



SOLIDARITY AND SURVIVAL: THE STORY OF SOUTH ASIA

BANGLADESH COUNTRY REPORT

BANGLADESH

Fifty Years of Struggle

In December 2021, Bangladesh marked 50 years of independence, celebrating the day that people achieved liberation from Pakistan with the historic slogan, “Joy Bangla,” meaning “Victory to Bengal”. In 1971, the slogan stemmed from a yearning among Bengalis to express themselves freely in their native language, retain control of their rich cultural heritage and govern themselves in a democracy. Five decades later, while the country has achieved significant landmarks in economic and human development, a climate of fear of speaking too freely stifles its people. And when the right to freedom of expression of a citizen is curtailed, the media cannot enjoy freedom separately.

Bangladesh saw a near ninefold increase in cases filed under the Digital Security Act (DSA) in 2021 for perceived online criticism of officials including the prime minister and the country’s founder, compared with 2020, according to a report by the Ain-O-Salish Kendra (ASK), a leading human rights organisation. Released on December 31, 2021, the report said the “DSA was used to curb people’s rights of freedom of expression.” As many as 1,134 cases were filed last year against journalists and alleged government critics under the online security law. In comparison, 130 cases were filed in 2020 and 63 cases in 2019.

Even as Bangladesh observed its Golden Jubilee throughout 2021 marking its independence, the year also witnessed events involving rights violations including communal unrest, enforced disappearances, rapes, border killings, the killing of a Rohingya leader and extrajudicial killings.

In November, the United States imposed financial sanctions against the elite paramilitary agency the Rapid Action Battalion (RAB) and six current and former RAB officers over alleged serious human rights abuses. Established in 2004, with the support of the US and UK as a counterterrorism and anti-drugs force, over the years the RAB has been credibly implicated in extrajudicial killings, torture, and enforced disappearances. It has morphed into what Human Rights Watch (HRW) calls a “political death squad”.

The lack of checks and balances in Bangladesh are symptoms of a decaying democracy, which also contributes to violations of media freedom and a fragile media environment.

“Lack of democracy is the main impediment. Then comes the question of inconsistent laws, regulations and all other issues that stifle media,” said Sohrab Hasan, joint editor of *Prothom Alo*, the largest circulating daily in Bangladesh.

Seven leading journalists, press freedom activists and media experts including *Amader Arthoniti* editor, Nayeemul Islam Khan; news editor of the daily *New Age Shahiduzzaman Shahid*; Dhaka Reporters Unity president, Nazrul Islam Mithu; and its former general secretary, Razu Ahmed, who were interviewed for this report all identified a weak democracy as the main barrier to press freedom.

“Decaying democracy is at the root of all problems when the Digital Security Act has become a name that creates fear for people, and mostly for journalists,” said Faruq Faisel, the South Asia director of international press freedom watchdog Article 19.

Senior journalist MA Aziz, a key figure in leading the pro-opposition (BNP-Jamaat-e-Islami alliance) faction of the Bangladesh Federal Union of Journalists (BFUJ) since its bifurcation in 2002, said: “Press freedom depends on the health of the democracy. But democratic rule is not functioning properly here, so media freedom cannot be expected in such a situation.”

But Iqbal Sobhan Chowdhury, the man who led the pro-government (Awami League) faction of journalists’ union for two-decades while agreeing that democracy was weak, does not believe that the press freedom situation has worsened. “I will not say worsened, I would say that the challenges for the media are now multiple. Media houses are mushrooming; many belong to the corporate houses, others are aligned with political parties. This type of ownership is creating some limitations for the media freedom,” he said.

Iqbal Sobhan, a former media adviser to Prime minister Sheikh Hasina, pointed to increasing intolerance in society. “The first victim of this is media or freedom. But despite all the limitations and weaknesses, the media is still trying to assert itself and operate independently. As the political situation is heating up in view of the general election next year, there will be political uncertainties and turmoil. So, the media can be in trouble because everyone, the government or the opposition, will try to use media. So, things are getting very challenging for the media in Bangladesh.”

The media in Bangladesh has a long history of struggle and now is no different, according to Sobhan. “It withstood military rulers, autocratic regimes and even elected governments, which wanted to control the media. So, I believe that despite all the challenges media will not easily succumb to the pressures and will try to uphold its freedom,” he said.

Youthful surge

Bangladesh has as many as 1,227 daily newspapers with a reported circulation of 10 million, according to a disclosure made by Information Minister Mohammad, Hasan Mahmud, in the parliament on February 3, 2020. Twelve years ago, there were only about 450 newspapers and 10 television stations. There are now 34 channels and hundreds of online news portals across the country.

