

ARTICLE 19

# Freedom of Expression in Bangladesh 2013

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Country Report

## Executive summary

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ARTICLE 19 expresses serious concerns about the lack of protection for journalists and online activists in Bangladesh.

In its 2013 *Report on Freedom of Expression in Bangladesh*, ARTICLE 19 records a total of 271 attacks. These include 258 against journalists and 13 against online activists. It highlights that:

- 4 journalists and one online activist were killed;
- 61.62 percent of the total attacks involved bodily injury including 78 people sustaining serious bodily injury and 89 subjected to minor assaults;
- 13 arrests were made including six of online activists, the majority of them taken into police custody;
- 12 journalists were harassed with vexatious cases and eight were implicated in criminal defamation cases;
- 22 journalists were affected by the destruction and damage of their equipment and properties.

The report expresses alarm at increased hostility towards women in 2013 with 27 incidents of gender-based attacks, including physical attacks.

The report finds that, "...almost all attacks were directed against journalists when they were covering agitations, clashes between political parties, rivalry and in-fights between political cadres, violence by religious fundamentalists, and clashes between the police and political parties.." i.e. when performing their duties as information providers.

Religious fundamentalist groups emerge as an increasing threat to the safety of journalists and online activists and a force against freedom of expression, pluralism, gender equality, religious harmony and diversity.

The report finds worrying patterns of insufficient legal action in response to attacks: action has been taken in only one out of every four incidents.

"We have found that impunity for acts of violence remains a significant problem for the safety and protection of journalists and online activists in Bangladesh, along with inadequate protection offered by the state and media organisations", said Tahmina Rahman, Director of ARTICLE 19 Bangladesh and South Asia.

The report emphasises that the amendments brought to the *ICT Act 2006* through the *ICT (Amendment) Act 2013* give law enforcers wide powers of arrest. It is restrictive for online expression and the report therefore calls for its repeal.

It recommends that the Government should adopt a "holistic protection approach" that looks at legal, psychological and physical protection measures in order to create an environment which enables the exercise of freedom of expression.

The report concludes that Bangladesh must make serious efforts to fulfil its Universal Periodic Review (UPR) commitment to the safety and protection of journalists and online activists made at the recent 24<sup>th</sup> session of the Human Rights Council (September 2013) and calls on the Government "to end the

climate of impunity so that each and every attack on journalists and online activists is fully, effectively and speedily investigated and those responsible brought to justice”.

## Context

The overall political environment in Bangladesh remained unstable and violent in 2013 because the two main political alliances of the country – the ruling 14-party alliance led by the Awami League (AL) and the 18-party opposition alliance led by the Bangladesh Nationalist Party (BNP) – could not agree to the modus operandi of the tenth parliamentary election. While the BNP demanded that the election be held under a neutral caretaker government, the AL insisted on holding the election under the party in power.

On 5 February, thousands of Bangladeshis from all walks of life gathered at Shahbag in Dhaka demanding the death penalty for the war crime perpetrator Abdul Qader Mollah. This movement, popularly called as the ‘Shahbag movement’, soon gained momentum, becoming similar in form to Egypt’s 2011 Tahrir Square movement. Apart from protesting the leniency of the tribunal’s verdict, the Shahbag movement also called for Islamic fundamentalism to be banned from politics. This triggered protests against the Shahbag movement by right-wing political elements. In particular, Hefazat-e-Islam (HeI), a fundamentalist Islamist organisation, labelled the bloggers and online activists who initiated the Shahbag movement “atheists”, severely criticised the government for taking the side of these “atheists”, and launched a counter movement demanding the death penalty for “atheist” bloggers and online activists. The political situation became more eventful in April. On 6 April, HeI organised the largest ever demonstration by any Islamist group in recent times at Motijheel, in the very centre of the city of Dhaka. They claimed that their gathering was a movement to save Islam from the “atheist” bloggers. They put forward a 13-point charter of demands that included the punishment of the bloggers, the restriction of women’s rights and women’s participation in the public sphere, and the reduction of free expression.

The political situation worsened from October as the opposition parties, led by the BNP, announced repeated *hartals* (shutdowns) to highlight their demand for a non-party political caretaker government at the time of the election. The unstable situation intensified after the announcement of the poll dates on 25 November. The opposition parties started to enforce non-stop blockades. As a result, the last six weeks of the year witnessed unprecedented level of violence perpetrated not only by leaders and activists of the opposition parties but also by the security forces.

