

**Flygtningenævnets baggrundsmateriale**

|                                 |                                      |
|---------------------------------|--------------------------------------|
| <b>Bilagsnr.:</b>               | <b>235</b>                           |
| Land:                           | Bangladesh                           |
| Kilde:                          | Freedom House                        |
| Titel:                          | Freedom on the Net 2015 – Bangladesh |
| Udgivet:                        | 2. november 2015                     |
| Optaget på baggrundsmaterialet: | 23. december 2015                    |

[EN](#) | [DE](#)

- **Source:**  
Freedom House
- **Title:**  
Freedom on the Net 2015 - Bangladesh
- **Publication date:**  
02 November 2015
- **ecoi.net summary:** Report on digital media and internet freedom (covering June 2014 - May 2015) [ID 314178]
- **Countries:**  
Bangladesh
- **Original link** <https://freedomhouse.org/report/freedom-net/2015/bangladesh>

**Recommended citation:**

Freedom House: Freedom on the Net 2015 - Bangladesh, 02 November 2015 (available at ecoi.net)  
[http://www.ecoi.net/local\\_link/314178/438659\\_en.html](http://www.ecoi.net/local_link/314178/438659_en.html) (accessed 15 December 2015)



## Freedom on the Net 2015 - Bangladesh

Status:

Partly Free



Total Score:

51

(0 = Best, 100 = Worst)

Obstacles to Access:

12

(0 = Best, 25 = Worst)

Limits on Content:

12

(0 = Best, 35 = Worst)

Violations of User Rights:

27

(0 = Best, 40 = Worst)

**Quick Facts**

|                                   |               |
|-----------------------------------|---------------|
| Population:                       | 158.5 million |
| Internet Penetration:             | 10 percent    |
| Social Media/ICT Apps Blocked:    | Yes           |
| Political/Social Content Blocked: | Yes           |
| Bloggers/ICT Users Arrested:      | Yes           |
| Press Freedom Status:             | Partly Free   |
| Key Developments:                 |               |

## June 2014 - May 2015

- Four bloggers were murdered in 2015, allegedly by religious extremists. Abhijit Roy, Washiqur Rahman, Ananta Bijoy Das, and Niladri Chattopadhyay Niloy were fatally attacked in separate incidents in February, March, May, and August of 2015 respectively (see **Intimidation and Violence**).
- In September 2014, a local court sentenced a mobile phone user to seven years in prison under the ICT Act (see **Prosecutions and Detentions for Online Activities**).
- The BTRC briefly blocked social messaging applications for four days in January 2015 in relation to political violence (see **Restrictions on Connectivity**).
- Campaigners across the political spectrum embraced digital tools in advance of local elections in two major cities (see **Digital Activism**).

### Introduction:

The year 2015 saw the highest number of fatal attacks against online activists in Bangladesh on record. Abhijit Roy, Washiqur Rahman, Ananta Bijoy Das, and Niladri Chattopadhyay Niloy were fatally attacked, each in separate incidents in 2015, in reprisal for views they had expressed online. Attacks on secular bloggers started in 2013, when Asif Mohiuddin was first attacked by extremists, and blogger Ahmed Rajib Haider was killed outside his home. Censorship did not increase in the past year, but the attacks, combined with the threat of arrest under the ICT Act, created a climate of intimidation that fostered self-censorship and mistrust.

The government of the Bangladesh Awami League party under Prime Minister Sheikh Hasina officially encourages open internet access and communication as core tools for development. Private commercial stakeholders have also helped in the proliferation of internet usage. Bangladesh further benefits from a vibrant—if often partisan—traditional media industry, though journalists face threats and legal constraints.

Checks on bloggers and online activity are arguably harsher due to the 2006 Information and Communication Technology (ICT) Act. The act was used for the first time in April 2013 to arrest four bloggers who had been vocal on different social issues and mostly wrote against religious extremism. By August 2013, an amendment was passed increasing the penalty to a minimum of 7 years, up to a maximum 14 years in prison.<sup>[1]</sup> Police no longer need a warrant to make arrests under the amended act, and the number of prosecutions is increasing. In September 2014, a local court sentenced a 25 year old to seven years in prison under the ICT Act for recording songs which parodied the prime minister and the father of the nation and sharing them on his phone. At least two other arrests were made for comments involving the prime minister.

