

Fields of Cyber Legislation in the LDCs: Bangladesh Perspective

Mohammad Osiur Rahman*

Mohammad Mahabubur Rahman**

Abstract

Since Bangladesh is one of the LDCs, it is trying to prevail over all the drawbacks for graduation. Modern technology, particularly computer as well as Internet has necessarily become the significant part of development process. But the inevitability of computer and Internet for development has exposed many new areas of legislative initiative. Human resource development, ICT infrastructure, e-governance, e-commerce, software industry, hardware industry, social welfare, health care, agriculture, poverty reduction, environment, transportation, tourism, judiciary, regional and international co-operation etc are depending upon computer and internet. This dependency claims legislation in the different fields.

Keywords

Cyberspace, Territorial, E-governance, Judiciary, LDCs, Expert system, T8 telemedicine, and Graduation.

1. Introduction

The Least Developed Countries (LDCs) are defined as low-income countries that are suffering from long-term handicaps to growth, in particular low levels of human resource development and/or severe structural weaknesses. In 1971, the international community recognized the existence of a category of countries whose distinctness lies in the profound poverty of their people and in the weakness of their economic, institutional and human resources, often compounded by geophysical handicaps. Currently, there are 50 countries identified as Least Developed Countries.¹ These countries are particularly ill-equipped to develop their domestic economies, which are so vulnerable to external shocks or natural disasters. Thus, the group represents the weakest segment of humanity and presents a major challenge to its development partners. In its latest triennial review of the list of Least Developed Countries in 2003, the Economic and Social Council of the United Nations used the three criteria for the identification of the LDCs, as proposed by the Committee for Development Policy (CDP) such as (1) a low-income criterion, based on a three-year average estimate of the gross national income (GNI) per capita (under \$750 for inclusion, above \$900 for graduation); (2) a human resource weakness criterion,

* Assistant Professor, Dept. of Computer Science and Engineering, University of Chittagong

** Assistant Professor, Department of Law, Premier University, Chittagong

involving a composite Human Assets Index (HAI) based on indicators of: (a) nutrition, (b) health, (c) education, and (d) adult literacy, and (3) an economic vulnerability criterion, involving a composite Economic Vulnerability Index (EVI) based on indicators of (a) the instability of agricultural production, (b) the instability of exports of goods and services, (c) the economic importance of non-traditional activities (share of manufacturing and modern services in GDP), (d) merchandise export concentration, and (e) the handicap of economic smallness (as measured through the population in logarithm), and the percentage of population displaced by natural disasters. To be added in the list, a country must satisfy all three criteria. Upon the consideration of all the three criteria Bangladesh has been made a remarkable member of the LDCs list.² But Bangladesh is now trying to overcome all its deficiencies in many ways. Technological development has attained such a level that can potentially contribute to the development of any state. Computer together with Internet is one of the most dynamic achievements of human history. As a LDC nation Bangladesh with the help of all sorts of technological tools Bangladesh put efforts to reach satisfactory stage of development including graduation from the list of the LDCs. Computer as well as Internet is an inevitable device for every state rendering attempt for development in different directions. The use of Computer and Internet has become a must for every state. The multi-dimensional uses of computer and Internet pose some legal issues.

2. Relevancy of Study: In Quest of Objectivity

Inter-connected computer via Internet bears cyberspace and the law governing the cyber space is being known as the cyber law. Law making process for the Internet and computer can be popularly termed as cyber legislation. For better regulation of the activities relating to the computer and Internet Bangladesh will have to make law for many areas (Rahaman 2004a). Cyber legislation in different fields can help to achieve a systematic development strategy. The necessity of computer and Internet for development has opened new areas of legislative initiatives. In fine, Human resources development, ICT infrastructure, e-governance, e-commerce, software industry, hardware industry, social welfare, health care, agriculture, poverty reduction, environment, transportation, tourism, judiciary, regional and international co-operation etc have become dependent upon computer as well as internet; and this dependency entails an innovative field of laws for various purposes to be focused as cyber legislation. So the aim of the article is to determine the different fields of cyber legislation.