# 1. Safety of journalists and online activists in 2013

In 2013, ARTICLE 19 recorded a total of 271 attacks. These included 258 against journalists and 13 against online activists. Attempts to silence journalists and online activists took various forms including:

- Attacks against their physical integrity, including killing, serious bodily injury, minor assault, abduction and illegal confinement;
- Intimidation and threat;
- Unwarranted application of criminal laws including arrest and police remand, criminal defamation and vexatious cases;
- Gender-based attacks; and
- Destruction of equipment and property.

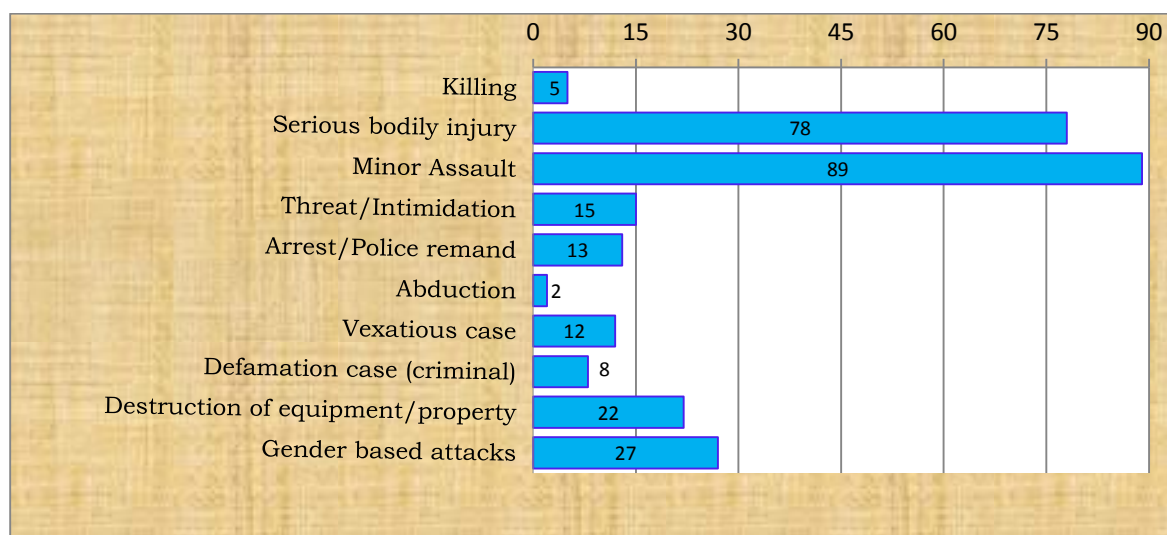


Chart 1: Frequency of different types of attacks against journalists and online activists

## a. Attacks against physical integrity

- **Killing:** 4 journalists and one online activist were killed<sup>1</sup> this year. They included:
  - **Ahmed Rajib Haider** (blogger): On 15 February, Ahmed Rajib Haider, a blogger and activist who was part of the Shahbag movement, was brutally stabbed to death in Dhaka near his home when returning from Shahbag. The police investigation confirmed that he was murdered by members of a fanatic religious group to silence him because they judged his writing as “anti-Islamic” ;
  - **Shahidul Islam** (cameraman from Bangladesh Television): On 1 April, Shahidul Islam was found murdered in the office of a private firm he owned;
  - **Shahriar Rimon** (photojournalist from the online news site *Focus\_Bangla*): The police found Shahriar Rimon’s body floating in the river Padma in Rajbar on 4 August. Rimon had photographed the arrest of a notorious local criminal and had been threatened with

dire consequences by the criminal's associates and accomplices. Subsequently Rimon was abducted and was not traced until his body was discovered;

