

Two overlapping white geometric shapes, resembling stylized paper or flags, are positioned in the upper left corner. The top shape is a long, thin triangle pointing right, and the bottom shape is a wider, shorter triangle pointing left, partially overlapping the first.

ARTICLE19

Bangladesh

Violations of the right to freedom of
expression in 2017

2018

EXECUTIVE SUMMARY

In 2017, there were 335 violations of the right to freedom of expression in Bangladesh: this is the highest number since 2013. Almost 70% of violations were against journalists working at grassroots level.

Over the last five years, criminalisation of expression and the use of laws to restrict expression have been a rising trend, and physical violence has been less and less employed to silence journalists and communicators.

This shift in the nature of violations and harassment is a significant one: cases of legal harassment of communicators rose from 33 in 2013 to 169 in 2017; the use of physical force and assault as a silencing tactic dropped from 173 in 2013 to 113 in 2017.

In 2017, Bangladesh saw over 655,000 Rohingya people cross the border from Northern Rakhine State fleeing a campaign of ethnic and religious persecution by Myanmar's security forces. Against the backdrop of this humanitarian and political crisis, Bangladesh became eligible for a change in status from 'least developed' to 'developing country'.

Despite economic success, throughout the year human rights groups raised serious concerns over human rights violations including enforced disappearances, abductions, serious bodily harm and silencing of dissent. Forthcoming elections were much discussed, with concerns around the participation of all political parties.

Cause for particular concerns were the continued existence of restrictive laws, together with legislative proposals, and ongoing impunity for attacks on freedom of expression.

This is compounded by a near-200% increase in physical attacks (103 including grievous and minor assaults) since 2016, when we recorded only 54 incidents. Journalists were often targeted because of exposing corruption and the misappropriation of public funds, for expressing unpopular or oppositional opinions, and while covering protests.

2017, there were 28 cases of serious bodily injury, 75 cases of minor assault, and 10 cases of abduction. In the 10 cases recorded, journalists were released after promising to refrain from publishing certain reports. In 2017 there was only one murder case: that of Abul Harkim Shimul.

In terms of legal harassment, we recorded 65 cases of criminal defamation, 76 applications of Section 57 – comprising 22.7% of the overall total number of violations this year, up significantly from 6.9% in 2016.

93% of violations were carried out by non-state actors - almost 49% were carried out by leaders and political corps including student activists of the ruling party. In particular we have also found that a substantial number of perpetrators were from other categories which involved private individuals and private corporations and their employees.

In the face of all these violations against the right to freedom of expression, impunity reigns and a pattern of apathy in the justice system continues. In 2017 we found that in 42 cases journalists have taken no legal steps and 126 cases where they have taken, of those only in 6 of them preliminary investigations have been completed. In the remaining 169 cases, the only option available to journalists was to pursue a legal defence against accusations made i.e. defending themselves against charges in court.

Only one of the 20 cases of killing of journalists and bloggers in the last five years has been concluded, with delays reaching alarming levels in the cases of Sagor Sarwar, Mehrun Runi, Abhijit Roy, Faisal Arefeen Dipon, Xulhas Mannan, and others.

Existing legislation such as criminal defamation legislation and Section 57 of the ICT Act 2006 continue to impose impermissibly broad limits on freedom of expression online and offline, and new legislative proposals such as the proposed Digital Security Act, 2016, threaten further restrictions out of step with international standards.

We also found that, though there are a number of laws relating violence against women, they do not provide sufficient safeguards against violations like technology-mediated violence against women, a fast-growing issue.

KEY RECOMMENDATIONS

In view of our findings, we make the following recommendations.

The Government of Bangladesh should:

- Decriminalise defamation by repealing sections 499-502 of the Bangladesh Penal Code 1860, ensuring that an individual's right to reputation can be vindicated through civil law only;
- Fully protect the right to freedom of expression online, ensuring that any Digital Security Act repeals fully, and does not replicate, the content-based offences of Section 57 of the ICT Act 2006 (as amended). It should also cease the harassment of individuals under the Act, quashing existing convictions and dropping outstanding investigations and charges;
- Finalise the draft National Broadcasting Act 2016, and ensure its compliance with international human rights law and freedom of expression standards, including ensuring the independence of the Broadcasting Commission, with powers to deliver sanctions limited to proportionate administrative sanctions;
- Ensure that public officials at all levels publicly condemn attacks against journalists, bloggers, and human rights defenders, and commit to ensure justice for those targeted, especially where State actors are implicated;
- Consider the following to address impunity and ensure speedy justice:
 - a) Legislation to recognise an aggravated category of "crimes against freedom of expression", where people have been targeted for the exercise of this right;
 - b) Dedicated personnel with special training for investigation of cases in relation to violations against freedom of expression;
 - c) Revision of guidance to investigating law enforcement authorities, to ensure that perpetrators of crimes against journalists and bloggers are swiftly identified and crucial evidence collected;
 - d) Ensuring availability of concrete protection measures for journalists, bloggers and HRDs identified as at risk of violence, tailored to the individual's specific needs;
 - e) Training to law enforcement authorities in the safety of journalists, bloggers and HRDs, including how to ensure the protection of those at risk; and
 - f) Training on crimes against freedom of expression, including gender specific crimes, to relevant law enforcement officials, including the police, prosecutors and judiciary;
- Collect and regularly publish data on the status of investigations and prosecutions in cases relating to crimes against journalists and bloggers, sharing that information with relevant international organisations and mechanisms; and
- Ensure stronger implementation of the Sexual Harassment directives given by the High Court in workplaces and academic institutions, with further clear directives on sexual harassment online.

The Election Commission should:

- Take prompt and effective measures to protect journalists, media workers and communicators from electoral violence and ensure that necessary guidelines are formulated in consultation with journalists, freedom of expression and human rights organisations, election experts and observers, largely disseminated and rigorously implemented; Special attention should be given to protect freedom of expression and safety of journalists and media workers working at the district levels;

The National Human Rights Commission should:

- Establish a dedicated Sub-Committee to address violations of freedom of expression and information and ensure that violations of right to freedom of expression is prioritized as a major human rights concerns including on the safety of journalists and freedom of expression online.

Media Houses should:

- Adopt equality action policies and anti-harassment guidelines to address discrimination and harassment of women, also considering pay and promotion;
- Make a clear commitment to support their staff when they are the subject of attacks and/or legal harassment, including by supporting them to take legal action against the perpetrators; and
- Formulate action plans to address the consistently emerging issue of violations against journalists and media workers working at the district levels.

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BANGLADESH: THE CONTEXT

Bangladesh's economy continued to thrive in 2017, with the World Bank even projecting a 6.8% growth in GDP. The World Bank recognised that the country had solid agricultural activities and robust services supporting this growth, but raised concerns over ongoing security issues.

In 2017, Bangladesh also saw 655,000 Rohingya people cross the border from Northern Rakhine State, fleeing a campaign of ethnic and religious persecution by Myanmar's security forces. Against this backdrop, Bangladesh received news from the United Nations Committee for Development Policy of having become eligible to graduate to a 'developing country' from the 'least developed country' category, meeting all three criteria due to the implementation of various programmes by the government.

Violence against women is pervasive: according to the Bangladesh Bureau of Statistics, a staggering 87% of women are victims of domestic violence. The Bangladesh Mahila Parishad, the country's largest women's organization reported over 1079 cases of rape and sexual violence. Official claims indicate that the 73% of women users of online space have faced some form of violence.

Women comprise 13% of the total number of journalists in the print and electronic media, our findings indicate that, of 335 violations in 2017, almost 4% were perpetrated against women. These include physical assault, legal harassment and gender based work place harassment.

2017 started with the appointment of a new Election Commissioner, followed by a series of local elections taking place around the country. The huge majority of these were cause for concern around election-related irregularities, including altercations resulting in injuries of many, including journalists and media workers.