Despite such a large media industry, activists point to the unhealthy atmosphere to speak freely since governments of all ideologies have attempted to manipulate the press. Yet, media with all its limitations and with all its weaknesses is still showing its own strength and managing to exist despite that political pressure and the erosion of professional and constitutionally mandated bodies to represent the interests of journalists and media workers.

The Bangladesh population aged 15 years and over is around 115 million, or more than half the total population as per the Bangladesh Bureau of Statistics (BBS). According to the National Media Survey 2021, published by UK based market-research company Kantar on March 29, 2022, at least 18.3 per cent of the people of this age in the country read newspapers.

Of the people aged 15 or over, 83.6 per cent regularly watch television and 13 per cent listen to radio. The use of internet is spreading rapidly and an estimated 47 per cent of Bangladeshis regularly use the internet. If this youthful population is to be tapped to fulfil the democratic population of the media, the growth in digital media would logically feed into this need.

But growth in the media is taking place amidst severe challenges.

Harassing the messenger

Monitoring the problems for media workers on the ground is a critical need. There is no national media monitoring mechanism undertaken by journalist unions to global bodies such as the IFJ or others, so the real story on the ground rarely gains traction with international outlets or in platforms like this report. The IFJ says that without an affiliate in the country advocating by and for journalists at a national and international level, then media workers are not advocating collectively on these issues and the defence mechanism is weak. A gaping hole remains in shining a light on the issues for Bangladesh journalists to seek redress, it said.

Ain o Salish Kendra (ASK) is a legal aid and human rights organisation in Bangladesh with UNECO consultative status and does its own monitoring on media. It reports that at least 210 journalists were targeted by attacks, threats or harassment from law enforcers, government officials and other influential people from January to December in 2021.

During the first three months of 2022, ASK reported a total 58 incidents of harassment of journalists on the basis of news stories published in various newspapers. The incidents include 21 incidents of physical assault while performing professional duties, seven cases filed against published news and 30 cases of torture or threat by different quarters including two by law enforcing agencies.

A compilation of monthly reports posted on ASK website reveals a total of 147 incidents against journalists including 27 cases filed against published news from April to December 2021. So, the total number of incidents of journalist harassment from April 1, 2021, to March 31, 2022 stands at 205.

The IFJ reported the cases of 11 violations including the April 13 murder of Mohiuddin Sarkar Nayem of *Dainik Cumillar Dak* in Cumilla, Chittagong. The journalist was shot dead by drug dealers allegedly for his reporting on illegal drug trafficking on the India-Bangladesh border area.

Meanwhile, a tribunal in South-eastern Sylhet district on March 30 pronounced a long-awaited verdict in the case for killing blogger Ananta Bijoy Das on May 12, 2015. The court sentenced four persons in relation to the murder – though three remain at large. One accused was acquitted. The guilty were handed down death sentences.

Between 2013 and 2016, Bangladesh saw a series of deadly attacks on bloggers, secular activists and religious minorities, claimed by Islamic militants. None of the cases saw conclusion of the trial process as the cases have been remaining pending with different courts. The April 13, 2022, verdict of a Dhaka court sentencing to death four of those accused of murdering one of the most revered secular writers Professor Humayun Azad in 2004 provides a glimmer of hope

that the wheels of justice are turning, albeit very slowly. But the fight against impunity has a long way to go.

Persecution via law

On May 6, 2021, a case under the DSA was filed against Salah Uddin Shoaib Choudhury, editor of the tabloid *Weekly Blitz*, who was previously arrested in November 2003, as he tried to travel overseas to participate in a conference.

To avoid persecution, several professional journalists, secular bloggers and political activists belonging to opposition BNP and Jamaat-e-Islami fled Bangladesh and subsequently found asylum in different countries in Europe and America. Many of them have since become harsh critics of the regime of Sheikh Hasina's Awami League, using the internet to express their opinions – but it comes at a risk for their families.

Nusrat Shahrin Raka, the sister of Kanak Sarwar, exiled Bangladeshi journalist based in New York, was picked up by RAB in the early hours of October 5, 2021, along with her three young sons. The boys were released but Raka was implicated in two cases, one under the DSA and another under the Narcotics Control Act. RAB in a press release that day accused Raka of being an “active member of an anti-state propaganda and conspiracy circle” with Kanak Sarwar and referred to him as a “traitor.”