- **Abu Raihan** (correspondent with the daily *Janmabhumi*, a Khulna- based newspaper): Abu Raihan was hacked to death in broad daylight on 4 August in Satkhira by supporters and activists from Bangladesh Jamat- e-Islami (BJI) and Islamic Chatra Shibir (ICS);
- **Aftab Ahmed** (senior photojournalist with the *Daily Ittefaq*): On 25 December the police discovered the dead body of 77-year-old Aftab Ahmed, a veteran and award-winning photojournalist, in his home in Dhaka. He had been strangled to death. A police case was filed and the culprits put behind bars.
- **Bodily Injury:** 61.62 percent of the total number of attacks involved bodily injury, including 78 (28.78%) sustaining serious bodily injury<sup>2</sup> and 89 subjected to minor assaults (32.84%).<sup>3</sup> Especially vulnerable to these attacks were local correspondents, photographers, and reporters. The incidents of serious bodily injury ranged from indiscriminate beating as in the case of Abdur Rahman, local correspondent with the *Daily Sangbad*, to amputation of limbs as in the case of Abu Habib, photojournalist with the *Daily Janmabhumi*, to firing on with rubber bullets as in the cases of Mir Ahmed Miru, photojournalist with the *Daily Amar Desh* and Masudur Rahman, reporter with *Gazi Television*, and life threatening stabbing as in the case of the blogger Asif Mohiuddin.
- **Abduction:** 2 people were abducted.<sup>4</sup>

## b. Intimidation and threat

- We recorded 15 cases of journalists being intimidated or threatened<sup>5</sup>. The cases of intimidation were primarily used to censor information or news that the perpetrators consider “inconvenient” for them; for example, Zakir Hossain, a reporter with the *Daily Oronno Barta*, a local newspaper in the Khagrachhari district, who was threatened with serious bodily injury, including the breaking of his arms and legs, if he continued to report on corruption in the Dighinala Upazila Teachers’ Union. Journalists were also intimidated into covering up abuses of power, or threatened for upholding ideological positions; for example, the case of Shibly Noman, the Rajshahi bureau chief of the *Daily Samakal*. He was threatened on the phone and told that he would be killed if he refused to stop a cultural competition on Bangladesh’s liberation war.

## c. Unwarranted application of criminal laws

Attacks against journalists and online activists that took the form of the unwarranted application of criminal laws included a total of 13 arrests including six online activists; the majority of them were taken into police custody.<sup>6</sup> 12 journalists were harassed with vexatious cases<sup>7</sup> and eight were implicated in criminal defamation cases.<sup>8</sup>

- **Arrests and police custody:** The journalists and online activists who were arrested this year were mostly alleged to have violated section 57 of the *Information and Communication Technology Act (ICT Act)*. Although this Act was passed in 2006, section 57 of the Act only started to be applied in 2013. Examples include:
  - Bloggers Asif Mohiuddin, Moshir Rahman, Russel Parvez and Subrata Shuvo were arrested for allegedly offending people’s religious feelings and defaming Islam;
  - Facebook users Bijoy Chandra and Partha Sarathi Das were arrested in Sylhet for allegedly “liking” a Facebook post containing purportedly offensive comments about Islam and its Prophet;

- Mahmudur Rahman, acting editor of the daily *Amar Desh*, was arrested for publishing “transcripts” of Skype conversations and email communications between a judge from the International Crimes Tribunal and a Belgium-based Bangladeshi lawyer.
- **Criminal defamation:** The reduction from around 100 recorded cases of criminal defamation in 2007 to eight in 2013 is a positive development. However, the fact remains that journalists can still be tried for both criminal and civil defamation;
- **Vexatious cases:** Vexatious cases under the ordinary penal laws were filed against at least 12 journalists. These cases are primarily meant to censor journalists. For example, a criminal case based on false allegations was filed against the editor and three journalists from Prothom Alo on 8 January 2013 after they reported on corruption and irregularities in the Shaturia upazilla parishad (local government body) in Manikganj. The case was based on information gathered through a Right to Information application. This tool is also often used for deterring journalists from pursuing the protection of law; for example, the local correspondent with the daily *Bhorer Kagoj* filed a criminal case against a local Awami League leader, claiming that he was beaten up because he had reported on land grabbing and other criminal activities. Subsequently the journalist, along with members of his family, found himself implicated in two false criminal cases.

#### d. Gender-based attacks

Attacking women because they have spoken out about issues of vital public importance is not only an attack on freedom of expression. It also impedes the progress of women in Bangladesh.

We recorded increased hostility towards women in 2013, including 27 gender-based attacks.<sup>9</sup> It is particularly alarming to see this wave of violence directed at women journalists.