The resignation of the Chief Justice in October, after the scrapping of the 16th amendment to the Constitution (relating to the powers of Parliament for removal of the justices of the Supreme Court) raised further concerns on the independence of the judiciary and democratic space. The government is calling for a review of the amendment's repeal.

The news agenda was dominated by issues of free expression, including the draft Digital Security Act (DSA) 2016, and excessive use of Section 57 of the Information Communications and Technology Act (ICT) 2006. The media reported several cases of the use of Section 57 against journalists, adding to mounting pressure on the government to repeal the section, a demand initiated by ARTICLE 19 years ago.

Throughout the year, human rights groups raised serious concerns over issues of human rights violations including enforced disappearances, abductions, serious bodily harm, and silencing of dissent through various tactics. Forthcoming elections (due to be held in late-2018) were also much-discussed with concern about the genuine participation of all political parties.

'Shadow reports' released by human rights and civil society organisations as a precursor to the UN Human Rights Council's Universal Periodic Review for Bangladesh (to be held in mid-May 2018) expressed concerns that enforced and involuntary disappearance remain a critical human rights violation in Bangladesh, and require robust action from the government, both in recovering the victims and identifying perpetrators.

FINDINGS : VIOLATIONS OF THE RIGHT TO FREEDOM OF EXPRESSION OF JOURNALISTS, COMMUNICATORS, AND ACTIVISTS

In 2017, ARTICLE 19 recorded a total of 335 violations against journalists, including women working in the media, freelance journalists, bloggers, and online communicators.

These violations take a number of forms:

- a. Violations against their physical integrity including killing, serious bodily injury, minor assault and abduction;
- b. Intimidation and threats;
- c. Legal Harassment
- d. Arbitrary arrest
- e. Violations against women in the media and gender-based violations; and
- f. Destruction of equipment and property.

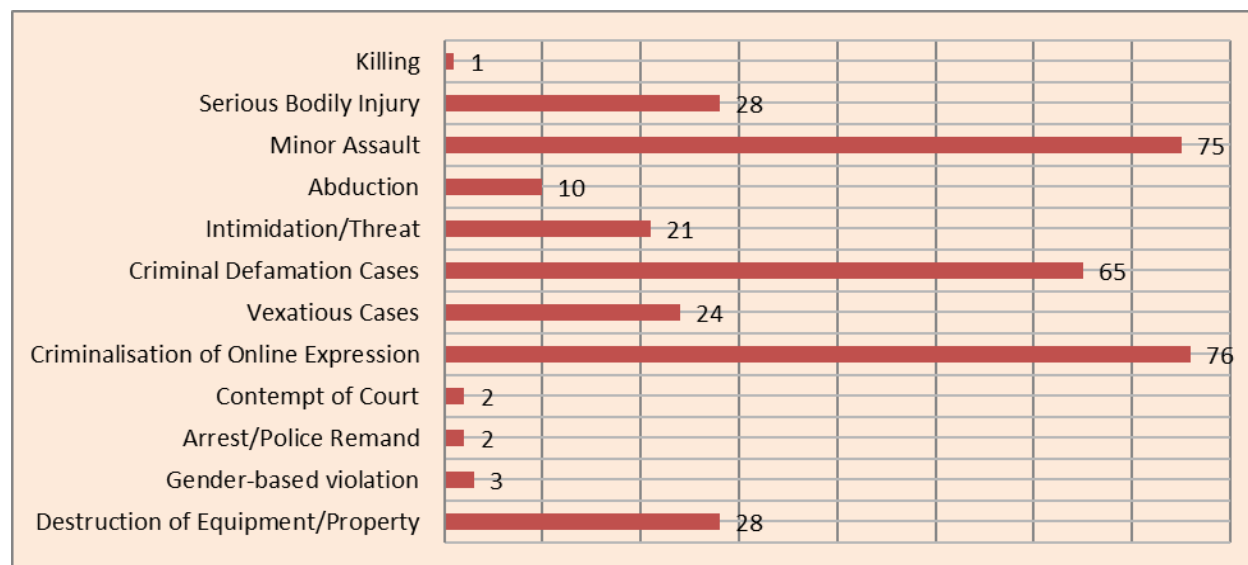


Chart 1: Number of different types of violations

A) VIOLATIONS AGAINST PHYSICAL INTEGRITY: MURDER AND ASSAULTS

1) KILLING

In 2017, the murder of one journalist was recorded, bringing the total of journalists killed in the last five years to 20.

- **Abdul Hakim Shimul** (correspondent for the Daily Samakal of Shahzadpur, Sirajgonj): on 2 February 2017, Shimul was shot by then-Mayor of the Shahzadpur Municipality, Halimul Haque Miru, who was also organisational Secretary for the district of Shirajganj for the ruling Awami League. Upon being injured, Shimul was taken to the hospital, where he later

died. His wife, Nurunnahar Begum, filed a case against the then-Mayor, which is pending investigation, though the perpetrator is in custody.

II) BODILY INJURY

30.8% of 2017's total number of violations involved bodily injury: 28 victims (8.36% of the total number of violations) sustaining serious bodily injury, and 75 subjected to minor assaults (actual low grade bodily harm and common assault/battery) - 22.39% of the total number of violations.

This is a negative trend for the freedom of expression environment: in 2016, the total number of serious bodily injuries only amounted to 16, with 38 minor assaults.

Serious bodily injury included stabbing and beating with blunt weapons, as well as injuries caused by security forces with batons and rifle butts. The violations resulted in breaking of limbs and other substantial injuries.

In almost all of these cases, journalists were attacked while covering sensitive issues of local and national level 'irregularities' – these ran from minor to large-scale corruption, and included using positions of power to obtain financial gains.

- **Selim Hossain** (correspondent, Daily Kaler Chitro, Shatkhira): on 7 March 2017, Salim Hossain was severely injured. The perpetrators used bricks and other weapons, and he suffered severe trauma in the head. The journalist published an article on corruption and irregularity in the sub-district regarding land grabbing, and allowances for senior citizens, by the local elected representatives.
- **Shahidul Islam** (local correspondent, Daily Jay Jay Din, Madaripur): on 8 April 2017, Shahidul Islam was beaten, having been tied to a tree by the local Awami league leader and his cadres (a 'cadre' is a grassroots or low-level activist, often used for or engaged in violent action). Shahidul was reporting on a local election of the sub-district. He was taking photographs of election campaigns which violated the campaign rules. Later, a false case of extortion against him was initiated by supporters of the student wing leader of the Awami league.
- **Md. Mizanur Rahman** (Vandaria correspondent, Daily Dakshinanchal, Pirojpur): on 15 April 2017, Md. Mizanur Rahman was severely injured with a hammer by local terrorist groups. He was rushed to the local hospital for treatment having suffered severe trauma to the head. A case has been filed regarding the attack: the victim alleges that the terrorists were hired to kill him for his writings on alleged corruption in the locality.
- **Azizul Haque** (Staff Correspondent, Bangla News, Jessore): on 4 August 2017, Azizul Haque was beaten by the Commanding Officer of 49th Battalion of Border Guard Bangladesh (BGB) because of a news article he published on his portal 'Bangla News', which reported on alleged security breaches at the Benapol border area in Jessore, a South-Western district of Bangladesh.
- **Rafiqul Islam** (Editor, Daily Laxmipur Kontho, Laxmipur): on 29 September 2017, Rafiqul Islam was beaten severely by the Upazila Chairman of the ruling party Awami League and his cadres, because of the publication of news items regarding alleged corruption in the

Upazila. The journalist was rushed to the Central Hospital of the district; he was released two weeks later.

- **Ananda Das** (Assignment Editor, Daily Protodiner Kotha, Jessore): on 23 November 2017, he was grievously wounded by unknown assailants. His throat was slit, and similar injuries were inflicted on his wrists and legs by sharp weapons. He was hospitalised and survived his injuries. A case has been filed in the matter and investigation is still pending.