### Obstacles to Access:

*The number of internet users in Bangladesh is steadily on the rise. Approximately 96 percent of users access the internet via mobile phone providers, which recently began offering faster 3G service. The government has decreased the price of bandwidth significantly over the last decade. However, users complain about the high cost of private internet service.*

## Availability and Ease of Access

The International Telecommunication Union reported internet penetration in Bangladesh at 9.6 percent in 2014, up from 6.6 in 2013.<sup>[2]</sup> Government estimates were closer to 30 percent.<sup>[3]</sup> Mobile penetration rose from 74 in 2013 to 76 in 2014, according to the Bangladesh Telecommunication Regulatory Commission.<sup>[4]</sup> While ICT usage is increasing fast, Bangladesh is lagging behind globally. The World Economic Forum's 2013 global IT report ranked Bangladesh 114 out of 144 countries worldwide, with infrastructure and regulatory environment scoring poorly, though overall communication service was comparatively affordable, a factor that is driving growth.<sup>[5]</sup> The government has decreased the price of bandwidth significantly over the last decade.<sup>[6]</sup> However, users complain about the high cost of private internet service. The ability to access localized information and create content in Bengali has contributed to the popularity of local blog hosting services.<sup>[7]</sup>

Although no statistics are available, the higher concentration of economic activities and critical infrastructure in urban areas indicates there are likely to be more internet users in cities. The government's 2009 "Digital Bangladesh by 2021" program seeks to integrate internet access with development efforts in national priority areas, such as education, healthcare, and agriculture.<sup>[8]</sup> By 2011, the government had established 4,501 centers around Bangladesh providing low-cost internet access and related e-services in poorer communities.<sup>[9]</sup>

## Restrictions on Connectivity

The government occasionally restricts the use of mobile telephones during the time of local and national elections. On January 2015, the government briefly blocked mobile voice and messaging applications to curb violence (see Blocking and Filtering).

Bangladesh's physical internet infrastructure was historically vulnerable, relying on the undersea cable SEA-ME-WE-4, which connects Southeast Asia, the Middle East, and Western Europe, for its backbone.<sup>[10]</sup> Since late 2012, however, Bangladesh is also connected via an international terrestrial cable managed by private companies, reducing the risk of being completely cut off.<sup>[11]</sup>

## ICT Market

Approximately 96 percent of users access the internet via mobile phone providers, which only recently began offering faster 3G service. The remainder subscribe to fixed lines, either through a traditional internet service provider (ISP), the fixed telephone network (around three percent), or via one of the three wireless WiMax operators (one percent).<sup>[12]</sup> In 2014, 61 ISPs were operating nationwide as members of the official industry body, the ISP Association of Bangladesh.<sup>[13]</sup>

Mobile connections are provided by six operators.<sup>[14]</sup> Grameen Phone, owned by Telenor, is the market leader with 42 percent of the total customer base, followed by Orascom's Banglalink with 26 percent, and Robi, under the Axiata company, with 21 percent. The remaining three, Airtel, Citycell, and the state-owned Teletalk, had a total customer base of 11 percent at the end of 2014. As of 2015, all except Citycell offered 3G services.<sup>[15]</sup>

## Regulatory Bodies

The Bangladesh Telecommunication Regulatory Commission (BTRC), established under the Bangladesh Telecommunications Act of 2001, is the official regulatory body overseeing telecommunication and related ICT issues in Bangladesh. However, the current administration amended the act in 2010, passing telecommunications regulation to the Ministry of Post and Telecommunications and making the BTRC an auxiliary organization.<sup>[16]</sup> This move created administrative delays in a number of basic processes like the announcement of new tariffs or license renewals.<sup>[17]</sup> Recently, the Ministry of ICT merged with the Ministry of Post and Telecommunications, with the goal of streamlining many ongoing projects and related industries.<sup>[18]</sup> In addition, the prime minister's office has an Access to Information (A2I) program supported by the United Nations Development Program, which has considerable influence over top-level ICT-related decision making.<sup>[19]</sup>

