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## Freedom of the Press 2016 - Bangladesh

Year:

2016

Press Freedom Status:

Not Free

PFS Score:

61

Legal Environment:

18

Political Environment:

27

Economic Environment:

16

**Status change explanation:** Bangladesh's status declined from Partly Free to Not Free due to the murders of four bloggers and a publisher by Islamist militants, threats and nonfatal attacks against other writers, continued legal harassment of media outlets and press freedom advocates, government-sanctioned economic pressure on certain outlets, and attempts to censor social media.

### Overview

Bangladesh's media environment suffered major setbacks in 2015. The year was marked by deadly attacks against bloggers and a spate of politically motivated legal cases against journalists. Growing concerns over state censorship—including of internet-based content—also had a chilling effect on freedom of expression.

### Key Developments

- Among other abusive legal cases against journalists, the chairman and a former employee of Ekushey TV were charged with sedition after the station aired a speech by an exiled politician.
- In November, the government announced that online news portals would be required to register with the authorities, and that the accreditation of journalists at unregistered media outlets would be canceled.
- Four bloggers who were critical of fundamentalist Islam were assassinated during the year. The involvement of Islamist extremist groups was suspected or confirmed in each of the attacks.

- Several major companies discontinued advertising in the country's two largest opposition newspapers following pressure from military intelligence officials.

### Legal Environment: 18 / 30 (↓2)

Although the constitution provides for freedom of expression, subject to "reasonable restrictions," the press is constrained by national security legislation as well as sedition and criminal libel laws, which are occasionally used to arrest and prosecute journalists.

Impunity is the norm for those who perpetrate crimes against journalists, and police investigations generally proceed slowly, if at all. Law enforcement authorities largely failed to curb or punish the series of violent attacks on bloggers and other writers during 2015. Officials sometimes advised those who felt threatened to stop writing or leave the country. However, in December, a Dhaka court convicted eight people for the 2013 murder of blogger Ahmed Rajib Haider. Two were sentenced to death, including the organizer of the attack, who was sentenced in absentia and remained at large.

Sedition laws can be applied broadly, and penalties range from fines to life in prison or even the death penalty if the accused is found to have undermined the constitution. Ekushey TV chairman Abdus Salam and former staffer Kanak Sarwar were arrested and charged with sedition in January and March 2015, respectively, after the station aired a speech by exiled Bangladesh Nationalist Party vice chairman Tarique Rahman; it was unclear at year's end whether a court date had been set for their trial. Journalists can also be arrested under the 1974 Special Powers Act—which allows detentions of up to 120 days without trial—for stories that are critical of government officials or policies. Reporters sometimes face contempt of court charges for critical reporting on judicial proceedings or personnel.

The opposition daily *Amar Desh* has faced a barrage of legal and regulatory threats over the past several years. In August 2015, acting editor and majority owner Mahmudur Rahman was sentenced to three years in prison on charges of corruption stemming from his time as an adviser to the previous national government. Several other cases against him were pending at year's end, including one for sedition in connection with a report questioning the impartiality of a government-established war crimes tribunal. A ban on the newspaper's print edition that had been enacted two years earlier remained in place throughout 2015. Another opposition newspaper, *Prothom Alo*, is frequently entangled in legal cases; its staff has characterized the proceedings, which have included charges of defamation and contempt of court, as a form of government intimidation.

Legislation adopted in 2013 to amend the Information and Communication Technology (ICT) Act—which covers online crimes including defamation and blasphemy—upheld the right of law enforcement agencies to arrest and indefinitely detain suspects without bail, and imposed no limits on officials' power during the investigatory period. In addition, penalties for online offenses are set at between 7 and 14 years in prison, regardless of whether the crime is related to defamation or national security. The ICT Act has been used to arrest and charge a number of individuals for online expression in recent years, including bloggers and mainstream journalists. In August 2015, the editor of the online portal *Uttaradhikar 71 News*, Probir Sikdar, was arrested for "tarnishing the image" of a cabinet member from the ruling Awami League after he wrote on Facebook that he had been threatened by the official as well as by a convicted war criminal and a businessman; the threats came after Sikdar had posted reports online about the two latter individuals. He was released on bail the next day following protests from freedom of expression advocates.

The 2009 Right to Information (RTI) Act, which applies to all information held by public bodies, has improved government transparency and accountability. It simplified the fees required to access information, overrode existing secrecy legislation, and granted greater independence to the Information Commission, tasked with overseeing and promoting the law. However, ongoing challenges include low response rates to requests for information and the need to increase awareness of the RTI Act among the general public and the authorities.

The Ministry of Information controls broadcast licensing for both commercial and community outlets. Television stations have occasionally been closed, ostensibly for being in breach of broadcasting regulations. A comprehensive broadcast policy, intended to simplify the existing patchwork of laws and regulations, has been under discussion for several years by a committee composed of government and industry representatives and other stakeholders. In 2014 the cabinet approved a draft broadcast policy that contained a range of potentially restrictive provisions, including a prohibition on programming deemed excessively critical of state priorities or threatening to national security and sovereignty. The measure called for the establishment of a nominally independent regulatory commission to oversee its implementation, but it also empowered the Ministry of Information to revoke the broadcasting licenses of noncompliant outlets. Parliament had yet to approve the policy at the end of 2015.

In November 2015, the government announced that all online news portals would be required to register with the authorities by December 15, and that the accreditation of journalists with unregistered media outlets would be canceled.