III) MINOR ASSAULT

A large number of journalists were subjected to minor assault throughout the year, particularly when they were covering local elections or protests and demonstrations on various issues throughout the country, for example:

- **Gobinda Halder** of NTV, **Arifur Rahman**, Camera Person of Channel I, and **Ashraful Islam**, photographer of Daily Shahnama. On 5 January 2017, in Barisal, a protest rally was organised by the opposition Bangladesh Nationalist Party, questioning the legitimacy of the current government. The journalists covering the demonstration were attacked by cadres of the ruling party, along with the police in the process the journalists were injured;

Kazi Ahsan Didar and **Abdul Alim** (Reporter and Cameraman of ATN Bangla and Mithuneand reporter, Dhaka Tribune, Dhaka): on 26 January 2017, the Jatiyo Committee - a campaign group against the establishment of the power plan in the Ramphal area of the Sunderbans - organised a demonstration, during which the police charged the protesters, injuring several journalists;

- **Arafat Rahman** (Rajshahi University correspondent of the Daily Star, Rajshahi): on 10 July 2017, he was assaulted by ruling party student activists, when he attempted to take photographs of them vandalising vehicles;
- **Matiur Rahman Selim** (Correspondent, Daily Somokal, Trishal Upazila), **Jubayer Hasan**, **Mohammad Selim**, and **Nazimus Sakib**: on 1 November 2017, journalist Motiur Rahman and others were attacked when they went to cover an altercation between sand traders and the local activists of the ruling Awami, they sustained minor injuries.

IV) ABDUCTION

The number of abductions has increased significantly from only one in 2016, to 10 (2.99%) in 2017. Examples below indicate that this tactic has been used to intensify threats made to communicators with the aim of silencing journalist: most were released after obtaining assurances that they would not publish certain reports:

- **Utpal Das** (Staff Reporter, Online Purbo Paschim BD News): on 10 October 2017, Utpal Das was abducted after he left his office in Dhaka's Motijheel area. He was released after 71 days. No ransom demand was made, but the journalist refused to disclose any details of his abduction upon release;
- **Dr. Mobashsher Hossain** (Assistant professor of North South, a private university) went missing on 7 November 2017: it was reported to the police, but the academic reappeared on 22 December, after nearly 45 days. He refused to disclose any information about his detention to the media. It has mostly been reported that his disappearance may have been related to a forthcoming publication 'Bangladesh: A Critical Reader'.

- **Nazmul Hasan** (District Correspondent, Nirapad News, Tangail): on 14 May 2017, he was abducted, perpetrators checked information in his mobile device including contacts, and then released him, warning him not to publish any reports concerning the activities of the ruling party's local student group without permission.
- **Nirmol Borua** (Editor, CHT Media, Chittagong): on 5 June 2017, Nirmol Borua was abducted by unknown persons, and on 6 June 2017 he was released and left in a jungle with his eyes covered by bandanas. He refused to disclose any further information regarding his abduction.
- **Forhad Mazhar** (Writer, Dhaka): on 3 July 2017, the writer was abducted from his house in Shyamoli Haque Garden, and was later rescued by law enforcement agencies from a public bus in Jessore, a southern district of Bangladesh. Reasons for his abduction remain unknown. A case has been lodged;

B) INTIMIDATION AND THREAT

We recorded 21 (6.27%) cases of threat and intimidation against journalists, including death threats, harming of family members, unlawfully entering the family home armed with firearms, and threats made in the presence of family members.

In most cases, threats were used primarily to censor information or news that perpetrators considered 'inconvenient'. Perpetrators included local leaders of the ruling party, police, and local criminals. The number of threats and intimidations has decreased since 2016, when the number was 48 in total.

Examples from 2017 include:

- **Faysal Ahmed** (Blogger, Dhaka): on 18 April 2017, he was threatened with death by two unknown people who introduced themselves to him as soldiers of Islam. They told him to stop writing on blog sites. A case was lodged with the police. Faysal writes against terrorism on his blog page.
- **Probir Shikder** (Editor, Daily Bangla71, Online News Portal): on 17 May 2017, Probir Shikder, a veteran journalist, received death threats via his mobile phone: the perpetrators threatened to burn him alive. Subsequently he reported that he was being followed by two individuals.
- **Kazi Rafiq** (Zonal Correspondent for Tongi area, Daily Ittefaq, Gazipur): on 7 September 2017, Kazi Rafiq was threatened with death by a local-level cadre of the ruling party – by an individual who had previously been imprisoned due to a complaint regarding an extortion case made by the journalist.

C) LEGAL HARASSMENT

2017 saw 169 cases of criminalisation of expression, with cases of criminal defamation and use of restrictive laws relating to online expression, such as the notorious Section 57 of the ICT Act 2006. We recorded 65 cases of criminal defamation, 76 cases of Section 57 (comprising 22.7% of the overall total number of violations in 2017, compared to 6.9% in 2016). 42 of those arrested were subsequently released on bail.

We also recorded 24 cases of vexatious litigation, two cases of arbitrary arrests, and two proceedings regarding contempt of court, comprising 50.5% of the total 335 violations recorded in 2017.

A detailed examination of these cases reveals the use of the law in targeting journalists, media workers and human rights defenders with the aim of pursuing political ends and silencing dissent.

1) CRIMINALISATION OF ONLINE EXPRESSION

We found that of the 76 cases initiated under Section 57 of the ICT Act against journalists, media workers and human rights defenders (HRDs) in 2017, 42 were arrested but subsequently released on bail. This figure comprises 22.7% of the overall total number of 335 violations in 2017, compared to 6.9% of 2016's total.

An analysis of the 76 cases reveals that 35 were initiated on grounds of defamation, 19 on false information, 14 on grounds of tarnishing the image of state or of individual, three on grounds of provocation, two on obscenity, and a further two for hurting religious sentiments.

Examples of the use of Section 57 of the ICT Act include:

- **Imran H. Sarkar and Shonaton Ullash** (Bloggers, Dhaka): on 20 September 2017, Imran Sarkar and Shonaton Ullash - members of the of Gonojagoron Mancha – a well-known bloggers platform - were arrested on allegations of using derogatory slogans against the Prime Minister, Sheikh Hasina, at a demonstration protesting the government's decision to remove a figurine statue erected within the premises of the Supreme Court in Bangladesh. The slogans later went viral on social media.
- **Toufiqul Islam Babor** (Chittagong Bureau Reporter, Daily Somokal, Chittagong): a case against the journalist was initiated on 4 July by the Upazila Chairperson of Rangunia in the district of Chittagong, when he published a report on an attack on the vehicle of the Opposition Party Leader, Mirza Fakhrul Islam Alamgir alleging the involvement of the Upazila Chairman. The journalist has been released on bail.
- **Nirmol Barua and Jui Chakma** (Chief Editor and News Editor respectively of CHT Media 24.com): on 17 January 2017, the two journalists were implicated in a case under Section 57 of the ICT Act, over allegations a news article on discrimination against media workers in the CHT (Chittagong Hill Tracts) area. Both were arrested, the female journalist Jui Cahkma was kept in custody for 9 days, along with her 28-old-daughter, before being released on bail.
- **Arman Shikder** (Activist of a Student Union, district Norail): on 6 February 2017, Athe activist was arrested under Section 57 of the ICT Act, allegedly for making derogatory remarks about the Prime Minister Sheikh Hasina.
- **Chowdhury Irad Ahmed Siddiqui** (Politician, Dhaka): on 23 February 2017, Irad Ahmed was arrested over his Facebook status and derogatory remarks posted concerning Prime Minister Sheikh Hasina.

II) CRIMINAL DEFAMATION

Criminal defamation continues to be used as tool for harassment: 65 cases were recorded in 2017, constituting 19.4% of the overall total number of violations. This is a reduction from 2016, during which 78 cases against journalists were recorded.