- 6 April: Nadia Sharmin from *Ekushey Television* was attacked by members of the Islamist group Hefajat-e-Islam as she reported on a blockade in the Bijoy Nagar area of Dhaka. The group taunted her calling “What are you doing at a Hefajat gathering? Where is your hijab?” Nadia received treatment at the Dhaka Medical College Hospital for injuries to her head and neck. She said, “I was attacked only because I am a woman”.
- Zakia Ahmed, a senior reporter with the *Banglanews Twentyfour* online news service was reprimanded by Hefajat supporters for appearing in public without a head scarf. Arafat Ara, a reporter with the *Financial Express*, was stopped by Hefajat activists on her way to work and asked to cover her head with a scarf, suggesting that this was for her own protection.
- Mashreka Mona from *Shomoy TV* was struck by a stone aimed directly at her when she was on her way to work. “I saw him take the stone out of his bag and fearlessly aim it at me”, she told ARTICLE 19.

Other forms of attacks include gender stereotyping, sexual harassment, verbal abuse in public, vilification, and censoring women with the specific intention of preventing them from carrying out their public and professional duties.

#### e. Destruction of equipment/property

22 journalists were affected by the destruction and damage of their equipment and property.<sup>10</sup> Almost all of these incidents involved photojournalists and the destruction of their cameras and motorbikes. Apart from one or two cases, most of the incidents took place when the journalists were covering incidents of clashes and political violence. Ainal Ahmed, cameraman with NTV commented: “Carrying a camera has now become a problem for us. As soon as they see a camera, they come to attack us”.

## 2. Protection of journalists and online activists

The primary responsibility for protecting journalists and online activists from acts of violence perpetrated by state actors and non-state actors alike lies with the government and state institutions. In cases involving violence of this kind, the government and state institutions have a duty to fully investigate each case and prosecute those responsible. Journalists and media organisations also have a responsibility to take precautionary measures to ensure their own protection. This should include a gender-sensitive approach.

We found that impunity for acts of violence remains a significant problem for the safety and protection of journalists and online activists in Bangladesh, along with the inadequate protection offered by both the state and media organisations.

- A total number of 40 journalists and one online activist have been killed since 1995. So far, only one of these cases has seen the perpetrators convicted. In many of these cases the trials have not yet started because of delays to the investigations. Notable amongst these are the murders of the journalist couple, Sagor Sarwar and Mehrun Runi. A similar pattern can be seen in other attacks against journalists.
- In 2013 almost all attacks took place when the journalists were performing their duty as public watchdogs and providers of information in the public interest. 45.41% were attacked while covering agitations, clashes between political parties, rivalry and in-fights between political cadres, violence by religious fundamentalists, and clashes between the police and political parties. A further 18.36% of attacks occurred when reporting on crime groups and 10.14% as a result of exposing corruption at either national or local levels.



Chart 2: Perpetrators of attacks against journalists and online activists

- An alarming number of attacks were carried out by non-state actors, comprising of political cadres from the ruling party (23.56%); cadres of opposition parties (25%) and crime groups such as emerging cartels, drug dealers, traffickers, land grabbers and petty “*mastans*” (15.38%).
- Religious fundamentalist groups (9.13% of attackers) have emerged as a dominant threat to the safety of journalists and online activists and a force against freedom of expression, pluralism, gender equality, religious harmony and diversity. One example of such intolerance is the country-wide mayhem on 22 February amongst activists and supporters belonging to various Islamist parties and right-wing religious factions demanding the death penalty for “atheist bloggers and online activists”. They vandalised private and public property such as vehicles, shops and banks in different parts of the country including Dhaka, Chittagong, Jheniedah, Bogura, Maulvi Bazar and Sylhet.
  - In Dhaka, the protesters attacked and seriously injured Arifuzzaman Piash, reporter with *Ekattor Television*; Abdullah Tuhin, reporter with *Masranga Television*; Imran Tuhin, cameraman from *ATN Bangla Television*; and Nurul Islam, cameraman from *Independent Television*.
  - In Chittagong, the protesters attacked and seriously injured Kutub Uddin and Rajesh Chakraborty, photojournalists from the *Daily Inqilab*. Other journalists injured included: Amit Das, reporter with *ATN News*; Omar Faruq, reporter with *Banik Barta*; Robiul Islam Tipu and Sanjib Babu, cameramen from *Masranga Television*; Farid Uddin, cameraman from *ATN Bangla*; Ismail Hossain Palash, cameraman with *Bangla Vision Television*; and Mia Altab, photojournalist with *The Daily Purbakone*.
  - In Sylhet the protesters physically assaulted several journalists including: Alauddin Helal, cameraman from *SATV*; Safi Ahmed, cameraman from *Channel 24*; Nazmul Kabir Pavel, photojournalist from *The Daily Bangladesh Pratidin*; and Sheikh Abdul Mazid, photojournalist from the *Daily Sylhet Sangbad*.
- 12.5% of all attacks were carried out by law enforcement agencies. However, the state’s collusion with and patronage of non-state actors was found in a number of other cases.