Limits on Content:

*The BTRC briefly blocked a handful of communication applications for four days in January 2015 for security reasons. Campaigners across the political spectrum embraced digital tools in advance of the city corporation elections in Dhaka and Chittagong, two major cities. There were no reports of state manipulation of online content.*

## Blocking and Filtering

Domestic websites, including the most popular news sites, *ProthomAlo*, *BDNews24*, and *Banglanews24*, are yet to face any targeted blocking. International social media and communication apps, however, are regular victims of government censorship in Bangladesh. In early 2015, several social network applications were blocked or severely disrupted for four days. Mobile service providers were ordered to block Viber, WhatsApp, LINE, Tango, and mypeople.<sup>[20]</sup> supposedly on grounds that terrorists were using the platforms, which are also used by opposition activists and other internet users. In 2012 and 2013, netizens in Bangladesh also experienced blocks on YouTube and Facebook. During these earlier instances, the blocks appeared to be implemented on a more ad hoc basis. On January 19, 2015, mobile operators reported receiving official, written directives from the BTRC to block access to the applications until January 21, when the services became accessible again.<sup>[21]</sup> No appeals have been documented in response to censorship directives. Such opaque content regulation has resulted in self-censorship by social media users, bloggers, and online news media.

## Content Removal

The BTRC censors content relating to religious issues or offending state leaders primarily by issuing informal orders to domestic service providers, who are legally bound through their license and operations agreements to cooperate. Service providers describe official censorship as ad hoc in nature, without proper follow up mechanisms in place to ensure compliance.<sup>[22]</sup> In addition, online news outlets do not have the government recognition granted to traditional, licensed press organizations, leaving them in a regulatory limbo. International companies are also subject to content removal requests.

In 2013, the government formed an official committee to identify bloggers who had allegedly demeaned the spirit of Islam.<sup>[23]</sup> The committee participated in discussions with clerics to produce a list of bloggers and Facebook users they alleged had published blasphemous anti-Islamic content.<sup>[24]</sup> Though there were more than 80 names on the list, the BTRC subsequently directed domestic blog-hosting platforms to close the accounts of just four bloggers it identified as “antireligious elements.” All four were prominently involved in the Shahbag movement,<sup>[25]</sup> which had come into conflict with ultra-religious groups as well as the administration, which they accused of poor governance. They were subsequently arrested (see Prosecutions and Detentions for Online Activities). The owners of the host platforms reported that officials never used court orders to support the action.<sup>[26]</sup>

## Media, Diversity, and Content Manipulation

Online media practitioners and social media opinion makers reported a climate of self-censorship among social media users, bloggers, and online news media on political and religious topics during the coverage period of this report, which saw fatal attacks on bloggers and several criminal charges in relation to digital activity (see Prosecutions and Detentions for Online Activities). However, no commentators with undeclared sponsorship have been documented manipulating online debate in favor of one side or the other. There were also no documented economic constraints specifically targeting online media outlets imposed by the government or other institutions.

Despite the practice of self-censorship and attacks on bloggers, Bangladesh is still enjoying a vibrant offline and online media industry, and the number of active bloggers is growing. The BTRC has identified 48 active domestic blog hosting platforms, including SomewhereinBlog, Amarblog, and Shocholayoton.<sup>[27]</sup>

## Digital Activism

The Shahbag movement, which was initiated by the Bangladesh Online Activists' Network, is the country's most significant example of online activism to date. The protests coalesced around a February 2013 war crimes tribunal verdict involving a political leader and quickly took on a political element.<sup>[28]</sup> In its early stages, the movement spread through blogging, Facebook, and mobile telephony.<sup>[29]</sup> Twitter, use of which had been rare in Bangladesh, gained popularity as a tool to broadcast information about Shahbag.<sup>[30]</sup> During the coverage period of this study, no comparable instances of online activism took place in Bangladesh. Several groups in the capital, Dhaka, used digital tools to arrange fundraising events to help people affected by severe winter weather in the northern part of the country. The event drew significant participation and received mainstream media coverage as well.<sup>[31]</sup>

