

Alleged involvement of a Bangladeshi public representative in human trafficking and money laundering: Implications and opportunities

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The Context:

- Immorality, Money, Illegality, Criminality in Politics – nothing new, nothing unique
- Business and Politics linkage in Bangladesh – 17.5% MPs' with business as primary occupation in 1972 to 62.1% in 2020
- Politics as an investment – a ladder to power echelons
- Involvement in corruption and criminality has been a consistent and growing concern
- Now manifested by alleged involvement of an MP under investigation in Kuwait for Human trafficking and Money Laundering
- Quite a few others are under investigation

Allegations:

- **Human trafficking:** Alleged extortion of Taka 1391 crore (1.391 billion) from at least 20,000 expatriate Bangladeshi workers (@ 3000 dinar per person)
- **Visa and resident permit trading:** Extorted huge additional amounts for renewal of visa and resident permit
- **Money laundering:** Transferred huge amount of money to USA and some other countries
- **Bribery:** Bribed millions of dollars (2.1 million KD) and at least five cars to Kuwaiti officials to get contract
- **Criminally earned Money-driven** A Comet-like rise of the MP and family to the position of public representation in the Parliament thanks to money power

Actions taken by the Kuwaiti Authorities

- As part of the on-going investigation bank accounts of the accused and his companies have been frozen
- Seven people including the MP have been arrested
- A Kuwaiti Major General and Assistant Under Secretary of the interior ministry suspended and later arrested in connection with alleged involvement in human trafficking and visa trade linked with the Bangladeshi MP

- Two more individuals including a former candidate of the National Assembly have been sent to jail
- Five other present and former MPs of Kuwait have allegedly helped the key accused; Parliamentary Legislative Committee has lifted immunity of two of them for interrogation

Bangladesh Response:

- Foreign ministry denied any knowledge at the beginning, subsequently claimed to have tried to collect information from Kuwait, but failed
- Extension of the tenure of the incumbent Bangladeshi ambassador to Kuwait has been reportedly suspended due to alleged close ties with the MP, though the Ambassador denied any knowledge of validity of allegations
- CID started investigation
- The MP's seat in the Parliament will be vacant if his reported Kuwait citizenship is proven (PM told the parliament on 8 July). Kuwait authorities informed on 9 July that the accused was not a Kuwaiti citizen
- Speaker of the Parliament reportedly officially unaware about the arrest
- The Anti-Commission Commission (ACC) reportedly started investigation against the MP in early February 2020 for various allegations, though no progress is known. After the news of arrest, ACC resumed investigation including allegation of money laundering (Tk 1,400 crore)
- International travel ban has been imposed on some family members of the accused

Isolated example or tip of the iceberg?

- Three other MPs are under investigation for accumulating illegal wealth, corruption and fraud
- Another MP is under travel ban as ACC reportedly found evidence of money laundering
- Three more MPs are under investigation for money laundering in the wake of Casino Scandal
- A former MP widely alleged to be the kingpin of illicit drug trade was sentenced to 3 years imprisonment for false wealth statement, though got bail from High Court; his wife got elected as MP from his vacant seat

- Allegations of corruption and criminality and illegality at all levels

Implications and Opportunities: *The key issue is enforcement of the national legal provisions and international commitment for accountability and repatriation of illicit transfers in the due process*

- Huge risk for the society, polity and public representation including reputational cost
- Failure to ensure accountability without fear or favour will further institutionalize corruption and criminality in all aspect of life, especially in the political space
- Potential damage in international relations of Bangladesh, especially with destination countries for Bangladeshi expatriate workers including the risk of losing the job market for them, loss of their income and damage to dignity in the host country
- In addition to international laws and conventions, there are domestic laws. The Human Trafficking Prevention and Suppression Act, 2012 provides upto life term imprisonment and minimum five years rigorous imprisonment
- In case of a group of people intending to human trafficking, the punishment is up to life term imprisonment and minimum seven years' rigorous imprisonment
- Abetting and involvement in the crime carry upto seven years' imprisonment and minimum three years' rigorous imprisonment
- Anti-Money Laundering Act, 2012 provides 4-12 years' imprisonment and fine upto twice the price of property
- The Constitution provides disqualification of remaining a member of Parliament upon conviction for a criminal offence involving moral turpitude, if sentenced to imprisonment for a term of not less than two years, unless a period of five years has elapsed since his release
- Procedure of the Parliament authorizes the Speaker of the House to withdraw a member from the Parliament if his/her conduct is "grossly disorderly"

The situation demands initiatives on the following:

- There is no clear legal provisions for action specific to criminality of public representatives, especially about crimes out of the country
- Nothing concrete about reputational damage of the Parliament, nor on moral consideration for politics and public representation
- MPs serving jail terms have been selectively facilitated to attend parliament to retain the seats when at risk of losing due to mandatory provision of no more than 90 consecutive days of absence

- Opportunity for politics and public representation to face the mirror and undertake concrete action for cleansing the political space.

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