The authorities, Kanak Sarwar and some rights bodies alleged had targeted Raka in retaliation for Sarwar's criticism of the Bangladesh government on his YouTube channel, *Kanak Sarwar News*. Sarwar is the former senior correspondent for the satellite channel Ekushey TV. Authorities earlier had kept him detained from March 3 to November 16, 2015, on accusations of sedition. On December 8, 2020, the Bangladesh High Court directed authorities to block Sarwar's social media pages on allegations of spreading rumours and false propaganda against Bangladesh staying abroad.

“The persecution of Raka signals that authorities will use drastic means to silence critical reporting, whether in Bangladesh or abroad, amid an intensifying assault on the fundamental right to freedom of expression,” 15 press freedom and human rights organizations said in joint letter to the Bangladesh authorities on March 19. Apparently, the battalion planted illegal drugs at crime scenes as well to manufacture evidence of narcotics possession.

Raka was released on bail on March 30 after languishing in prison for six months.

Power of protest

On May 17, 2021, a few weeks after the global observation of Press Freedom Day, Rozina Islam, a reputed investigative reporter with the daily *Prothom Alo* was kept illegally confined and coerced by staff in an office room of the Health Ministry inside the Bangladesh Secretariat for more than six hours on allegation of stealing information. She was handed over to a police station in the evening. Journalists across the country were outraged by viral photographs of her humiliation and torture which were circulated widely and flooded social media with their protest posts.

But government officials did not relent. Instead, the Health Ministry accused Rozina of taking pictures with

her mobile phone of “secret documents” on coronavirus vaccines. The colonial-era Office Secrets Act was used against her, unprecedented in Bangladesh’s history. Rozina was taken to the court with a huge police barricade apparently in a show of the government’s strength against the people’s will. But the people’s voice continued to become louder and global voices for press freedom added to the clamour. On May 23, 2021, the Dhaka Chief Metropolitan Magistrate Court granted bail to Rozina Islam on condition that she surrenders her passport.

Though she was released on bail, the case against her has not yet been withdrawn. Her passport, mobile phone and accreditation card used to carry out professional duties at the secretariat have also not been returned.

With this bitter experience, journalists’ organisations are urging the government either to repeal the Office Secrets Act or revise it to bring it in line with international law and standards. But the government is unmoved.

Rozina Islam received the 2021 Free Press Award for courageous journalism in the ‘Most Resilient Journalist’ category, awarded by Amsterdam-based organisation Free Press Unlimited.

Digital muzzle

The Digital Security Act (DSA) 2018, purportedly aimed at safeguarding people in cyber space, is routinely being used as an instrument to muzzle the media and stifle critics. Amidst persistent demands from journalists and others, the government amended the draconian Section 57 of the ICT Act of 2007 but replaced it with the more stringent DSA.

The DSA empowers police to make arrests on mere suspicion, without a warrant. Fourteen of its 20 provisions do not allow for bail, so when those accused are brought before a magistrate, they are almost automatically sent to jail. In addition to mandating punishment for those who hurt religious sentiments or destroy religious harmony, the DSA also punishes “any kind of propaganda or campaign against liberation war, spirit of liberation war, father of the nation, national anthem or national flag.”

Law Minister Anisul Huq and Foreign Minister MA Momen have admitted that “The law has been abused and misused in some cases.” The law minister also assured that the government would amend the DSA, if necessary.

Labour wrongs

Journalists have long been demanding the revival a special labour law styled on the Newspaper Employees (Conditions of Service) act 1973, which recognised journalists’ right to form trade unions. The law was repealed in 2006 placing journalists under the Bangladesh Labour Act, 2006.

On March 29, 2022, the government tabled the new “Mass Media Employees (Services Conditions) Bill 2022” in the parliament adding more worry to journalists and employees in the media industry. Rather than guaranteeing job security, it would curtail some established rights and benefits of media workers. Section 12 of the bill gives media owners the right to lay off additional staff while Section 14 contains a dangerous provision to dismiss workers for misconduct, without providing any definition. Article 25 does not make the formation of a minimum-wage board compulsory; it is at the government’s discretion. Similarly,

formation of pension and gratuity funds has been left to owners’ discretion.

Journalists have lodged strong opposition to the bill and the Information Minister, Hasan Mahmud, has reportedly assured journalist leaders that amendments will be considered.

New instrument in the offing

While the DSA has been repeatedly proven to criminalise free speech, the authorities promised to enact another law, the Bangladesh Telecommunication Regulatory Commission (BTRC) Regulation for Digital, Social Media and OTT Platforms 2021, but this one too contains vague provisions and ample power for the government to penalise users of the digital space. The government made a set of proposed regulations public on February 3, 2022.