Major political parties significantly increased their online activity during the two major city corporation elections in April 2015.<sup>[32]</sup> For the first time in the country's history, netizens used social media to collaboratively develop and circulate populist election agendas among voters and candidates.<sup>[33]</sup>

### Violations of User Rights:

*The year 2015 saw the most casualties for online activists in Bangladesh on record. Bloggers Abhijit Roy, Washiqur Rahman, Ananta Bijoy Das, and Niladri Chattopadhyay Niloy were fatally attacked, allegedly by religious extremists, in separate incidents in February, March, May, and August of 2015, respectively. In September 2014, a local court sentenced mobile phone user Tonmoy Mollick to seven years in prison under the ICT Act for making parody songs mocking the prime minister and the father of the nation and sharing the song with others. There were at least two other arrests for criticizing or making fun of the prime minister and the government.*

## Legal Environment

Article 39 (1, 2) of Chapter 2 in the Constitution of the People's Republic of Bangladesh recognizes freedom of thought, conscience, and speech as a fundamental right.<sup>[34]</sup> Online expression has been traditionally considered to fall within the scope of this provision. The judicial system of Bangladesh is independent from the executive and the legislative branches of government, but critics say it can be partisan. Police and regulators generally bypass the courts to implement censorship and surveillance without oversight.<sup>[35]</sup> The Information and Communication Technology Act of 2006 is the primary legal reference for addressing issues related to internet usage, and defining as well as protecting freedom of expression online.<sup>[36]</sup> It introduced punishments for citizens who violate others' rights to communicate electronically: Section 56 of the act defined hacking as a crime punishable by up to three years in prison, a fine of BDT 10,000,000 (US\$125,000), or both. However, under Section 57, different types of violations on social, political, and religious issues made electronically are punishable by a minimum of 7 and a maximum of 10 years imprisonment and fines up to BDT 10,000,000 (US\$125,000).<sup>[37]</sup> Sections 68 and 82 respectively contain provisions for a Cyber Tribunal and Cyber Appellate Tribunal to expedite judicial work related to any cybercrime. The tribunal, to be established in consultation with

Bangladesh's Supreme Court, will be led by a government-appointed judge. The Appellate Tribunal can dissolve the Cyber Tribunal's verdicts.<sup>[38]</sup>

On August 19, 2013, the ICT act was amended and subsequently approved by the cabinet. Far from strengthening the law to protect political speech on the internet, the amendment made prison terms considerably harsher, increasing the maximum prison term to 14 years.<sup>[39]</sup> Before the amendment came into effect, police had to seek permission before making ICT-related arrests.<sup>[40]</sup> Now no warrant is required, and offences under the act are non-bailable, meaning suspects must apply for bail at a court.<sup>[41]</sup> The harsher provisions in the ICT Act may reflect the government's insecurity regarding internet activism and security.

## Prosecutions and Detentions for Online Activities

According to local police, there are around 300 cases being investigated under the ICT Act and 21 cases pending with the Cyber Tribunal, mostly dealing with issues related to social media postings.<sup>[42]</sup> In the most significant sentence of the coverage period, a local court sentenced 25-year-old Tonmoy Mollick to seven years in prison under the ICT Act in September 2014. He was on trial for making parody songs mocking the prime minister and the father of the nation and distributing them with his mobile phone.<sup>[43]</sup> On August 12, 2015, outside the coverage period of this report, a court in Dhaka sentenced a public university teacher in absentia to three years of rigorous imprisonment, which includes hard labor, in a sedition case filed for making a derogatory comment about the prime minister on Facebook in 2011.<sup>[44]</sup>

In July 2014, the police formally charged AKM Wahiduzzaman for making demeaning comments against the prime minister and her family online under the ICT Act.<sup>[45]</sup> A political activist filed a defamation case against the National University geography lecturer in 2013 for allegedly insulting Prime Minister Sheikh Hasina and her family on Facebook;<sup>[46]</sup> police filed another case against him under Section 57 of the ICT Act in March 2014.<sup>[47]</sup> In mid-2015, he was in hiding to escape the charges.

