensure a level playing field to ensure an inclusive election.

TIB urged the government to take steps for gaining the trust of the political parties, ensuring the neutrality of the administrative institutions and law enforcement agencies, and enabling free access to information for local and international election observers alongside the media. These points were raised at the position paper 'Inclusive Elections: Ways to Overcome the Challenges of Democratic Good Governance', which was presented at the virtual press conference.

In the paper, TIB said that if the Election Commission fails to carry out a free, fair and inclusive election involving all political parties, steps taken like voter lists with pictures, transparent ballot boxes, or electronic voting machines become worthless. The paper also said that the concerns still persist as the 11th national election had reports of voter suppression, scare tactics, and dismissal of political party representatives from counting booths.

The paper said that all laws and policies related to elections must be designed in such a way that a level playing field is ensured for all parties, and the most crucial step to ensure that is enabling a cent per cent neutrality of the Election Commission. The position paper also said that there can be legal reforms to ensure that the government is limited to routine work during elections.

TIB expects that the main opposition party will not take a rigid stance like they did back in 2013 and will take active steps to participate in the elections without boycotting them. The government and main opposition parties should reach an equilibrium state through dialogues while keeping the interest of the nation and the people in mind, expressed TIB in the position paper.

Saying that ensuring a participatory and inclusive election is the central role of the Election Commission, TIB Executive Director Dr. Iftekharuzzaman said, "The Election Commission should analyse and determine which factors should be prioritised to ensure the participation of all registered political parties. The main area of concern is a level playing field for all. The commission should take steps to make necessary legal reforms so that on one hand the neutrality and conflict of interest free role of the election commission is ensured, and on the other, the overreach of incumbent MPs and ministers are limited during elections."

The TIB ED also said that a caretaker government is not the only way to ensure the

neutrality of the election-time government. He said that as per global democratic practices a roadmap is followed by incumbent governments to carry out elections. "Legal reforms are inevitable to follow such a roadmap. At the same time, the neutrality of law enforcement agencies and the public administration must be ensured."

Wheat and gas exploration deals with excessive prices against the public interest, TIB calls for accountability

Dhaka, 18 September 2022: The decision to import wheat from Russia with excessive prices and the deal with Gazprom to drill three gas wells in Bhola for thrice the market value, at a time when the country is facing an unprecedented economic crisis, are against the public interest. Transparency International Bangladesh (TIB) made the comments saying that the deals flout the Public Procurement Act as a third party has been illegally allowed to profit from the deals and such moves also violate the gazette from the Prime Minister's Office seeking austerity measures.

There is no provision to attach third parties in government-to-government procurements, so the involvement of the company 'National Electronic BD' in the wheat import process is illegal. Alongside, the involvement of the same company in the deal with Gazprom to drill wells in three Bhola gas fields for thrice the market value is not something coincidental, but an orchestrated effort by a dishonest, opportunist and vested group to get unethical gains from the deals, says TIB.

In a press statement issued following media reports of the deals, TIB Executive Director Dr. Iftekharuzzaman said, "Bangladesh is facing multilateral economic challenges due to the food and energy instability instigated by the COVID-19 pandemic and the Ukraine war. Under these circumstances, the government has laid out multiple economic restrictions and directed logical austerity policies in public spending. We are shocked that the Food Ministry decided to give the work order for grain imports to the controversial Russian company Prodimtorg for prices exceeding the global rates at times of such an economic crisis. The bigger question is, how did a company that failed to deliver the promised 1 lakh tonnes of wheat in the past, get the deal to supply 5 lakh tonnes? And how did a local company that is not related to food imports at all become an intermediary in this government-to-government deal? Why was the market not surveyed and how did the deal get passed so quickly with high prices? The answers to these questions should be found."

Mentioning that an Asian nation had recently cancelled wheat import deals with Prodimtorg stating excessive prices, TIB Executive Director added, "It can be understood that in the name of ensuring food security, an intermediary is abusing its power in coalition to gain illegal interests from the wheat deal exceeding global rates. This is a gross example of abuse of power as the same company acting as an intermediary in the wheat deal, National Electric BD, is also a beneficiary of the gas exploration deals with Gazprom that are also three times the market value."