3. Cyber Peculiarity Causes Conceptual Dilemma: An Intensified Legislative Problem

The total territory of the world particularly peopled space is divided into political divisions known as state. The existing law and the legal principles so far as we are familiar with it are the results of territorial practice of sovereign authority (Kravitz, 1997). The state is a territorial institution. So the law is

conceived and spoken of as territorial. The territoriality of law in this meaning flows from the political division of the world. No state allows other state as a general rule to exercise powers of government within it. Therefore the enforcement of law is confined to the geographically territorial boundaries of the state enforcing it. It is easy to understand how the enforcement of law can be regarded as territorial, for force is a physical affair and is manifested in physical space. The proposition that a system of law belongs to a defined territory means that it applies to all persons, things, acts and events within that territory and does not apply to persons, things, acts and events elsewhere (Fitzerald, p.75). The law made for the state territory is obviously of territorial nature. Control over physical space, and the people and things located in that space, is a defining attribute of sovereignty and statehood (Johnson, 1996).

Law making procedure requires some mechanism for law enforcement, which in turn depends, to a large extent, on the ability to exercise physical control over, and to impose coercive sanctions on law-violators. The correspondence between physical boundaries and boundaries in "law space" also reflects a deeply rooted relationship between physical proximity and the effects of any particular behaviour. Physical boundaries are also appropriate for the delineation of "law space" in the physical world because they can give notice that the rules are changed when the boundaries are crossed. Proper state boundaries remind us our responsibility to abide by different rules after crossing them (Perritt, 1995). Cyberspace has no territorial-based boundaries. Anyone can access into the Internet just by clicking the mouse, and in most cases cyber activities have trans-border effect. The access into the Internet can subject the users of this medium to jurisdiction all over the world. It might be a proverb for Internet that "there is no **THERE** in Internet." In addition, "the **THERE** is everywhere where there is Internet access" (Digital Equipment, 1997). The cost and speed of message transmission on the net is almost entirely independent of physical location. Messages can be transmitted from any physical location to any other location without degradation, decay, or substantial delay, and without any physical cues or barriers that might otherwise keep certain geographically remote places and people separate from one another. (Katsh, 1989). The Net enables transactions between/among people who do not know, and in many cases cannot know, the physical location of the other party. There is no necessary connection between an Internet address and a physical location. (Johnson, 1996). Actually cyber peculiarity placed internet issues in different rationality vis-à-vis territorial issues and accordingly the law applicable to the cyber space would be quite different from territorial-based law because of the peculiar cyber world bearing virtual character of visual nature. (Stewart, 1996). This is really a complicated legislative problem. (Kravitz, 1997). Many confusion and legal conflicts actions could be resolved by simply considering Cyberspace as a distinct "place" for purposes of analyzing, in the line of territoriality, legal problems which are common in the real world. So Internet as place of global electronic communication exposes the evolution of a distinct set of rules and doctrines. (Rahman, 2004b).

4. Cyber Legislation Will Promote Human Development

Human resource development is almost impossible without taking resort to the modern technology including Internet and computer. Computer and Internet can be used for skill development and for imparting education of various disciplines. This is an important challenge for an over -populated state like Bangladesh. We have a good number of educated unemployed youth forces, with ability to read and write English. They can be trained in the required skill particularly in Data Processing Services and software development within a short time. Universities in Bangladesh are turning out an increasing number of graduates in Computer related subjects every year, although the number is much less than the requirement. A large number of Bangladeshi students are studying overseas in Computer related subjects. (Choudhury, 2001). The government of Bangladesh has realized the necessity of using IT for human resources development that is reflected in the Information and Communication Technology (ICT) Policy. But it would be difficult to train teachers in ICT in large number using the present infrastructure. Deployment of virtual ICT teachers, CD and web-based-courseware can be useful to promote computer-aided education at all level of education.³ This technological addition to existing education and skill development process will require some legal reforms for proper and sound regulation of human resource development initiatives. Sound Legal framework will help to achieve the constitutional commitment regarding economic, social and cultural aspects enshrined as the fundamental principles of state in our constitution.