The initiative has sent global tech companies and rights bodies into a state of panic. Global Network Initiative (GNI), a collective whose members include Meta, Microsoft, Uber, Zoom, Telenor Group, Yahoo, Google, Nokia, Vodafone, Verizon, Human Rights Watch, Wikimedia, Committee to Protect Journalists and others, sent a letter to BTRC expressing alarm.

They believe it to be another potential repressive handle to muzzle dissent and weaken online safety. Transparency International Bangladesh in a statement on April 3 said the proposed regulation, if approved without a thorough revision, would make Bangladesh a surveillance-based society.

The regulations require social media platforms to obtain registration certificates from the Commission; take measures against users in cases of violations of the code of conduct and to appoint an official for Bangladesh to execute the instruction of the court, the government and the Commission in cases of code of conduct violations. If the regulations are enforced, social media platforms will be required to block both content and the users concerned with such violations and remove the content or disable the account within 72 hours. The platforms will also be responsible for identifying the originator of any content that would contradict the code of conduct and for not displaying or uploading anything that could threaten the security or sovereignty of Bangladesh, friendly relation with foreign countries, law and order or prevent investigation of any offence. Rights activists say that such clauses could easily be misused and abused by the government for political gains, as the Digital Security Act has largely been.

The regulations would imperil people’s freedom of expression and right to privacy and have deleterious impact on human rights and put journalists, dissidents, activists and vulnerable communities at greater risk and urged the authorities to withdraw its decision.

Hate speech on social media

Bangladesh remains a risky place for the nonbelievers and believers of religions other than Islam. The country witnessed numerous attacks on religious minorities, especially Hindus in 2021. Hindus are frequently jailed for spreading rumours on Facebook about defaming Islam and fanatic mobs routinely carry out arson attacks on their homes.

The country witnessed widespread attacks against Hindus during the Durga Puja festival in October 2021. Six people

were reportedly killed and houses and properties and places of worship were demolished by furious mobs. Police later discovered that a Muslim youth reportedly placed the holy Quran in a temple to manufacture Facebook propaganda of defaming the Muslims' holy book to instigate attacks on minorities. The Supreme Court, however, has stalled a judicial enquiry into the issue.

In an incident of hate crime on April 2, 2022, Lata Samaddar, a female Hindu teacher of Tejgaon College in Dhaka was harassed in broad daylight by a policeman in the capital's Farmgate area simply for wearing a traditional bindi on her forehead. News of the incident spread quickly on social media, drawing a severe backlash. Members of various women's rights organisations took to the streets to protest the despicable act.

Hriday Mandal, a science teacher at Binodpur Ramkumar High School in Munshiganj district was arrested on March 22, 2022, as some tenth-grade students recorded a class conversation of Hriday on science and religion and released it on Facebook and YouTube. A protest was launched against the teacher for allegedly defaming Prophet Muhammad. Rights groups denounced his arrest as an attempt to curtail freedom of expression and science education in the country.

The teacher was released from Munshiganj jail after securing bail in the case over 'hurting religious sentiment' on April 10. But anti-minority attacks did not end. On the night of April 12, the house of a Hindu family was vandalised and set on fire at Morrelganj in Southern Bagerhat district pertaining to an allegation that a young member of the family had made a Facebook post where he allegedly demeaned Islam and that had reportedly hurt the people's religious sentiment. Police took the Hindu youth, Kaushik Biswas, aged about 25, into custody.

Self-censorship

The issue of self-censorship is causing a crisis of confidence for the media in Bangladesh. A complete blackout of some incidents of communal atrocities are matters of concern. Not only because of government and political pressure, but also for commercial reasons, we have seen an example of 'story killing' or 'suppressed journalism' in the media in Bangladesh.

The death of Mosarat Jahan Munia in April highlighted the character of a large section of Bangladesh's media in a way that called into question its credibility. On April 26, police recovered the body of Mosarat Jahan Munia, a 21-year-old girl, from a flat in the capital Dhaka. A rape and murder case was filed against Sayem Sobhan Anvir, the country's richest person and managing director of Bashundhara Group and seven others in connection with it.

Although the news was published on the front page of one or two of the leading newspapers of Bangladesh, in some newspapers the news was buried insignificantly on the inside pages. Munia's family named the media tycoon as the main accused in the case, but his name has not been released in most media. Some Bangladeshis have become outspoken and expressed their anger through social media. Even many of the journalists questioned the role of the media organisations in reporting the case. The practice of over enthusiastic criticism and character assassination of the dead girl was marked in many media. Similarly, the coverage of the fire at the Hashem Food Factory in Rupganj

of Narayanganj that claimed lives 52 people, on July 10 by the mainstream media in Bangladesh was also questioned in the social sites.