Dr. Iftekharuzzaman said that Bapex had offered to drill the three gas wells in Bhola at a cost of BDT 80 crore per well, but the deal was signed with Gazprom for BDT 240 crore per

well. He said that such abuse of power must be investigated for the public interest adding, "It must be investigated why the government's austerity measures were ignored and Bapex's abilities were undermined to sign the deal for thrice the market value. There should be fair and neutral investigations to find out the direct and indirect beneficiaries of corruption coalition so that everyone involved can be held accountable."

Food Ministry claims

TIB's stance on wheat import a conspiracy, TIB responds

Dhaka, 20 September 2022: It is exciting that the Food Ministry had decided to respond to TIB's concerns over wheat imports for excessive prices, but it is also truly disappointing that the ministry brought conspiracy allegations against TIB while trying to explain the deal. At the same time, the statement from the Food Ministry had not answered many questions raised by the media and TIB. In reply to the ministry's statement, TIB has issued another statement involving the following issues -

Explanation from the Food Ministry over the involvement of an intermediary: The Public Procurement Act was not violated, and no third party was involved in the procurement process. The intermediary that was named in the statement, is a local agent hired by the Russian government. The members of the government's committee for G2G procedures (from different ministries and departments) took part in the negotiation on behalf of the Bangladesh government and decided to buy the wheat unanimously. After negotiations, it went to the purchase committee, which then passed it after detailed discussions. Then the Food Ministry issued the work order. There is no provision to involve any third party here.

Reply from TIB: According to the Food Ministry, National Electric BD is a local agent for the Russian agency Prodimtorg and they are supposed to provide necessary logistical services for wheat imports. But they are not supposed to have any role in the price settlement process. However, according to the Food Secretary's statement (16 September, Prothom Alo), two representatives from the company were present in the negotiation meeting and they helped reach a settlement. But as per the G2G procurement gazette from the Prime Minister's Office, the president of the price fixing government committee will be the secretary of the relevant ministry, and a joint or additional secretary from the same ministry will be the member secretary. Other than that, selected representatives from the ministry of finance, ministry of law, National Board of Revenue, Prime Minister's Office, and the Economic Relations Division will be members of the committee, but no private third party cannot be a part of it.

Explanation of the Food Ministry regarding the price of wheat: The Food Ministry said that the information that wheat is being bought at excessive prices is not correct. Wheat supply was uncertain in the global market following the Ukraine-Russia war and one of the main sources of wheat imports for Bangladesh, India had banned all government and private wheat exports. The buffer stock of wheat is supposed to be 2 lakh tonnes, but it had come down to 1.25 lakh tonnes at one time. The current stock is at 1.22 lakh tonnes. There were attempts to import wheat from Australia, Canada, Brazil and Argentina under

G2G agreements. But the government did not import from those countries as it was above 500 dollars in each case.

Reply from TIB: It is true that the global grain market was unstable due to the war in Ukraine, but it is also true that wheat prices had dropped drastically after Ukraine started exporting grains again on August 1 following a tripartite deal. However, it was not explained if the trend of falling wheat prices was considered in the price fixing process. The FOB price of 330 US dollars, along with shipping costs, loading-unloading fee, berth operator handling fee, insurance, and lightning costs, amounts to 430 US dollars, which the Food Ministry says is logical. But the 100 US dollar per tonne landing costs were not explained, which is where the deception lies. Also, the price comparison with wheat from countries like Australia, Canada, Brazil and Argentina seems to be purposeful as the Black Sea Wheat from Russia and Ukraine is considered a cheaper variety, and the international market prices point the same thing.

Explanation from Food Ministry regarding wheat price verification: The Food Ministry says the FOB price for Russian wheat was 334.25 US dollars on 17 September. The FOB prices of wheat are increasing on a regular basis. The price of wheat in the two previous tenders were 476.38 US dollars and 448.33 US dollars respectively.