5. IT, Hardware and Software Entail Legal Development

IT, Hardware and Software are related to such a vast field, which necessitates multilateral development in many directions including legal measures. Computer as well as Internet is a very new dynamic of globalization. It a challenge not only for the LDCs, but also for the highly developed nations like the USA, the UK, German, France, Australia and Canada etc. These nations are still facing difficulties in relation to computer, Internet, IT, Hardware and Software development. This impediment extended to legal arena. So it predictable that as LDCs listed country Bangladesh will come across this kind of problems. Though the government of Bangladesh expressed deep concern to encourage the local software industry by giving price preference to locally developed software in all public and private sector procurement, no suitable legal provision has been provided in this respect. It is almost impossible to accomplish progress without association with the foreign owned and multinational companies because hardware industry often requires a huge capital investment and entrepreneurs. This can be gained through production facilities for components, peripherals and accessories with joint venture cooperation and technology transfer agreements. IT Infrastructure, Hardware and Software development are not isolated agendas but international relations, multilateral initiatives including International co-operation and treaties comprising legal matter are also vital issues are also involved in this behalf that requiring legal and institutional framework in

accordance with principles of international law. In Bangladesh Capacity building and sustainable growth of the ICT sector are important to compete in the expanding global ICT market. So smooth and co-operative relation between Ministry of Science and Information & Communication Technology (MSICT) and Bangladesh Computer Council (BCC), within well-defined legal framework, can contribute considerably to the concerning IT, Hardware and Software development.

6. Internet Claims Legislative Initiatives for E- Commerce

The existing law of Bangladesh relating to evidence, contract, business, banking, company are concerned with the territorial matter. E - commerce and e-governance have poured out the existence of e -transaction, e-certificate, e -signature that are incapable of being controlled by the traditional laws. (Eindor P, 2001). This is a significant challenge for Bangladesh to prescribe law in this respect. International business and trade is an unavoidable component of development. So Bangladesh must take some measures for cyber legislation to cope with the global trend. Some new laws were enacted in relation to the companies and the Banking companies in last decade of the 20th century (Companies Act, 1994). But these are inadequate considering need of digital period. The law of contracts forms the oldest branch of the law relating to business or commercial transactions. In one form to another it has existed from the beginning of the organized society. Just as the safety of person and of the property depends upon the rules of criminal law, so the security and stability of the business world are dependent upon the law of contracts (Dillavou, 1995). All contractual transactions in Bangladesh are executed in accordance with the provisions of the Contract Act. History signifies that during ancient times promises were not enforceable unless they are accompanied by some prescribed formality. The early English law enforced only promises that were written, signed and sealed. (Dillavou, p.25). But by this time contractual transactions has attained the electronic as well as optical character requiring a new version of legal guidelines. The protection and promotion of inter-bank transaction, Government-to-Government (G2G) transaction, Government to Business (G2B) transaction, personal or corporate business transaction through electronic process is not possible without authentication by appropriate legal measures.

7. IT under a Legal Framework for improvement of Justice Delivery System

One of the major responsibilities of any government is to ensure the rule of law in the State. The citizens breaking the law must be brought to books and punished according to law. Broadly the criminal justice delivery system has two stages i.e. investigation and trial. Due to increase in the workload, the process of punishment often takes years thus the justice is denied as it is delayed. The computerization of police records and networking of computer expedites the investigation and increases accountability. For example, Andhra Pradesh in India took up a project e-Computerized Operations for Police Service (eCOPS 2004) by networking all Police station of the State. A citizen is allowed to file the First Information Report (FIR) or complaint at any police station and know the status