Examples include:

- **Nayeem Nizam** and **Ruhul Amin** (editor and staff reporter of Bangladesh Protidin, Patuakhali): on 30 November 2017, a criminal defamation case was initiated against the journalists, for their publication of a report of alleged corruption by a Member of Parliament from the district of Patuakhali;
- **Mahmudur Rahman** (editor in charge of Daily Amar Desh published from Natore): a total of 27 Criminal Defamation cases were filed against **Mahmudur Rahman** because of his comments questioning national sovereignty at a press conference held at the national press club. Multiple cases were lodged by ruling party activists from various districts;
- **Matiur Rahman** (editor, Daily Prothom Alo), **Ahmed Jayef** (reporter, Daily Prothom Alo), **Khulna**: on 10 January, 2017 a criminal defamation case was initiated against Matiur Rahman and Ahmed Jayef over a report about the sale of drugs, in which it was alleged that a certain drug dealer of Khulna had a close connection with the local elected member of parliament;
- **Iqbal Sobhan Chowdhury** (editor, Daily Observer), **Mamunur Rashid** (reporter, Daily Observer): on 29 January 2017, two separate cases of criminal defamation were initiated by the member of the parliament of Rajshahi against the journalists over a news report regarding the sale of drugs and his association.

III) VEXATIOUS LEGAL PROCEEDINGS

Vexatious legal proceedings are cases without merit, brought in order to harass and intimidate journalists with the aim of preventing them from pursuing or publishing a story; they are brought under various laws.

This is a tool widely used against journalists to silence them when they cannot be incriminated by restrictive laws, either on charges of criminal defamation or under Section 57 of the ICT Act.

We recorded 24 vexatious cases, comprising 7.2% of 2017's total number violations. There were 25 vexatious cases in 2016. Most of these involved an alleged involvement in extortion.

Examples of vexatious extortion cases include:

- **Monir Hossain** (senior reporter of the Daily Jugantor of Jhalokathi District) for his report on alleged corruption by local level leaders of the ruling party;
- **S.M. Umed Ali** (staff correspondent for NTV along with two other journalists): on 9 July 2017 in Moulovibazar district, a local businessperson alleged that the journalists had been threatening him with extortion and murder;
- **Partho Sarothi Das** (Jamuna TV), **Proshanto Kumar Das** (Editor, Weekly Banglar Alo), **Bidhan Chandra Das** and **Faridul Islam** (Editor and Assistant Editor, Thakurgaon Khobor)

because of their investigative report on the alleged corruption of the local elected representative;

Other examples of vexatious cases include that against **Kazi Nazrul Islam** (Channel 24), **Kazi Moniruzzaman** (Jamuna TV), **Nurul Amin** (Independent TV), **Satyajit Ghosh** (District Correspondent, Prothom Alo, Shariatpur), filed under the Prevention of Women & Children Repression Act 2000 (amended 2003), because they were collecting evidence for an investigative report on illegal activities concerning claims of compensation emerging from land acquisition.

IV) CONTEMPT OF COURT PROCEEDINGS

In 2017, we recorded two (0.6%) contempt of court proceedings, against **Enamul Haque Choudhury** and **Partho Sarothi Das** (Editor in Charge and Reporter of the Daily Sun, Dhaka, respectively).

D) ARRESTS

We recorded two cases of arbitrary arrest, comprising 0.6% of the total violations.

Tushar Tuhin (Staff Correspondent, Bangla News, Cox's Bazar) was arrested in a case that was already resolved and **Md. Sohrab Hossain** (Editor and Publisher, Daily Mukto Shangbad, Gazipur) was arrested on 4 November 2017, due to his reporting on alleged irregularities by local land administration.

E) VIOLATIONS AGAINST WOMEN IN THE MEDIA AND GENDER-BASED VIOLATIONS

Women comprise 13% of the total number of journalists in the print and electronic media. Our findings indicate that, of the 335 violations this year, almost 4% were perpetrated against women, including physical assault, legal harassment, and gender-based workplace harassment.

Official claims also indicate that 73% of women online have faced some form of violence there.

Hostility toward women journalists continues: we recorded 13 violations in 2017 - Jui Chakma, Chondona Sharma, Tulona Al Haroon, Shusmita Golam who were charged under Section 57 of the ICT Act, Tasmia Hossain, Tarin Hossain, Khushi Kabir with criminal defamation cases, Nusrat Jahan, Shamima Sultana and Mahmuda Doli were physically assaulted, and Alisoan Joyce, Kumu and Farhana Noshoo suffered gender-based violations.

- **Jui Chakma** (News Editor of CHT Media24.com): on 17 January, 2017 the journalist was implicated in a case under section 57 of the ICT Act on allegations of publishing news on the discrimination against media workers in the CHT area. Jui was arrested and put in custody for nine days along with her 28-month-old daughter.
- **Chondona Sharma** (Facebook, Dhaka): on 23 February, 2017 a case was lodged under Section 57 of the ICT Act by a model namely Nowshin Naorin Mou, on allegation of publishing false information which implicated herself and her husband, of the Gulshan Police Station.
- **Tulona Al Harun** (Media Worker, Dhaka): on 23 June 2017, Tulona was arrested by police on charges under section 57 of ICT Act. The case was filed by one of her colleagues who alleged that she was humiliated by Tulona via Facebook posts in which she apparently made derogatory remarks;

- **Susmita Golam** (Dhaka): on 20 July 2017, a case was filed against Susmita under Section 57 of the ICT Act on allegation of defaming M. Hafizur Rahman, a customs Commissioner, by publishing an edited photograph online.
- **Tasmima Hossain and Tarin Hossain** (Editor in Charge and Publisher, Daily Ittefaq, Rajshahi): on 15 March 2017, a case of criminal defamation was initiated against the journalists on allegations of publishing false news on a sensitive issue. It was reported that the university administration had spent a large amount of money on procurement without any tender, indicating corruption.
- **Khushi Kabir** (human rights defender, Dhaka): on 4 June 2017, a case of criminal defamation was launched against Khushi Kabir, alleging that she had made defamatory statements about Prime Minister Sheikh Hasina while she participated in a demonstration against the removal of a sculpture from the premises of the Supreme Court of Bangladesh.
- **Kumu** (reporter of DBC Television): on 30 March 2017 the reporter was assaulted by the assistant of the Mayor Candidate for the Comilla City Corporation while covering the local government election. After receiving news of forged ballots at one of the election centres, she went there to gather further information on the incident. The assistant of the Mayoral candidate assaulted her and forced her out of the centre.
- **Farhana Nisho** (reporter, Ekushey Television): on 17 May 2017, she was sacked when her 'selfie' went viral online. The photo was taken with several individuals who were the accused in a sensationalised rape case in Dhaka (though it was taken previous to their committing the crimes). However, the authority of the Ekushey Television purportedly terminated the journalist without notice;
- **Nusrat Jahan** (reporter, Daily Sarejomin Barta, Chittagong): on 10 April 2017, the journalist was physically assaulted by some local people while collecting information for investigative reporting on illegal land grabbing in the Chandgaon of Bodderhat area of Chittagong;
- **Shamima Sultana** (reporter, Channel-24): on 29 November 2017 the journalist was assaulted by activist of the student wing of the ruling party on the Dhaka University campus, while meeting a colleague;
- **Mahmuda Doli** (journalist, Dhaka): On 5 December 2017, the journalist was assaulted by police while covering a protest by the opposition party leaders and activists. She was dragged from the protest scene into the police prison van, but released immediately after other journalists protested her arrest;

The issue of gender-based online abuse is a growing concern. Official claims indicate that in Bangladesh at least one third of the subscribers of mobile phones and internet are women, and that 73% of women users of online space have faced some form of violence. This figure is on the rise. Gender-based online abuse in Bangladesh includes publication of obscene materials online, defamatory statements, hate speech, 'revenge porn' (the distribution of sexually explicit images or video of individuals without their consent), online impersonation, cyber-pornography, obscene propaganda, distribution of rape and 'sex videos' etc.

Although there are a number of laws relating violence against women they do not provide sufficient safeguards against gender-based online abuse.

F) DESTRUCTION OF EQUIPMENT AND PROPERTY

Equipment and property belonging to 28 journalists (8.36%) was affected; almost all of these incidents involved photojournalists and video cameramen and the destruction of their cameras, mobile phones or motorbikes.