Disinformation is rife

The 'crisis of distrust' in the media of Bangladesh is fuelling the spread of rumours and misinformation. Because of the crisis of trust and confidence, the media is creating distance with the public as people lose confidence in the mainstream media. The lines between verified news, misinformation and rumours have become blurred as readers become more dependent on social media as a source of 'news'.

Almost every day in Bangladesh, some kind of fake information goes viral. In addition to being shared by celebrities, many established mainstream media and online portals are also publishing and disseminating it as 'news'. In so doing, the mainstream media appears to be focusing more on the people's preferences than on the basic principles of information scrutiny and professional journalism.

At the same time, the trend of rehashing of events missed by some broadcasters on several occasions each year has called into ethics of the mainstream media into serious question. The credibility of television journalism was once again at stake when the visual reconstruction of the corona vaccination at the clinic of Minister AQM Mozammel Hoque's Secretariat on February 16 went viral on social media. The minister had to pose for receiving the vaccine for a second time, at the request of some media who missed covering the real event, making a mockery of live coverage of news by the electronic media.

Loss of readers

The tendency of people to be overly inclined towards digital platforms has added to the crisis of the mainstream media in Bangladesh. The main source of income for television and newspapers in Bangladesh is private advertising, especially from advertisements of multinational companies. But, with the proliferation of digital platforms, especially Google, Facebook, etc., the main source of revenue for the media is now jeopardised.

Multinational companies, the largest investors in Bangladesh's media advertising market have almost stopped advertising on domestic television since September 2021 due to the pandemic impacts and other reasons. As a result, some channels in Bangladesh may fail to pay the satellite bill in the days to come. In this crisis, some institutions may shutter and there is the risk that many more journalists will lose their jobs.

Looking ahead

Munia's death exposed the weaknesses of the Bangladesh media and showed how the media, especially the online news portals and online channels, can be misused to spread falsehoods against the weaker sections of the society, while failing to speak truth to power. Though some judicial interventions have attempted to correct wrongs, the institutional basis for ethics in Bangladeshi journalism continues to be weak.

In response to petitions on media coverage following Munia's death, the High Court on August 16, 2021,

issued a rule in favour of a “Code of Ethics” to maintain high standards of professionalism in newspapers, news organisations and among journalists. Likewise, on September 14, the High Court directed the BTRC and Bangladesh Press Council to shut down all unregistered online news portals in the country within seven days. Immediately after this, the Ministry of Information took the initiative to shut down so called ghost magazines, unregistered online portals and internet channels which are not open to scrutiny.

However, not everything was negative for the media in Bangladesh in the past year. Some positive aspects have also been noticed with a proactive effort to turn the media industry around from the outbreak of the coronavirus pandemic. Another positive development is a display of solidarity among journalists. Upon the arrest of journalist Rozina, the long-standing polarisation of the media community on political lines did not hinder unity to press for the cause of media freedom. The unprecedented wave of protests against the harassment of a journalist across the country proves that the demand and capacity for good and objective journalism in Bangladesh are both strong. •

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Afghan Independent Journalists' Association
Afghanistan's National Journalists Union
Bangladesh Manobadhikar Sangbadik Forum
Federation of Nepali Journalists
Federation of Media Employees' Trade Unions, Sri Lanka
Free Media Movement, Sri Lanka
Indian Journalists' Union
Journalists Association of Bhutan
Maldives Journalists' Association
National Union of Journalists, India
National Union of Journalists, Nepal
Nepal Press Union
Pakistan Federal Union of Journalists
Sri Lanka Working Journalists' Association

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The full IFJ South Asia Press Freedom Report 2021-22, including a full list of known cases of media rights violations and jailed and detained journalists is available at: <https://samsn.ifj.org/SAPFR21-22>

See also the IFJ SAMSAN Digital Hub for all rights monitoring, advocacy and actions of IFJ affiliates and the SAMSAN network in South Asia: <https://samsn.ifj.org/>

Front cover: Police escort investigative journalist Rozina Islam to a court in Dhaka on May 18, 2021, a day after being arrested on accusation of stealing documents and taking images by the health ministry. Islam was kept illegally confined and coerced by staff in an office room of the Health Ministry inside the Bangladesh Secretariat for more than six hours before being handed over to police. Journalists across the country were outraged by viral photographs of her humiliation and torture.
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