of the case from any other police station of the State or from Internet. The information and intelligence is shared between all the police stations and the senior police officers can effectively monitor the investigation from their computers. The project improves the productivity of the police and brings more transparency and accountability in the investigation of crimes. The judiciary is another organ of justice delivery system. Its performance and productivity can be also be greatly enhanced by the use of ICT. In West Virginia, USA video-conferencing of the witnesses and under-trials has helped saving time and cost to the judiciary and makes the trials more human and safe. The computerizing and access of all the previous judgments of the higher courts can greatly help the judges, advocates and the citizen in administration of justice. National Informatics Center (NIC) India, has developed Judgment Information System (JUDIS), which consists of complete text of all reported judgments of Supreme Court of India from 1950 to till date (NIC 2004). (DIT, 2000). E-mails can be used for filing of the affidavits and replies to the courts. The courts can also serve the notices, intimate the date and time of hearings, and communicate the judgments through e-mail/SMS saving time in communication thus increasing the productivity of the courts. Administration of justice can be dramatically speeded up by using IT together with Internet. So it apparent that the quality of judicial activities such as cognizance, trial, inquiry, investigation, examination of witness, production of document etc. could be improved in cyber environment. The Supreme Court can easily monitor and supervise the judicial and administrative function of the lower judicial bodies bringing them into a network. The ultimate control of network will impose upon the Supreme Court. All judicial and quasi- judicial documents including the reports of the cases can be restored as a database to accessed by the legally authorized person that could accelerate both filing and disposal of appeal, review, revision and other judicial process. Delay, corruption and hassle in collection of the copy of judgment are common phenomena in our country. These problems cause the suffering of the general people that are destroying time energy, potentiality, and patriotism. Promotion and protection of human rights could be more successfully achieved through IT uses. In our country we have taken our commitment to human rights. But the courts are not easily accessible in this regard. If any aggrieved person can send his grievance by net, then the court can exercise power without any unreasonable delay. The premises of Supreme Court can be decentralized to district level maintaining its uniform character that will mitigate people's resentment for not having the bench of the High Court Division. A central judicial networking system will keep way the problem of physical distance. That will also lessen the pressure upon infrastructure of Dhaka city and that will place the court of justice with the reach of the general people. However, a witness can easily be examined by using voice chat and web-camera that will ensure the presence of those who can't come to the court without incurring excessive expenditure and unreasonable delay. Actually court administration and case management can get on an excellent progress by proper IT utilization under a sound legal framework.

8. Simplification of Law and Procedures in accordance with Cyber Necessity

The state must annul the old and archaic law, which prescribes complicated procedures and provide many discretionary powers to the government officers. The new laws must be easy to understand and easy to program and codify. Such laws would have minimum disputes in the interpretation and implementation. Simple laws can be easily codified into software and uniform decisions can be taken in all cases irrespective of the status of the litigant. Moreover, Cyber legislation has added a some new dimensions to Intellectual Property Laws dealing with copyright, semiconductor, trademark and patent that comes within the purview of e-commerce gearing up international business and trade. Copyright law concerns about computer software, computer source code etc. Trademark law is related to domain names. Semiconductor law is related to the protection of semiconductor design and layouts. Patent law is related to computer hardware. Telecommunication systems also fall within the ambit of Cyber Space and therefore Telecommunication Law would form an integral part of Cyber Law. So it apparent that Internet technology has widened expected areas of simplified laws.

9. E -Governance

E-Governance is the public sector's use of information and communication technologies with the aim of improving information and service delivery, encouraging citizen participation in the decision-making process and making government more accountable, transparent and effective. E-governance provides e-solutions for the government processes by using ICT tools like Internet, telecommunications, and computers with the purpose of providing convenient, economical and efficient governance. E-governance models are presently a version of the models of e-business or e-commerce modified for government transactions .In the present approach, the benefits of e-governance are not reaching fairly to the majority of the population of a country particularly to the elderly citizens, uneducated population, non-English speaking citizens and rural masses. Now e-Governance is focusing solely on the Internet and computers for web-based delivery of services, which are available mainly to the elite of the society. (Gupta, 2004). The Stances of e-governance* have to be significantly different than those of e-commerce .The ideal models of e-governance would be one that helps the government to achieve the objective of good governance by delivering Social Justice, bringing economic equality and providing equal opportunity of growth to all citizens. Many innovative methods like Government Call Centers, Unified Government Offices, mobile offices and a multi-platform approach can be applied after finishing substantial cyber legislative function for implementing e-governance to achieve the goals of "good government". (<http://www.public-polici.unimelb.edu.au>).