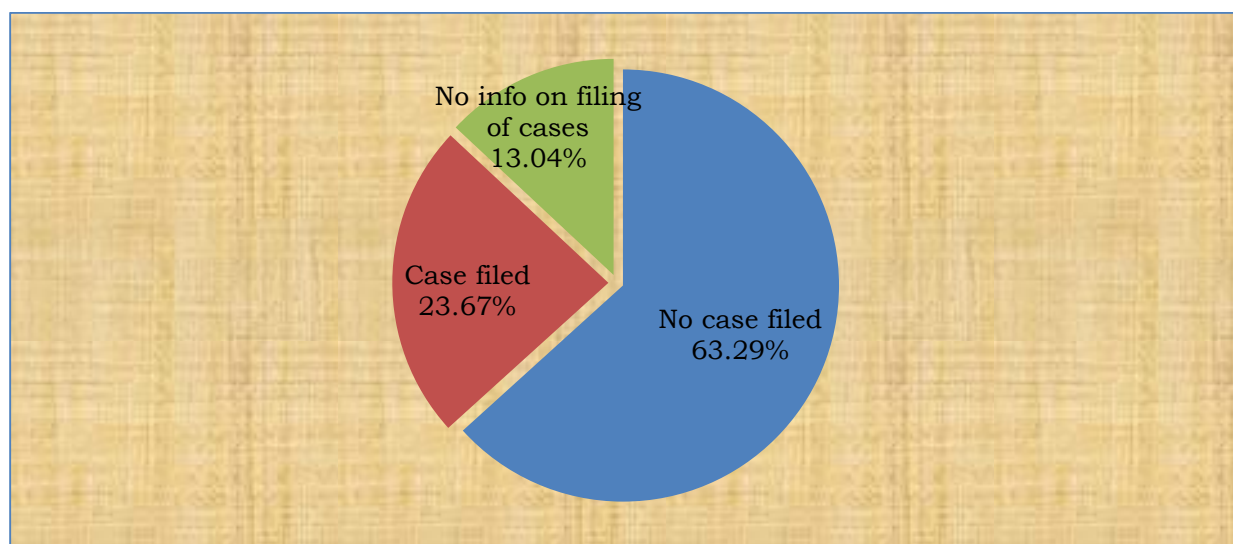


Chart 3: Legal action following attacks on journalists and online activists

- A worrying pattern appears to be the insufficient legal action taken as a result of these attacks. We found that legal action was taken in only one in four incidents:



- There were cases where the police refused to register cases when victims approached them;
- In the majority of cases, the victims did not come forward themselves to file cases. This sense of insecurity seems to have been compounded in the case of “*mofussil*” (local district town) journalists: one such journalist, a local correspondent of the *Daily KalerKontho* in Laxmipur did not file a case despite being assaulted by BNP activists. He commented: “*A mofussil journalist is bound to face many problems once he files a criminal case against locally influential people*”;
- It is equally alarming that the victims of attacks have expressed their frustrations on the effectiveness of Bangladesh’s legal system. They show complete apathy when it comes to filing criminal complaints against those belonging to the ruling party: for example, on 17 June, activists from the ruling party attacked Kuakata Press Club in the district of Patuakhali and injured several of the club’s office bearers. However, no case was filed either by the club or the victims; one such victim commented: “*A criminal case against ruling party activists is of no utility*”. On 29 December, a senior photojournalist from the *Daily Nayadiganata* was beaten up by AL activists while working. The victim did not file a complaint. His view was, “*if I file a case, I have to leave my home and go on the run. After all, they belong to the ruling party*”;
- Media organisations are also very reluctant to take legal action against attacks on journalists affiliated to them. In November, activists from the BNP-led alliance assaulted a reporter and cameraman from a television channel and broke their camera but no case was filed. When asked, one of the victims explained: “*We thought that our office would file a criminal case. But it did not happen. We personally went to the police-station to file a case but the police insisted that the case has to be filed in the official pad of the media organisation. However, the organisation did not show much interest in filing a case*”. In December, Islami Chattra Shibir activists threw a cocktail at a television channel’s local correspondent. Despite sustaining serious injuries, the victim did not file a case. According to him: “*The authorities (media organisation) discourage us from filing complaints regarding such matters. If we did, we would face further difficulties when carrying on our work on the ground*”;
- Free-thinking bloggers are too often labelled “*atheists*” and are attacked with hate speech by online activists belonging to fundamentalist groups. This and bloggers’ general lack of awareness of their right to freedom of expression under international standards, along with the application of section 57 of the *ICT Act*, makes them especially vulnerable and leads to self- censorship.