The camera and equipment of the ATN Bangla's photojournalist **Abdul Alim** was destroyed by police in January 2017. In February 2017, journalist **Md. Selim Molla**'s house was vandalised by cadres of the ruling party Awami League in the district of Faridpur. The camera of journalist **Subroto Kumar** was destroyed by the Chairman of a union in the district of Thakurgaon and the camera, mobile phone and motorbike of journalist **Titu** was vandalised by a supporter of the Member of Parliament for the Faridpur district.

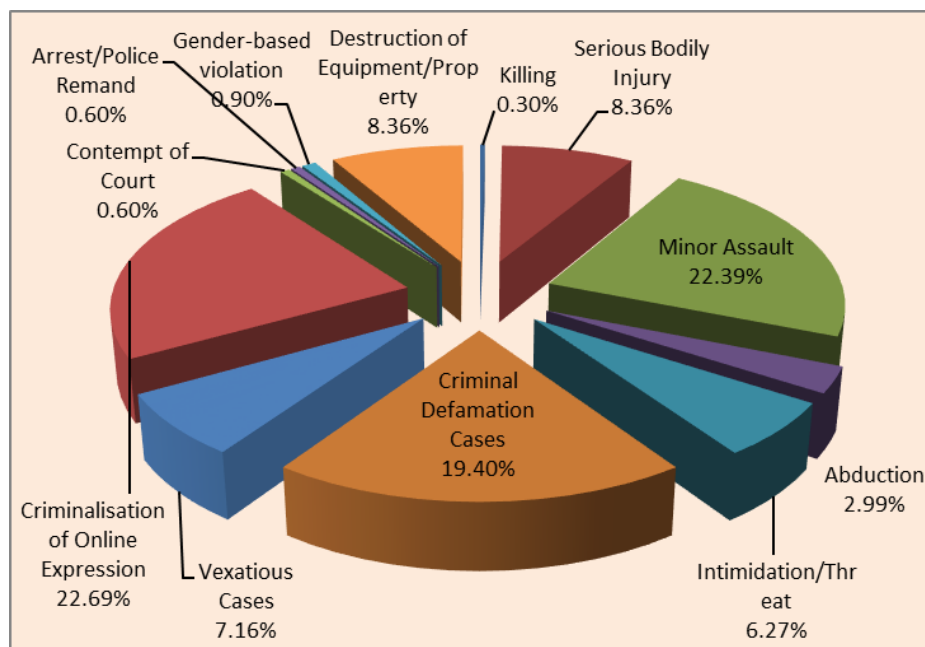


Chart 2: percentage of violations by category

PROTECTION OF JOURNALISTS, COMMUNICATORS, AND ONLINE ACTIVISTS

We have found that journalists, bloggers, human rights defenders and those exercising freedom of expression have faced violations of various kinds, including physical injuries and legal harassment. In particular, those working on issues such as corruption, expressing unpopular or oppositional opinions, or covering protests have faced increasing insecurity

IMPUNITY

Impunity for violations remains pervasive, with investigations frequently remaining open for years without conclusion.

Of the total of 335 violations recorded:

- In 124 (37%) of cases, some form of legal action had been taken. Of those cases, 103 cases investigations had been initiated; in the remaining 21 (6.26%) cases, journalists had lodged a preliminary case with the local police station;
- A pattern of lacking legal action by journalists continues, with journalists taking no legal steps at all in 42 of the cases (12.53%). In five of these, there had been efforts to resolve the matter out of court, due to distrust in the legal system, belief that the violation of their expression was too trivial, or lack of confidence in getting justice;
- In 169 cases, the only option available to journalists was to pursue a legal defence against accusations made i.e. defending themselves against charges in court.
- The only murder case recorded in 2017 is that of Abdul Hakim Shimul. Trial has not yet commenced and the case is still under investigation by the police. The main suspect, then-Mayor of the Shahjadpur, remains in custody.
- Of the 47 journalists and eight bloggers killed between 1995 and 2016, trials have concluded in only three cases: the cases of journalist Goutam Das, Manik Chandra Saha, and blogger Ahmed Rajib Haider. Trials are yet to commence in many of these cases, with delays reaching alarming levels, including those of journalist couple Sagor Sarwar and Mehrun Runi who were murdered in 2013, and others such as Nahar Ali (2001), Humayun Kabir Balu (2004), Belal Hossain Dafadar (2006), and more recently murders of Avijit Roy, Faisal Arefin Dipon (2015) Xulhas Mannan, Khandaker Mahbub Rabbi Tonoy, and Nazimuddin Samad (2016).

In the case of Abhijit Roy investigations are yet to be concluded, even after over three years, in the case of Dipon nearly two and a half years, and in the case of Xulhas Mannan nearly two years.

PERPETRATORS OF VIOLATIONS

Amongst the perpetrators, an overall 92.9% of violations were carried out by non-state actors: non-state actors are those who do not have any strict legal status or links with State organs such as the Judiciary, executive, legislative, or statutory organisations; many of these actors, however have links, unofficial or otherwise, with the ruling party.

These perpetrators comprise leaders and cadres of the political party in power (48.95% of all perpetrators), cadres of the opposition including the religious extremist Jamat-shibir (0.59% of all perpetrators), criminal groups such as emerging cartels, drug dealers, land grabbers and petty ‘mastans’ (petty gangsters) (4.47% of perpetrators), unidentified perpetrators (8.65% of perpetrators), and religious fundamentalists groups (1.49% of perpetrators).

We found that a substantial number of perpetrators were from other categories, involving private individuals and private corporations and their employees, in some cases even one media group against another.

Local level leaders and activists of the political party in power emerged as dominant groups acting against the safety and security of journalist in 2017, which raises significant concerns. In a number of cases the student wing of the ruling party, were directly involved in violations. State actors included law enforcement agencies and, in some cases, public officials themselves.