9. 1. Computerization and Networking of All Government Offices

All government offices can be connected through computerization to be accessed by the government officials, and by the citizens. (Gupta, 2004).

Software can be developed to facilitate filing and processing of the documents electronically. Expert Systems⁴ can be employed in the government processes to take decisions in simple and routine cases while the officers may decide only the complex and unstructured cases. The expert systems can increase the productivity of the government departments substantially while delivering consistent and fair decision to all. The networking will ensure that the citizen can approach any office or any officer for his problem. (Heeks, 2002)

9.2. Using Multi-platform Approach

E-governance should not only limit itself to the Internet but must include all the mediums of ICT from fax machines to wireless palm pilot, to facilitate the daily administration of government. Many people feel more comfortable in communicating through handwritten letters in their native language rather than typing the text in English. They may be encouraged to write handwritten letters and send by fax to either a common government number or to the fax of the specific department. (Ibid). The fax letter can be scanned and forwarded by e-mail to the respective department. The department can then digitize the letter in English and prepare a text file, which can then be processed in the routine manner. Similarly citizen can also be allowed to send their correspondence orally by getting their message recorded in the voice recorder/answering machine of the department. The department can prepare a transcript of the voice file and process accordingly. The decision of the department can also be communicated to the citizen through different modes of ICT like fax, SMS, e-mail, voice message, or by post as per the choice of the citizen. Law must be amended to include all the means of communication as a legal document.

9.3. Developing Unified Government Offices

At present all government departments works independent to each other. Therefore a citizen has to often approach many government departments for getting his work done. Some of these departments may be located near to his home while others may be located at far off places. Once each department is networked individually, they can be networked with each other. Thereafter, the citizen can approach to any government department nearest to his place for getting the information and transaction of the government business. The citizen should be able to submit his application, requests, and complaints to any government office, which can be electronically transmitted to the concerned department instantly. The receiving government department can take appropriate action on the document and send the order/ permission to the government offices at the choice of the citizen. The local government office can also help the citizen in downloading the form, providing the information and helping him filling up the form.

9.4. Government Call Centers (GCC)

Searching the right information from the Internet is still very arduous task even for an experiences surfer. There are thousands of government websites in many

countries. (Ithnin, 2004). Governments are trying to develop a single website which can give linkages to the concerned departmental website. For example the website FirstGov.gov of US is intended to serve as a portal to all the federal government's web sites. It provide links to more than 20,000 governments websites and 500 millions of web pages .It can be estimated how difficult it would be for a citizen to access the right information after surfing of so many web sites and web pages. A Common method to locate the web site/page is by typing the key words in a search engine like google. However, even the best search engines do only a brute-force search and locate thousands of sites for each set of words. The scanning of all the sites to filter the desired information is often too lengthy and also does not ensure that the information is right. The tools of Artificial Intelligence employed by the search engines are still no match for the experience of a human expert in locating the right information through the web. Further, web surfing is not possible to those citizens who do not have access to the Internet. Therefore, for getting the information of simple and unstructured problems often the Call Centers play an important role. Most of the private enterprises maintain call centers to supply information and address to the grievances of their customers. The government may set up GCCs for all government services. It will help even the illiterate person to get information from the GCCs in his native language. GCCs can also be legally authorized to collect information from the citizen like change of address, birth and death information, making complaints or giving suggestions etc. The GCCs under a defined legal framework can also help citizen to send e-mail orally, authorize payment of taxes and other government dues after due authentication.