Clearly those responsible for attacks against journalists and online activists enjoy almost de facto impunity. This climate emboldens would-be perpetrators who attack journalists and online activists with no legal consequence. Faced with this reality, many journalists often purposefully avoid newsworthy stories.

## 3. Policy interventions

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The major policy interventions in 2013 concerning the right to freedom of expression are as follows:

### a. The draft National Broadcasting Policy

The proposed draft of the *National Broadcasting Policy* formulated by the 16-member National Committee under the leadership of the Ministry of Information was put out on the Ministry website for public consultation in September. The Committee subsequently met a number of times to consider recommendations and proposals put forward by civil society and media organisations. A final draft was approved to be sent to the Cabinet in the middle of January 2014. The final draft proposes the establishment of an independent Broadcasting Commission for television channels and radio. With the passing of time, speculations are emerging about the fate of the draft policy.

### b. Amendment of the *ICT Act* and establishment of a cyber tribunal

Amendments were made to the *ICT Act 2006* through the *ICT Amendment Ordinance 2013* which was subsequently passed by parliament. The amendment gave law enforcers wide powers of arrest without need for a warrant for anybody committing any of several offences mentioned in the original Act, particularly in section 57. This section criminalises several forms of online expression, including publishing obscene material or falsifying facts, online defamation, and offending the religious sentiments of any community. The amendment Act increased the highest punishment from 10 years to 14 years imprisonment. Some offences that were bailable in the original Act were now made non-bailable, with bail only available at the discretion of a judge.

Human rights activists, civil society organisations and the media widely perceived as arbitrary arrests of journalists and online activists for alleged violations of section 57 of the *ICT Act*. The application of section 57 of the *ICT Act* in its current form has alarming implications for freedom of expression: it is so loosely worded (without the protections provided for similar offences in the penal code) that it creates the opportunity to treat almost all acts of online expression as crimes, even if they are innocent and legitimate.

### c. Closure of media outlets

On 11 April the press of the *Amar Desh*, a right-wing national daily, was closed down by the police. Since then, the daily has only been published online. On 6 May, the *Bangladesh Telecommunication and Regulatory Commission* (BTRC) stopped transmission by *Diganta Television* and *Islamic Television*, two right-wing media organisations. No formal notice was provided by the BTRC to either company before their closure.

### d. Approvals for television and community radio stations

The government approved licenses for 13 private television channels and 16 community radio stations this year.

### e. Access to information in the Sustainable Development Goal (SDG) Agenda

The Post-2015 Agenda presents an opportunity to build respect for the rights of freedom of expression and freedom of information into the heart of the development agenda over the next 15 years in a measurable way.

## **f. Right to Information Act 2009 and its implementation**

In 2013, the Information Commission handled a total number of 116 complaints. This is a slight increase from the 91 in 2012. This is the highest annual figure since the establishment of the Commission. A sizeable volume of complaints were directly linked to improving civic services at local level and increasing transparency for the government's social safety net programmes, for public works and for the allocation and expenditure of public funds. In a good number of cases, the person seeking information received the relevant information while their complaint was with the Commission. This is an indication of the Commission acting as an effective deterrent. There are also examples of the successful use of the law by journalists.

However, complaints in a substantial number of cases were dismissed on "technical" grounds relating to procedures, an indication of a too-rigid interpretation of the provisions of the Act rather than its spirit. In others, "non-compliance" with the necessary procedural steps suggests poor understanding of the mechanics of the law at grassroots level. Delays in receiving information remain a challenge for those seeking information.