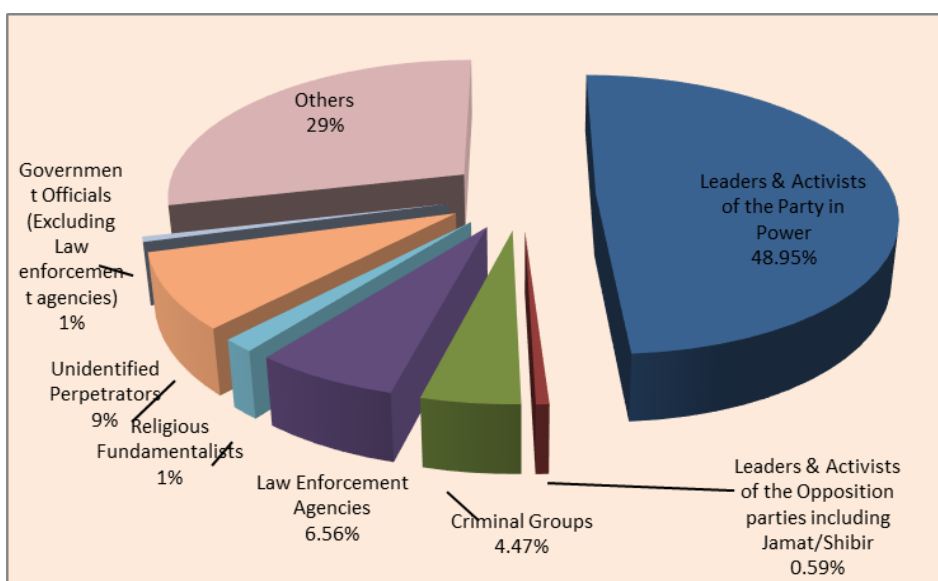


Chart 3: Percentage of different groups of perpetrators

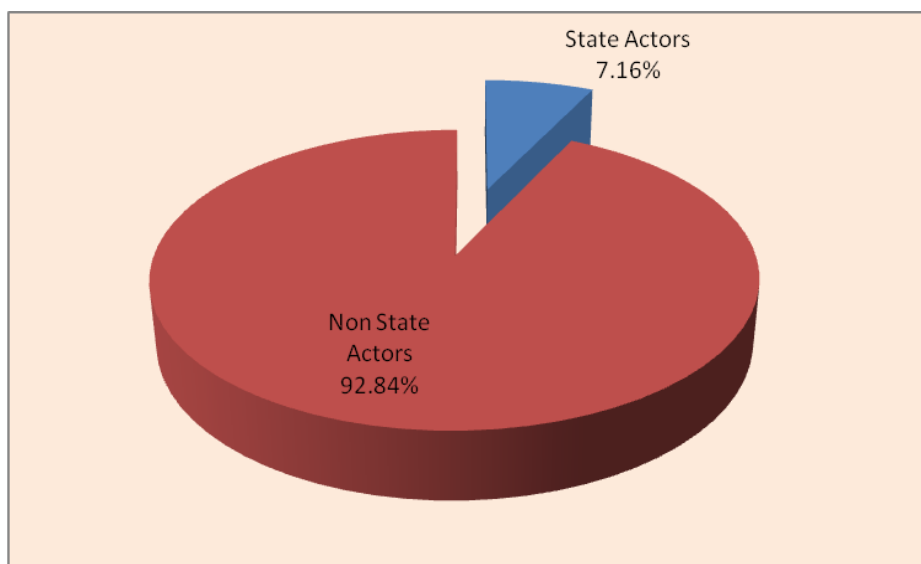


Chart 4: State Actors vs. Non-State Actors

VICTIMS OF VIOLATIONS

An analysis of victimised journalists and media workers reveals that almost 70% of violations were perpetrated against journalists working at the grassroots level as opposed to the 31.34% working at the national level: this is a chilling finding with regard to current situation of journalist safety in Bangladesh.

This large number also represent groups that have limited access to capacity-building, training, and support from media houses, the state, and other sources. Violations against journalists working in print media remain much higher (57.61%) than those working in broadcast and electronic media. This pattern is consistent with our findings in previous years.

Grassroots Level	National Level
68.66%	31.34%

Table 1: Violations segregated by National media and grassroots level

Print Media	Television	News Portals, social media and blogs
57.61%	19.70%	22.69%

Table 2: Violations segregated by Print, Electronic and online

LEGAL AND POLICY INTERVENTIONS:

Key laws and policies which contribute to the restrictive environment for the exercise of freedom of expression in 2017 include:

THE INFORMATION COMMUNICATIONS TECHNOLOGY ACT 2006 (AS AMENDED IN 2013)

The Information Communications Technology Act 2006 (ICT Act) grants broad powers to the Government to restrict online expression, including through vague and excessive content-based restrictions that do not comply with Article 19(3) of the International Covenant on Civil and Political Rights (ICCPR).

Section 57 criminalises several forms of online expression, duplicating prohibitions found in the Penal Code, including: “false information”; “obscene materials”; “defamatory statements”; “expression likely to cause deterioration of law and order”; “expression which tarnishes the image of the state or of an individual”; “statements hurting religious sentiments”; and “statements provoking individuals or organisations.”

Section 46 gives almost limitless discretion to government-appointed ‘controllers’ to monitor and block content, rather than a system based on law enforcement authorities acting on the basis of court orders with judicial oversight.

The 2013 amendment of the Act lifted a number of procedural restrictions on the ability of the authorities to arrest individuals without a warrant during the investigations of crimes under the Act, rendering it more prone to abuse. At the same time, applicable sanctions for offences under Section 57 were increased. These provisions are regularly used against journalists, and others exercising their free expression rights.

Since the last Universal Periodic Review (UPR), ARTICLE 19 has documented 149 initiated cases under the Act.

DRAFT DIGITAL SECURITY ACT 2017

The Draft Digital Security Act, currently being scrutinised by the Ministry of Law, Justice and Parliamentary Affairs, raises significant concerns: proposing broad content-based offences, ambiguous cyber-crime provisions, broad investigative powers, and obligations on Internet Service Providers to cooperate with law enforcement authorities.

Though there is commitment to repeal problematic provisions in Section 57 of the ICT Act, various elements would be reinstated through Sections 19 and 20 of the Draft Act, including on defamation, obscenity, and hurting religious sentiments. While criminal sentences have been reduced, in line with the Penal Code, many remain deeply problematic.

CRIMINAL DEFAMATION

Criminal defamation provisions (Sections 499-502 of the Penal Code 1860) remain on the books, and enable the harassment of journalists and media organisations, who face the disproportionate sanction of up to two years imprisonment and/or a fine if found guilty.

Although the ‘truth’ and ‘public interest’ defences are available, and such cases rarely reach court or result in conviction, the mere existence of criminal defamation provisions and pending cases

chills media freedom, as journalists and communicators are likely to self-censor to avoid prosecution.

Multiple legal suits for a single (alleged) defamatory incident are common, including against media actors and outlets. International standards are clear in stating that imprisonment is an inherently disproportionate sanction for defamation, with various international human rights mechanisms recommending the repeal of criminal defamation laws entirely.

BROADCASTING FREEDOM

The 2014 National Broadcasting Policy recommended the establishment of an independent broadcasting commission. Provisions in the proposed National Broadcasting Bill (2016) prescribe the creation of a seven-member independent Broadcast Commission empowered to formulate guidelines and a code of ethics for broadcasters and oversee the issuing of licenses to broadcasters. This would be carried out with approval from the government, which raises concerns regarding independence.

The Commission will enforce compliance with the (as yet unformulated) guidelines, establishing a complaints mechanism. Violation of rules and regulations under the Bill may be punished by the courts with imprisonment of up to 7 years, and heavy fines - up to BDT 50 million (approx. 600,000 USD) on referral by the Commission.

The Commission is empowered to cancel or suspend broadcasting licenses and issue administrative sanctions for violations of licensing terms and conditions. The severity of these proposed sanctions, and independence of Commission members are of particular concern.

FREEDOM OF ASSOCIATION

The 2016 Foreign Donations (Voluntary Activities) Regulation Act has introduced new restrictions which hinder civil society organisations in carrying out legitimate work. In particular, Sections 6-8 of the Act restrict NGOs' ability to seek resources, in particular from foreign sources; Section 14, makes it an offence for NGOs to make 'inimical' or 'derogatory' remarks against the Constitution or constitutional body.

The mere existence of this provision has a considerable chilling effect on civil society.

ONLINE NEWS MEDIA REGISTRATION

Over the past few years, Bangladesh has seen a sharp rise in online news media: there is no policy for registration and regulation of these news outlets, so the government is in the process of adopting an Online Mass-media Policy. In June 2017, the Cabinet approved a preliminary draft of the Online Mass-media Policy.

THE MASS MEDIA EMPLOYEES (CONDITIONS OF SERVICE) DRAFT BILL 2017

In an effort to give special priority to the employees of mass media, the Government of Bangladesh is in the process of adopting a new law: The Mass Media Employees (Conditions of Service) Act 2017, which is in the draft process. The Ministry of Information initiated a public consultation on the draft law in October 2017.

The draft Act deals with a number of issues including divergent rules in different media houses, employment contracts, funds of the media workers, working hours, holidays, medical facilities, gender sensitisation policies, wage board issues, and penal provisions.

CONCLUSIONS

A year-by-year review of violations from 2013 to 2017 (the period of review for the Third Cycle of the Universal Period Review for Bangladesh) indicates an overall deterioration in the safety and security situation of journalists, media workers, and those who exercise their freedom of expression in Bangladesh.

The findings of this report are particularly important given that 2017 was a pre-election year: elections are expected to be held in late December 2018 or early 2019. There are significant concerns for an enabling environment for media freedom in the lead-up to the elections and beyond.

2017 was also dominated by concerns on the use of the Section 57 of the ICT Act, criminal defamation laws, the proposed Digital Security Act, proposals for online news media policy, and the proposed National Broadcasting Bill 2016.