Reply from TIB: According to the Chicago board of trade, the Black Sea Wheat was traded for 310 US dollars on 19 September. At the same time, information from the CME group says that a future wheat deal slated for June-August 2023 has set the prices at 296 dollars. So, the ministry's claims of increasing wheat prices are unfounded. Furthermore, the ministry has not explained how the prices were set on the negotiation table without verifying the market prices. Rather, the prices of two previous deals were referenced, which is an evasive tactic. The Food Ministry also did not know that a country had cancelled wheat deals with Prodimtorg over excessive prices, which proves that ministry does not verify global markets and check the viability of the providers before signing food import deals.

TIB responds to Russian Embassy statement on gas exploration and grain deals with Bangladesh

Dhaka, 22 September 2022: Transparency International Bangladesh (TIB) has taken note of the undated press release titled, "Rebuttal of the statement by Transparency International Bangladesh about Russia-Bangladesh gas exploration and grain deals" issued by the Russian Embassy in Dhaka covered by today's local media. TIB appreciates that the embassy appears to have given importance to the concerns raised on the two deals.

However, the embassy's effort to relate TIB's concerns with Russian rivalry with Western powers is absolutely unwarranted and self-defeating. TIB's Executive Director Dr. Iftekharuzzaman said, "TIB has nothing against any country as the source of supply of any product like wheat for Bangladesh or any other business deals including gas exploration. What matters for TIB is its efforts to contribute to Bangladesh government's commitment

to ensure the due process, value for money, and above all, transparency and accountability in such deals.”

Dr. Iftekharuzzaman further added, “TIB is also disappointed, though not surprised, that the embassy fails to realize that the Russian government's persecution of TI Russia as a ‘foreign agent’ is the last thing that they can be proud of. It is well known that TI Russia has been victimized by the Russian government because of the chapter's credible work against corruption in Russia, particularly on kleptocratic state capture in the country. It should be also added that TI is not the only NGO or CSO that has been targeted and persecuted by the regime in Russia.”

The reasoning behind TIB's concerns on the two deals has been sufficiently clarified by its two successive statements, which have been widely reported for public attention by the media and are available on TIB's website. It can be added that the statement issued by the Russian Embassy has caused further confusion surrounding the grain deal. The Russian claim of the National Electric LLC, being the agent of the Russian exporter, didn't take part in the decision-making process directly contradicts the response of the concerned government official who had been quoted to have mentioned that the so-called local agent took part in the final negotiation meeting and helped in reaching a deal. The statement didn't provide an acceptable rationale for calculating the landing cost of USD 100 per ton, and how such a high rate ensures value for money for a deal of 500,000 tons. Moreover, the claim that ‘the cost of importing wheat on G-to-G basis is less than through open tendering method’ is not tenable given that even under the G-to-G method there is an obligation to ensure that the price is compatible with the prevailing competitive rate in the global market which was lower and has been showing a further downward trend.

In relation to gas exploration, the attempted comparison with US companies is also not relevant. TIB reached its conclusion considering the projected cost of gas exploration by BAPEX in comparison to the cost of awarding the contract to Gazprom. The Embassy could have done better to its cause if it explained why the cost of Gazprom under the deal was three times higher than that of BAPEX, the statement said.

Final draft of Data Protection Act – High risk of government surveillance on personal information remains

Dhaka, 25 September 2022: Transparency International Bangladesh (TIB) thinks that the final draft of the proposed Data Protection Act has provisions to allow the government to intrude on the personal information of citizens. Following detailed explanations and recommendations presented to the relevant authorities on September 20, TIB issued a press statement reiterating that reckless decisions like establishing a government-run agency instead of an independent commission, impunity provisions, and data localization have reinforced the possibility of institutionalising surveillance of citizens' personal data. TIB urges the government to continue dialogues with relevant experts and stakeholders so that the draft of the proposed Act can meet global standards.