The government at times interferes with journalistic work through surveillance. Some journalists' e-mail correspondence is reportedly watched by police, and those brought in for questioning have been asked to supply personal internet passwords to intelligence officers. An official government committee was formed in March 2014 to monitor blogs and social-media sites and to identify individuals who produced or posted anti-Islamic content. The following month, it was reported that the Rapid Action Battalion (RAB), a security unit that has been accused of extrajudicial killings and other abuses, had attempted to procure advanced mobile surveillance technology from Neosoft, a Swiss company. The proposed purchase was halted following a May 2015 change to Switzerland's export licensing law designed to prevent the proliferation of surveillance technologies that could be used to commit human rights violations.

The actions of Bangladesh's International Crimes Tribunal, which is tasked with examining war crimes associated with the country's 1971 independence conflict, had a negative effect on advocacy for journalists' professional rights during the year. In December 2014, British journalist David Bergman was found guilty of contempt of court over articles in which he questioned the tribunal's conduct and its death-toll figures from the war. In response, 50 journalists, academics, writers, and activists signed a statement that was published in several newspapers, expressing concern over Bergman's conviction. (One withdrew her name shortly thereafter.) In January 2015, the tribunal demanded that the signatories explain their statement on the grounds that it challenged the tribunal's "transparency and openness." Subsequently, 26 signatories issued unconditional apologies, which the tribunal accepted. The remaining 23 were charged with contempt of court; one was convicted and 22 were eventually exonerated.

#### **Political Environment: 27 / 40 (↓5)**

The Bangladeshi media collectively present an array of views. However, political coverage can be highly partisan, as the owners of many private outlets exert editorial control that reflects their personal political affiliations. Private broadcast outlets are required to air selected government-produced news segments and official speeches. Reporting on labor disputes has become more biased, as businessmen involved in the garment industry have purchased both print and broadcast outlets. The coverage from these outlets often highlights violence or work disruptions initiated by workers, rather than the underlying labor rights issues.

Private media outlets risk government pressure in response to their coverage. In February 2015, the private broadcaster BanglaVision indefinitely suspended the television program *Frontline*, ostensibly because of technical problems. The show was known for its critical discussions on current affairs, and the authorities had reportedly attempted to interfere with the station's staffing and content in the weeks before the suspension.

Censorship of internet-based content has become increasingly common in Bangladesh, with periodic blocking of YouTube, Facebook, other social-media and messaging applications, and high-profile Bengali blogs in recent years. In November 2015, the government temporarily blocked the social-media platforms Facebook, Viber, and WhatsApp, allegedly to maintain public order at the time of the controversial sentencing of opposition leaders for war crimes dating back to 1971.

Death threats and attacks against bloggers have exacerbated self-censorship, leading many to stop writing, go into hiding, or leave the country. Some professional journalists practice self-censorship to avoid repercussions when reporting on sensitive topics like the military and judiciary. Tensions have increased in recent years with respect to coverage of the International Crimes Tribunal and the place of Islam in politics and society. Self-censorship can also stem from the business or political interests of media owners.

Journalists faced obstruction and violence while reporting in the field during 2015. Rajib Sen Prince, a correspondent with privately owned Mohona TV, was wounded in November 2015 when gunmen opened fire on a press vehicle returning from the funeral of an opposition leader who had been executed for war crimes.

There was also an increase in threats and retaliatory violence by criminal organizations, party activists, business owners, and Islamist groups. Extremist groups such as Al-Qaeda in the Indian Subcontinent were confirmed or suspected in four assassinations that targeted bloggers who had criticized Islamic fundamentalism; one of the bloggers, Bangladeshi American writer Avijit Roy, was stabbed and hacked to death while visiting Dhaka. His publisher was killed in a separate attack. Other bloggers were threatened or assaulted. In October, the radical Islamist group Ansarullah Bangla Team allegedly sent threats via e-mail to several media outlets, including the online newspaper *BDNews24* and the *Dhaka Tribune*. The messages warned them against employing female staffers or criticizing either "jihadi activities" or the murderers of "atheists"; the authors also threatened to kill atheist bloggers living in Bangladesh or abroad.

The police and military intelligence agents have been known to threaten and physically attack journalists. Police brutality toward reporters and photographers attempting to document political protests or other sensitive events remains a concern. Some journalists receive threatening telephone calls from intelligence agencies seeking to prevent negative coverage.

### **Economic Environment: 16 / 30**

There is a wide variety of privately owned daily and weekly print publications. Private broadcasting continues to expand, with more than 40 television and two dozen radio stations—including three commercial FM outlets and 14 community stations. The state directly owns or influences several broadcast outlets, including the public BTV, which remains the sole terrestrial television broadcaster with national reach.

Access to the internet is generally unrestricted, though the penetration rate was still less than 10 percent of the population as of 2014. During the past few years, the number of online news outlets, including news websites and internet-based radio stations, has increased dramatically, as has use of major social-networking sites.

Private broadcast and print media in Bangladesh are often owned by business conglomerates controlled by politically influential individuals or families with extensive assets in other industries, such as manufacturing and finance. Some such outlets allow the interests of their owners to influence their news coverage.

Many families in rural areas—where the majority of the country's population lives—do not have a reliable supply of electricity or cannot afford a television set. Access to television in urban areas is much more common. Low literacy rates in rural areas limit the reach of newspapers outside of urban centers.

Political considerations influence the distribution of government advertising revenue and subsidized newsprint, on which many publications depend. Private media owners and corporate interests are also able to influence content through the allocation of advertising. In 2015, the army's military intelligence wing successfully pressured a number of major companies to stop advertising in *Prothom Alo* and the *Daily Star* after both papers reported on a sensitive army operation in the Chittagong Hill Tracts region in August.

Because salaries are often low, some journalists are open to bribes or other incentives to slant their coverage or suppress embarrassing or sensitive information.