RECORD NUMBERS OF VIOLATIONS IN 2017

In 2017, we recorded record numbers of violations: ARTICLE 19 recorded 277 violations in 2013, 212 in 2014, 214 in 2015, and 320 in 2016.

The total number of violations increased significantly in 2016, to 320. Our monitoring showed a further increase in 2017, with the total number of violations reaching 335.

The years 2014 and 2015 were particular violent with the killings of three and nine journalists and bloggers respectively, although the total number of violations slightly decreased in those years.

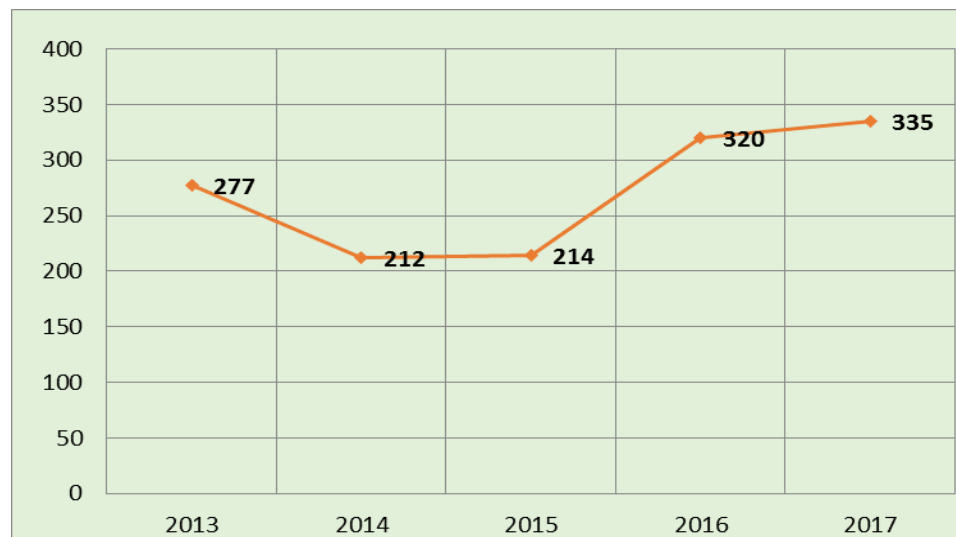


Chart 6: Year by year trend of violation from 2013-2017

CRIMINALISATION OF EXPRESSION HAS SUBSTANTIALLY INCREASED

2017 saw 169 cases of criminalisation of expression, with criminal defamation prosecutions and use of restrictive laws relating to online expression such as the notorious Section 57 of the ICT Act 2006.

We recorded 65 cases of criminal defamation, 76 cases of application of Section 57 (comprising 22.7% of the total number of violations in 2017, as compared to 6.9% in 2016), 42 of whom were arrested however subsequently released on bail.

We also recorded 24 cases of vexatious litigation, two cases of arbitrary arrests and two contempt proceedings, comprising 50.5% of the total 335 violations recorded in 2017. A detailed examination of these cases reveals the use of the law to target of journalists, media workers, and human rights defenders, for political ends and the silencing of dissent.

METHODS OF VIOLATION AND HARASSMENT ARE CHANGING

Physical assault has consistently been occurring at alarming rates against journalists and media workers in Bangladesh, but a five-year analysis indicates some decline in numbers between 2013 and 2016.

This is consistent with a further analysis of three key indicators i.e. physical assault, criminalisation of expression and killing, indicating a consistently rising trend over the last five-year period of criminalisation of expression and legal harassment, as well as continuing use of restrictive legislation.

Overall, a comparison shows that rights violations and harassment have increasingly taken the form of repressive use of legislation, with cases rising from 33 in 2013 to 169 in 2017; meanwhile, physical assault decreased from 173 in 2013, to 113 in 2017.

In 2017, physical assault comprised 28 cases of serious bodily injury, 75 cases of minor assault, and 10 cases of abduction. More than ever, in 2017 abduction was used as a tool to intimidate: in 10 recorded cases, journalists were released after getting assurances from them that they would refrain from publishing certain reports.

Together, these cases comprise 33.8% of the total 335 violations in 2017. This percentage decreased from 62.1% in 2013 to 48.6% in 2014, and again to 28% in 2015, and 17.8% in 2016.

In 2017, there was only one murder case (that of Abul Harkim Shimul) but the numbers of physical violations increased roughly 200% from 2016, when we recorded 54 incidents. The nature of injuries include stabbing and breaking of limbs.

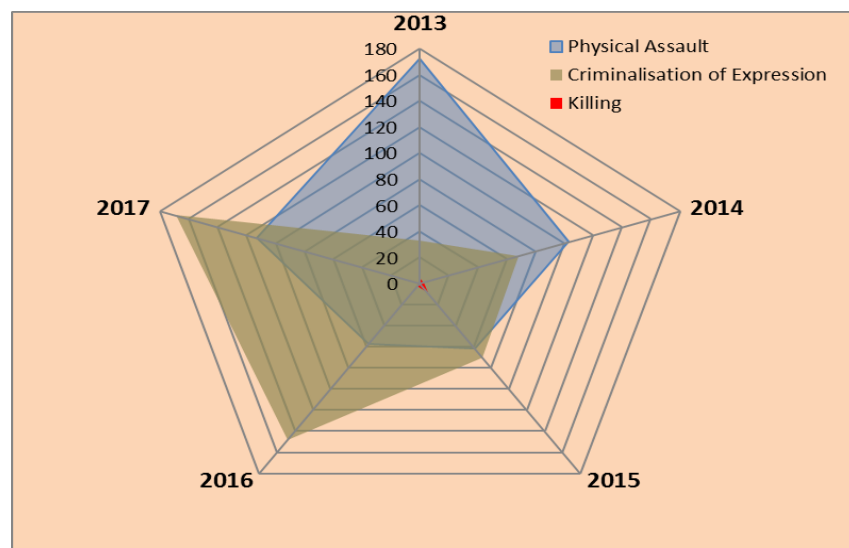


Chart 7: Changing patterns of violations

THERE IS MARKED HOSTILITY TOWARD JOURNALISTS WORKING AT THE DISTRICT LEVEL

A detailed analysis of incidents indicates that 69% of the violations were carried out on journalists working at the grassroots level, and that violations against journalists working in the print media constituted almost 58% (in Bangladesh, the print media is still the dominant form of media), while 18% of the violations were carried out on journalists working in the electronic media and 23% working on various news portal, social media and blogs i.e. online media. These individuals were targeted because of work exposing corruption and misappropriation of public funds, for expressing unpopular or oppositional opinions, and for covering protests.

PERPETRATORS ASSOCIATED WITH THE PARTY IN POWER ARE INCREASING IN NUMBER

Almost 93% of the violations were carried out by non-state actors: almost 49% attributable to leaders and cadres, and student activists of the ruling party. This means that almost 50% of those responsible for carrying out violations against freedom of expression in Bangladesh are connected with the ruling party.

This proportion is rising quickly (23.6% in 2013, 33.7% in 2014, 48.3% in 2015 and 67% in 2016) with a slight improvement in 2017. This is consistent with our analysis, indicating that approximately one in every six violations are perpetrated by state actors, and five of every six were perpetrated by non-state actors.

JOURNALISTS AND MEDIA WORKERS ARE AT RISK FROM VIOLENCE

In 2017, consistently with others years, we have found that almost 70% of the violations were carried out against journalists working at the grassroots level, and those working in print media constituted almost 58%, as print media is still the dominant form of information-publication in Bangladesh. A substantial number of these are attributable to non-state actors, including leaders and cadres and student activists of the ruling party as indicated above.

This is compounded by the fact that there has been almost about a 200% increase (103, including both minor and grievous assaults) since last year, when we recorded 54 incidents. The nature of injuries include stabbing with sharp objects, breaking of limbs. Abduction was used more in 2017 as a tool to intensify threats to journalists: journalists were released after assuring perpetrators that they would not publish certain reports.