There were at least two instances where people were arrested for criticizing or making fun of the prime minister and the government. On August 2014 Major (Rtd.) Md. Shamsuzzoha, a former army officer, was arrested for making allegedly "provocative" statements on social media against leading politicians, including the prime minister. A case was filed against him under the ICT Act.<sup>[48]</sup> On September 2014, Imran Hossain Arif was arrested by police for addressing the prime minister as his sister and her son as his nephew, which was interpreted as an insult. He also faced charges under the ICT Act.<sup>[49]</sup>

Four renowned bloggers, Asif Mohiuddin, Rasel Parvez, Mashiur Rahman Biplob, and Subrata Ashikari Shuvo, were formally charged with harming religious sentiment under Section 57(2) of the ICT Act 2006 after conservative political forces branded them as anti-Islamic atheists (see Content Removal).<sup>[50]</sup> The cases have been repeatedly put on hold since then.<sup>[51]</sup>

## Surveillance, Privacy, and Anonymity

The government allows anonymous access and web posting, and does not require website owners, bloggers, or internet users to register, though citizens must provide their national identity card and related personal information to obtain a mobile connection. However, the amended Bangladesh Telecommunication Act of 2010 allows government mechanisms to intercept electronic voice or data communications from any individual or institution to ensure the security of the state without a court order; the act also requires domestic service providers to cooperate, though without clear provisions detailing procedures or penalties for noncompliance.<sup>[52]</sup>

After the January 2015 blocking of mobile voice and messaging applications like Viber, there was a popular belief that the government had acquired the capability to monitor the applications while they were inaccessible, though the fears were never corroborated and there were no reports that usage of the applications fell as a result of the rumor. The government made seven requests to Facebook for information on seventeen Facebook users from January to June 2014, but Facebook did not comply.<sup>[53]</sup>

In April 2014, the UK-based nonprofit Privacy International reported Bangladesh's Rapid Action Battalion, a special forces unit implicated in human rights abuses, was seeking to purchase mobile surveillance technology from a company based in Switzerland. The technology would allow police to "indiscriminately gather data from thousands of mobile phones in a specific area and at public events such as political demonstrations," according to Privacy International.<sup>[54]</sup> In November 2014, WikiLeaks published information on the purchase of German surveillance software by a Bangladesh law enforcement agency to monitor the country's digital traffic.<sup>[55]</sup> A news report published in late 2015, outside the coverage period of this study, documented government plans to invest in surveillance technology to strengthen their oversight of mobile phone, email, and social media communication.<sup>[56]</sup>

According to Article 43 of the country's constitution, Bangladesh recognizes its citizens' right to privacy and correspondence.<sup>[57]</sup> However, there is no specific privacy or data protection law in Bangladesh, leaving young

people vulnerable to privacy violations, predominantly through the voluntarily sharing of information via mobile phones and the internet.[\[58\]](#)

## Intimidation and Violence

Three individuals were subject to fatal physical violence for online activity in Bangladesh during the coverage period of this report. On February 25, Bangladeshi-American atheist blogger and writer Dr. Abhijit Roy and his wife, Rafida Ahmed Bonya, were attacked by two unknown assailants on the Dhaka University campus, while returning from the annual book fair. Abhijit Roy managed the blog *Muto-Mona* (Free Thinker) from America, and had returned to attend the fair. Dr. Roy died and his wife was left badly injured.[\[59\]](#) She sustained four head wounds and her left thumb was sliced off. She is now in hiding in the United States.[\[60\]](#) In a Twitter post on the same day, an Islamist organization, Ansar Bangla-7 (also known as Ansar Bangla Team) claimed responsibility for carrying out the attack.[\[61\]](#) On March 2, 2015, the elite Rapid Action Battalion in Bangladesh arrested Farabi Shafiur Rahman, a radical Islamist known for his threats against Abhijit Roy. Farabi is suspected of sharing Roy's location, identity, and photographs with various people.[\[62\]](#) On May 3, 2015, the leader of Al-Qaeda in the Indian Subcontinent claimed responsibility for the killing of Abhijit Roy and the other "blasphemers" in Bangladesh.[\[63\]](#)