## 4. Conclusions and recommendations:

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During its last Universal Periodic Review (UPR) at the 24th session of the UN Human Rights Council, the Government of Bangladesh accepted a number of recommendations and committed to: “ensuring the effective investigation and sanctioning of attacks against journalists, and taking measures to create a safe and enabling working environment for journalists”; and to “taking effective measures to ensure freedom of expression and a safe enabling environment for social media”. We conclude that Bangladesh still has a long way to go in fulfilment of these commitments.

We make the following recommendations for protecting the safety of journalists and online activists to the following actors:

### The Government of Bangladesh

- Adopt a “holistic protection approach” that looks at the legal, psychological and physical protection measures, and thus create an enabling environment for freedom of expression;
- End the climate of impunity so that each and every attack on journalists and online activists is fully, effectively and speedily investigated and those responsible brought to justice;
- Repeal the 2013 amendment of the *ICT Act, 2006*;
- Bring amendments to section 57 of the *ICT Act, 2006* in line with international standards;
- Adopt the draft *Broadcasting Policy* at the earliest opportunity and take necessary steps for the establishment of a truly independent Broadcasting Commission;
- Ensure that the liability for defamation is limited to civil actions and accordingly decriminalise defamation;
- Make necessary amendments to the *Speedy Trial Tribunal Act, 2002* to ensure that attacks against freedom of expression are tried in a fast track court;
- Provide appropriate training on crimes against freedom of expression, including gender specific crimes, to relevant law enforcement officials including the police and prosecutors.

### Oversight bodies such as Parliament and the National Human Rights Commission

- Ensure greater oversight over all security forces, including the police, so that they ensure the safety and protection of journalists and online activists.

### Media organisations

- Provide legal and other support to ensure that criminal cases are lodged following attacks on journalists, and monitor the progress of investigations and trials;
- Provide adequate safety, risk awareness and self-protection training and guidance to journalists;
- Provide local correspondents, photographers, and reporters covering political agitations and clashes with necessary security equipment;

- Ensure the formulation of guidance to address gender discrimination, gender-based censorship and sexual harassment;
- Establish robust and effective mechanisms to address complaints from women journalists;
- Promote policy measures such as gender policies, internal codes of conduct, equal opportunity employment, and anti-bullying and anti-harassment policies in order to develop good practice which frees the media from negative trends;
- Work in partnership with NGOs to raise awareness among journalists of issues such as discrimination, censorship and harassment on the basis of gender.

### **Civil society organisations**

- Monitor the progress of Bangladesh's implementation of its UPR commitments regarding the protection of journalists and online activists, and exert effective pressure on the government to ensure due compliance;
- Work to improve the grassroots understanding of the *RTI Act*.

## 5. Notes

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<sup>1</sup> The term 'killing' means causing the death of any journalist or online activist in a criminal manner.

<sup>2</sup> 'Serious bodily injury' means a bodily injury that involves a substantial risk of death, extreme physical pain requiring an in-hospital stay of several days, disfigurement, or loss/impairment of the function of a bodily member/organ.

<sup>3</sup> 'Minor assault' indicates the use of criminal force resulting in physical pain that does not amount to serious bodily injury.

<sup>4</sup> 'Abduction' means compelling by force or inducing by deceitful means to leave a particular place.

<sup>5</sup> 'Threat/intimidation' means threatening any journalist or online activist with any injury to his/her person, property or reputation with an intention of pushing the journalist or online activist so threatened to exercise self-censorship in exercising his/her right to freedom of expression.

<sup>6</sup> 'Arrest' and 'police remand' in this report refer to the incidents where journalists/online activists were arrested by the police, and placed in police custody by judicial order.

<sup>7</sup> 'Vexatious case' means the filing of a criminal case, regardless of its merit, solely to harass or subdue an individual. This does not include criminal defamation cases.

<sup>8</sup> 'Criminal defamation case' means the initiation of a criminal case against a journalist alleging that something published/expressed has defamed the complainant.

<sup>9</sup> In this report, 'gender-based attacks' means physical or psychological attacks against a woman journalist/online activist that are inflicted because of her gender.

<sup>10</sup> 'Destruction of equipment/property' means causing the destruction/damage of (a) any journalistic equipment such as camera, microphone, motorbike etc., or (b) any property belonging to a journalist, when such destruction/damage is carried out to censor the journalist's right to freedom of expression.