Together, these findings raise concerns in terms of the country having an enabling space where journalists and media workers are free and can function without fear and intimidation. This concern is particularly pressing in the lead-up to elections, given the electoral history of the country where violence has been common.

THERE IS APATHY IN THE JUSTICE SYSTEM AND IMPUNITY CONTINUES

In terms of redress for violations, the pattern of apathy in relation to the justice system continues. In 2017, we found that in 42 cases journalists took no legal steps in relation to violations of their right to freedom of expression.

Of 126 cases where some form of legal action was taken (e.g. preliminary registration of incidences, filing cases in the police station and those in courts), preliminary investigations have been completed in only six: in the remaining 120 trial has not commenced.

The remaining 169 of the total 335 incidents are legal cases against journalists and media workers (as explained above in findings on criminalisation of expression). In many of those cases they have not come forward due to limited means of defending themselves, though some have been provided assistance by ARTICLE 19's Shohojogita programme.

This apathy has been compounded by a continuing culture of impunity, with the conclusion of only one of the 20 cases of killing of journalists and bloggers in the last five years, and delays reaching alarming levels in the cases of Sagor Sarwar, Mehrun Runi, Abhijit Roy, Faisal Arefeen Dipon, Xulhas Mannan and others.

FREEDOM OF EXPRESSION IS RESTRICTED BY THE LEGAL ENVIRONMENT AND PROPOSED LAWS

The **Draft Digital Security Act 2016**, currently being scrutinised by a Parliamentary Standing Committee, raises significant concerns for freedom of expression: it proposes broad content-based offences, ambiguous cyber-crime provisions, broad investigative powers, and obligations on Internet Service Providers to cooperate with law enforcement authorities.

Despite assurances from the highest levels of the government that the extremely restrictive Section 57 of the **Information Communications Act and its 2013 amendments** would be repealed, proposals for reform from the government retain various elements that would be reinstated through Sections 19 and 20 of the Draft Digital Security Act, including on defamation, obscenity, and hurting religious sentiments. Although criminal sentences have been reduced, they remain deeply problematic.

Concerns persist around the 2014 **National Broadcasting Policy**. Though the aim was an "independent, pluralistic, accountable and responsible Broadcasting system in Bangladesh," much of the substance of the policy actually increases government control over broadcast media. For example, the policy provides a list of 69 types of content which broadcasters must avoid, including content about religion, obscenity, and content that would not protect 'the history of the country'.

Provisions in the proposed **National Broadcasting Bill 2016** prescribe the creation of a seven-member independent Broadcast Commission, empowered to formulate guidelines and a code of ethics for broadcasters, and oversee the issuing of licenses to broadcasters, with approval from the government – this government role raises independence concerns.

The proposed Commission will enforce compliance with the (as yet unformulated) guidelines, establishing a complaints mechanism. Violations of rules and regulations under the Bill may be punished by the courts with imprisonment of up to 7 years, and heavy fines of up to BDT 50 million (approx. 600,000 USD) on referral by the Commission. The severity of the proposed sanctions, and independence of Commission members are particular cause for concern.

The **Foreign Donations (Voluntary Activities) Regulation Act 2016** introduced new restrictions which hinder civil society organisations from carrying out legitimate work. In particular Sections 6-8 of the Act restrict NGOs' ability to seek resources, in particular from foreign sources.

Section 14 makes it an offence for NGOs to make “inimical” or “derogatory” remarks about the Constitution or a constitutional body. The mere existence of this provision has a considerable chilling effect on civil society.

GENDER-BASED ONLINE ABUSE IS A GROWING ISSUE

Although there are a number of laws relating violence against women, they do not provide sufficient safeguards against gender-based online abuse.

These inadequacies highlight the further absence of legal framework on protection of data, and cases highlight that publication of personal data by a third person without expressed consent is emerging as a major area of concern for women in Bangladesh.

Another gap in the law regards the lack of specific penal provision targeting ‘revenge porn’: existing pornography law does not recognise the publication of ‘revenge porn’ as a distinct offence.

RECOMMENDATIONS

In order to comply with international obligations on the right to freedom of expression, ARTICLE 19 calls on the Government, National Human Rights Commission, the Election Commission and media houses to:

AMEND THE LEGAL FRAMEWORK WHICH RESTRICTS FREEDOM OF EXPRESSION ONLINE AND OFFLINE

- Decriminalise defamation by repealing Sections 499- 502 of the Bangladesh Penal Code 1860, ensuring that individuals' reputation rights can be vindicated through the civil law only;
- Fully protect the right to freedom of expression online, ensuring that any Digital Security Act repeals fully, and does not replicate, content-based offences in Section 57 of the ICT Act 2006 (as amended); and
- Cease harassment of individuals under the ICT Act 2006 (as amended in 2013) for exercising their rights to freedom of expression, as well as quashing existing convictions for such cases, and dropping outstanding investigations and charges.

PROTECT MEDIA FREEDOM

- Finalise the draft National Broadcasting Act 2016 and ensure its compliance with international human rights law and freedom of expression standards, ensuring the independence of the Broadcasting Commission, with powers to deliver sanctions limited to proportionate administrative sanctions.

PROTECT FREEDOM OF ASSOCIATION

- Urgently reform the Foreign Donations (Voluntary Activities) Regulation Act, in particular to remove Section 14, to ensure the law's compliance with international human rights law on freedom of expression and association.

ENSURE SAFETY OF JOURNALISTS, BLOGGERS, AND HUMAN RIGHTS DEFENDERS, AND TACKLE IMPUNITY

- Ensure that public officials at all levels publicly condemn violations against journalists, bloggers and HRDs, and commit to ensure justice for those targeted, especially where State actors are implicated;
- Consider the appointment of dedicated personnel with special training for the investigation of cases of violations against freedom of expression;
- Enact legislation to recognise an aggravated category of "crimes against freedom of expression," where persons have been targeted for the exercise of this right;
- Provide training to law enforcement authorities on the safety of journalists, bloggers and HRDs, including how to ensure the protection of those at risk;
- Revise guidance to investigating law enforcement authorities, in order to ensure that perpetrators of crimes against journalists and communicators are swiftly identified, and crucial evidence collected;

- Ensure the availability of concrete protection measures for journalists, bloggers and HRDs identified as at risk of violence, tailored to the individual's specific needs;
- Provide training on crimes against freedom of expression, including gender-specific crimes, to relevant law enforcement officials, including the police, prosecutors and judiciary;
- Collect and regularly publish data on the status of investigations and/or prosecutions in cases relating to crimes against journalists and bloggers, and share these with relevant international organisations and mechanisms;
- The National Human Rights Commission in Bangladesh (NHRCB) should establish a dedicated Sub-Committee to address violations of freedom of expression and information and ensure that violations of right to freedom of expression is prioritised as a major human rights concerns including on the safety of journalists and freedom of expression online;
- Media houses should adopt equality action policies, anti-harassment guidelines to address discrimination and harassment of women, including in terms of pay and promotion; and
- Media houses should make a clear commitment to support their staff when they are the subject of violations and/or legal harassment, including by supporting them to take legal action against the perpetrators.

PROTECT JOURNALISTS, MEDIA WORKERS, AND COMMUNICATORS FROM ELECTORAL VIOLENCE

- The Election Commission should take prompt and effective measures to protect journalists, media workers and communicators from electoral violence and ensure that necessary guidelines are formulated in consultation with journalists, freedom of expression and human rights organisations, election experts and observers, largely disseminated and rigorously implemented. Special attention should be given to protect freedom of expression and safety of journalists and media workers working at the district levels; and
- Journalists and Media leadership should formulate action plans to address violations against journalists and media workers working at the district levels.

ADDRESS GENDER-BASED ONLINE ABUSE

- Review frameworks relating to 'revenge porn' and formulate specific laws, or amend existing law dealing with pornography to address the growing problem of 'revenge porn'; and
- Ensure stronger implementation of the sexual harassment directives given by the High Court in workplaces and academic institutions, with clear directives on online sexual harassment.