On March 30, 2015, another blogger, Washiqur Rahman, known for his critical writings about Islam, was hacked to death near his home in Dhaka in an attack that bore disturbing similarities to Abhijit's. According to the police, three knife-wielding attackers were involved in the assault.[\[64\]](#) Bystanders detained two, both students from Islamic seminaries, at the scene, while the third one fled. The police later charged four people with murder, including the alleged mastermind.[\[65\]](#)

On May 12, 2015, another prominent contributor to *Muto-Mona*, Ananta Bijoy Das, was attacked and killed by four masked men armed with machetes in the northeastern Bangladeshi city, Sylhet.[\[66\]](#) Ananta Bijoy was also one of the founding members of Gonojagoron Mancha, the coalition of activists who started the Shahbag Movement in 2013.[\[67\]](#) News reports say he had received death threats from extremists and had tried to leave the country to attend a press freedom event in Sweden, but was denied a visa. On June 8, 2015, the police arrested a suspect in connection with Bijoy's murder.[\[68\]](#)

In August 2015, blogger Niladri Chattopadhyay Niloy was killed in his home by four unidentified assailants.[\[69\]](#) The incident took place outside the coverage period of this report, but brought the total number of casualties for online expression in Bangladesh to four in 2015.

The trend of violently targeting bloggers began in 2013. Before blogger Asif Mohiuddin was detained later in the year, armed assailants hospitalized him in January 2013 with serious stab wounds.[\[70\]](#) After his arrest, Mohiuddin reported verbal harassment from other prisoners and believes he remains on a hit list.[\[71\]](#) In February 2013, leading Shahbag activist Ahmed Rajib Haider was brutally murdered by suspected religious extremists.[\[72\]](#) Police found a series of posts targeting Rajib and other key figures in the movement on the blog *Sonar Bangladesh*, which the BTRC subsequently blocked.[\[73\]](#) The first of such posts singled out Rajib for his critical stance against religious extremism. On January 28, 2014, police formally charged Mufti Jasim Uddin Rahmani, the head of a radical Muslim extremist group, and seven university students for his murder.[\[74\]](#) The same group is accused of involvement with the attack on Asif Mohiuddin.

This disturbing series of fatal attacks on secular bloggers and the slow pace of investigation by the government have increased security concerns in the online activist community. However, many have expressed their determination to continue writing in the online space.[\[75\]](#)

Sexual harassment amplified through the use of Facebook and other social networks was also documented during the coverage period:

- On October 24, 2014 in Nilphamari, a northern district of Bangladesh, a newly-wed wife was raped by a man while eight others restrained her husband and tied him to a tree. The assault was filmed and the video released on Facebook, and later removed. Charges against nine men were filed, but no arrests had been made as of May 2015.[\[76\]](#)
- On November 2014, a schoolgirl in the city of Comilla was raped and a video of the assault released online. Police filed charges against three people but no arrests had been made by May 2015.[\[77\]](#)

Facebook was also abused to lure victims. On October 2014, an individual was arrested for kidnapping and sexually assaulting a woman lured in with a fake Facebook page.[\[78\]](#) An additional trend of fake Facebook profiles spreading false reports about other people's personal lives, sexual orientation, or social interactions, was observed during the coverage period. Several cases have been filed in relation to such manipulation. According to Chittagong police, more than 100 complaints regarding the illegitimate use of Facebook were filed in 2014, including 4 cases under the ICT Act.[\[79\]](#)

## Technical Attacks

Cyberattacks on online news sites and blogs have been documented in Bangladesh, though primarily government websites were targeted during the coverage period. ISPs informally organized a Cyber Emergency Response Team to deal with malicious online threats.<sup>[80]</sup>

Notes:

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