Even though the provision to appoint the head of the Digital Security Agency as the data

protection authority has been redacted in the latest draft, it can play a minimal role in the misuse of personal information, thinks TIB. Executive Director Dr. Iftekharuzzaman said that everyone is aware of what the government run Digital Security Agency is capable of in order to suppress dissent and opposition. He says that the government is implementing an eyewash tactic by proposing a different agency with absolute authority under government supervision (section 35-43). “We want to clearly state that we do not want another deterministic government agency. In order to ensure the misuse of personal data, an independent and neutral commission above government jurisdiction should be set up.”

TIB has pointed out that the government cannot get over the idea that everything has to be under its control. The draft of the Act must recognise the fundamental rights of personal information as stated in the constitution. Dr. Iftekharuzzaman said that a single section of the Act cannot be considered alone but it has to be dependent on the combined implementation of all sections. “We can see that the government is talking about a separate agency under government supervision. But another section of the Act is giving impunity under certain circumstances over intruding personal data. Added to that is the obligation to store data inside the country’s borders. If we see the three sections altogether, it is understood that the government is trying to ensure the pathways to intrude in personal data at will and encase them in surveillance mechanisms.”

To this end, the draft of the Act is not cancelling the impractical and risky provisions for data localisation (section 44) and transfer restrictions (section 45), thinks TIB. Instances of countries like India, Indonesia, and Vietnam stepping away from data localisation plans were also presented by TIB. “At first, these countries were considering data localisation but they stepped away after understanding the impracticality of it. Even after three drafts of the Act, for some unknown reason, the government cannot stop thinking about storing all data in the country. We want to ask the authorities how the data of global social media platforms and other apps will be stored in the country and if it is even possible in the first place. Research reports say that data localisation will reduce Bangladesh’s IT service exports by 29 to 38 per cent. There will be an exponential rise in business costs. The costs of data hosting will skyrocket as the country will be detached from the seamless, global internet, and cloud computing services. There are also concerns that data transfer restrictions will reduce the country’s GDP by 0.58 per cent. There are also management concerns as there are no clear directions on how servers will be allocated, land will be acquired, human resources will be appointed, and how seamless water and electricity supply will be ensured. We wonder if the stakeholders concerned with preparing the draft considered how much electric power needs to be supplied for maintaining a server for more than 170 million people,” said Dr. Iftekharuzzaman in the press statement.

TIB also said that it expects the government to continue dialogues with local and international experts alongside stakeholders so that global experience and standards can be implemented in enacting the law.

TIB and ACC renew MoU for mobilising anti-corruption activities

Dhaka, 28 September 2022: To further enhance anti-corruption activities, Transparency International Bangladesh (TIB) and the Anti-Corruption Commission (ACC) have extended their existing Memorandum of Understanding (MoU) for three years. The MoU was signed for the fourth time by the two organisations at the ACC headquarters in the capital's Shegunbagicha and it will be valid from 1 October 2022 to 30 September 2025. The MoU with ACC was signed for the first time back in 25 May 2015 for a validity period of 2 years, then on 5 June 2017 for a validity period of 2 years and 4 months, and then on 7 October 2019 for a validity period of 3 years.



At the meeting presided over by ACC Secretary Md. Mahbub Hossain, the MoU was signed by Dr. Iftekharuzzaman on behalf of TIB, and by Director General (Prevention) Md. Akhter Hossain on behalf of ACC. As per the agreements in the MoU, TIB will arrange capacity building training for ACC officials, assist with research, and carry out local and national level anti-corruption awareness campaigns and advocacy activities jointly with ACC.

Following the signing of the MoU, Dr. Iftekharuzzaman said, "Since working as a catalyst in the formation of the Anti-Corruption Commission, TIB has prioritised assisting ACC to be more effective and successful in curbing corruption. TIB is inspired as ACC has institutionalised this support by signing an MoU with us. We are committed make our joint activities more dynamic as per our abilities and organisational policies."

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