10. Multilateral Co-Operation In Health Care: Cyber Law Will Ease The Initiative

As a LDC nation Bangladesh is suffering from the deficiencies in many sectors e.g., lacks of efficient nurses, specialist doctors and technical expertise. Bangladesh cannot overcome all these constraints with its individual endeavour. It is notable that one of the major weaknesses in our health care system (particularly in the rural areas) is the lack of availability of trained doctors. It would not be possible in the near future to post specialist doctors in the health care centers at the Union Level. So if these centers can be connected to district level hospitals and the well-known National and international hospitals having specialists in various medical disciplines, a doctor or a paramedic or any other concerning person can get on-line advice related to any patient or specific treatment or any other medical advice. (Choudhury, 2001, p.17-19). Health Care can be improved by establishing Electronic Medical, Telemedicine, and International Tele-consultant. Collaboration with other countries and international organization like WHO, can substantially help to reach a satisfactory level of health service. This collaboration can be attained successfully by the computer and Internet service that demands a firm Legal arrangement.

11. Cyber Law for Tourism

Bangladesh is one of the few countries in South Asia, which remains to be explored. Bangladesh has a delicate and distinctive attraction of its own to offer and it is definitely not a tourist haunt like Nepal or India. Bangladesh is like a painter's dream come true with a rich tapestry of colors and texture. The traditional emphasis of the tourist trade has always been on the material facilities offered by a country rather than on its actual charms. This may be a reason why Bangladesh has seldom been highlighted in the World's tourist maps. It's a land of enormous beauty, hundreds of serpentine rivers, crystal clear water lakes surrounded by ever green hills, luxuriant tropical rain forests, beautiful cascades of green tea gardens, world's largest mangrove forest preserved as World Heritage, home of the Royal Bengal Tiger and the wild lives, warbling of birds in green trees, wind in the paddy fields, abundance of sunshine, world's longest natural sea beach, rich cultural heritage, relics of ancient Buddhist civilizations and colorful tribal lives, - Bangladesh creates an unforgettable impression of a land of peace. Every body will appreciate our culture and the environment. These are not simply sight-seeing excursions, but real-time learning experiences. Enjoy an ideal blend of adventure and exploration with comfort and relaxation. Here one can find that he is not alone. But this all are like hidden treasure to the outside world. They know Bangladesh as poor, over populated flood-affected and politically conflicted area. So Bangladesh can improve its image by using Internet which involves legal protection of website, treaty domain name provide and Internet service provider.

12. Modernization of Land Management In Accordance With Technological Demand

Bangladesh is an agrarian country. So its development can be even imagined with proper management of its agricultural or non-agricultural land. Clumsy and old land management causes numerous land disputes. Our judiciary has been over-burdened with land disputes that engulf a considerable portion of financial budget. Land management can be modernized by using computer technology. Our land transfer system is very much complicated for its traditional inclination to use of physical documents. In case of such transfer, the transferee has to rely upon the century old documents. These all old papers should be given electronic format to restore as database that will decrease the hazards in transfer, registration and courts. However, common electronic card purporting to be used as document consisting all kinds of information regarding land can be provided to the land owner. This should be usable within the Internet service for every kinds of transaction of particular land such as payment of revenue, sale, gift and exchange etc. This type of development has proved effective by Andhra Pradesh in India wherein a layman can easily get his documents registered within few hours. Bangladesh is also thinking sincerely to adopt such kind system. Bangladesh is trying to introduce CLO (Certificate of Land Ownership) to be used for multi-purposes regarding any particular land. This also requires congenial legal environment for computer, Internet, web, database etc. (Ministry

of land, pp. 7-16). One of the major problems, which the people face, is to get access to the land records. In many countries, this has been one of the priority areas for application of IT. The transfer and registration of deeds can also be made much easier. The implementation of a nation-wide project would eliminate a lot of hassle for all citizens and can bring the fruits of IT revolution to the doorsteps of ordinary citizens. This will also drastically reduce the number of litigations arising from land-related disputes. (Opcit).

13. Concluding Remarks

The governments of every country have some goals to achieve, some missions to accomplish and some ideals to be fulfilled as per the wishes and aspiration of the people of the country. As it is wisely said, in a democracy, the government is of the people, by the people and for the people. Such goals and ideals are inserted in the constitution of the country. For example, the preamble of the constitution of Bangladesh reflects the aim of the nation. The pledge to secure rule of law, Fundamental human rights and freedom, equality and justice, political, economical and social for all citizens. In this paper a number of fields and their respective legislative measure have been discussed that may help the governments to achieve the objectives and ideals of the nation. The priority of the government should be to impart justice, equality, and basic rights in order to build a welfare society. Each country has to develop its own strategies depending upon the demography of the State. The multiform approach discussed above is particularly suited for least developed and developing countries, which have a great diversity in the population and in many other issues. (Holms, 2001). Even though areas of cyber legislation discussed will show the way to remove the bureaucratic and all other barriers impeding the growth prospect of the country. Many nations have enacted laws relating to computer and Internet matters such as data protection and privacy. (Rosenoer, 1997). These laws would probably play a vital role because the dependence on insecure networks such as the Internet grows further. Adoption of dynamic cyber laws in the domestic legal system has become essential in light of the growth and advent of Information Technology systems. The use of technology by individuals and organizations for communication and business has made it imperative for the governments of the LDCs to adopt new laws and policy. At the same time extensive changes should be introduced in the existing substantive and procedural law.⁵ By this time many governments have shown legislative response to electronic communications crossing their territorial borders by the way of prohibition and/or regulation that flow of information as it crosses their borders, (Auerbach, 1996). and their enactments include laws relating to electronic and digital signatures, computer crime, intellectual property, data protection and privacy, telecommunications, electronic and digital signatures etc. These legislative efforts of individual state are gradually contributing towards evolution of universal legal standard for regulating electronic records, electronic data interchange, e-mails etc. Now every kind of growth is impossible without taking resort to the technological progress. And with this legal problem will come Internet and computer have

become the essential tool for the sustainable development. Bangladesh has recently expressed its deepest concern for coming out of LDCs list. To qualify for graduation, a country must meet the thresholds for two of the three criteria for being listed as LDC in two consecutive triennial reviews by the CDP. A stable legal framework conforms to the cyber dynamism can potentially contribute to a sound and systematic development process. Therefore cyber legislation is a multifarious challenge for Bangladesh in economic, social, cultural, political and legal sense. Finally we can say Intellectual improvement, academic progress, efficient health care, dynamic administration and land management, ICT enlargement, software and hardware development etc. are largely depending upon a congenial cyber legal framework in the LDCs listed Bangladesh.

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¹United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States available at <http://www.un.org/special-rep/ohrlls/ohrlls/contactus.htm>

²The per capita GDP of Bangladesh now stands at \$386, see also <http://www.un.org/special-rep/ohrlls/ohrlls/contactus.htm>

³Art.3.1.7, ICT Policy of Bangladesh

⁴An expert system is a class of computer programs developed by researchers in artificial intelligence during the 1970s and applied commercially throughout the 1980s. In essence, they are programs made up of a set of rules that analyze information (usually supplied by the user of the system) about a specific class of problems, as well as provide analysis of the problem(s), and, depending upon their design, recommend a course of user action in order to implement corrections available at http://en.wikipedia.org/wiki/Expert_system

⁵The Penal Code 1860, the Criminal Procedure Code 1898, Civil Procedure Code 1908, the Evidence Act of 1872, the Copy Right Act 2000, The Company Act, 1994; the Contract of 1872, Banker's Book Evidence Act 1891, Bangladesh Bank order, 1972, land and health related laws etc. require a gross revision. Same view have been reflected in the final report of Bangladesh Law commission on the law of information technology available at <http://www.lawcommissionbangladesh.org/wplit.html>