

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	160
Land:	Bangladesh
Kilde:	Freedom House
Titel:	Freedom of the Press 2011 – Bangladesh
Udgivet:	1. september 2011
Optaget på baggrundsmaterialet:	18. januar 2012

Last Updated: Monday, 28 November 2011, 12:59 GMT

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Title	Freedom of the Press 2011 - Bangladesh
Publisher	Freedom House
Country	Bangladesh
Publication Date	1 September 2011
Cite as	Freedom House, <i>Freedom of the Press 2011 - Bangladesh</i> , 1 September 2011, available at: http://www.unhcr.org/refworld/docid/4e5f71bec.html [accessed 28 November 2011]
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Freedom of the Press 2011 - Bangladesh

Status: Partly Free**Legal Environment:** 17**Political Environment:** 21**Economic Environment:** 16**Total Score:** 54

Bangladesh's media environment remained relatively open in 2010 despite some worrying signs of intolerance by the government. 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. Journalists can also still be charged with contempt of court or be arrested under the 1974 Special Powers Act – which allows detentions of up to 90 days without trial – for stories that are critical of government officials or policies. Draft amendments to the criminal code approved by the cabinet in December 2009 would outlaw the arrest of editors, publishers, journalists, or writers in connection with cases of defamation filed against them; however, this promising reform had not yet been approved by the end of 2010, and arrests stemming from defamation charges continued to occur. A journalist and writer who was first arrested in 2003, Salah Uddin Shoaib Choudhury, still faced sedition, treason, and blasphemy charges; his trial began in June 2008 and was ongoing during 2010, but he was allowed to travel abroad while the proceedings continued.

The pro-opposition daily *Amar Desh* faced a barrage of legal and regulatory threats in 2010. In June, authorities in Dhaka forcibly closed the paper and arrested its acting editor, Mahmudur Rahman, who is a close adviser to opposition Bangladesh Nationalist Party (BNP) leader Khaleda Zia. Rahman was initially charged with fraud and publishing without a valid license, but then was also charged with sedition; the sedition charge allowed authorities to hold Rahman indefinitely, and he was reportedly tortured in custody. In August, Rahman and several colleagues were sentenced for contempt of court in a separate case initiated in May, and Rahman was handed the maximum six-month jail sentence; it was the first time anyone had been jailed for contempt. Over the past two years, various staff members at the paper have been charged with multiple counts of defamation for articles critical of the ruling party. However, after a Supreme Court order expired, the paper resumed publication in July pending a resolution of its licensing application.

A Right to Information (RTI) Act, which took effect in July 2009, aims to improve transparency. It applies to all information held by public bodies, simplifies the fees required to access information, overrides existing secrecy legislation, and grants greater independence to the Information Commission tasked with overseeing and promoting the law, according to the press freedom group Article 19. In June 2010, the chief information commissioner called for the law to be extended to cover private corporations. Following the Ministry of Information's adoption of the "Community Radio Installation, Broadcasting, and Operation Policy" in 2008, authorities approved the first community radio licenses in April 2010. Later that month, authorities ordered the closure of the private, pro-opposition Channel 1 TV station, citing violations of broadcasting regulations. A draft broadcasting act, which would allow nonprofit entities to operate radio and television stations and would update existing regulations, remained under discussion in 2010; local industry representatives urged that the draft conform to international best-practice standards and be finalized with sufficient input from relevant stakeholders.

The print media are generally allowed more leeway than broadcasters and new media, particularly private television channels that provide 24-hour news coverage. In December 2009, authorities reportedly drafted unofficial guidelines for media houses regarding television talk shows, noting that "provocative statements" could lead to the banning of a show. Military

intelligence and public relations officials monitor media content, and while they no longer issued regular guidance to media outlets regarding content, they did occasionally caution specific journalists on coverage of particular stories or topics. A number of journalists reported receiving threatening telephone calls and other forms of intimidation from intelligence agencies, and some practiced self-censorship when covering sensitive topics.

Journalists continue to be threatened and attacked with impunity by organized crime groups, party activists, and Islamist groups, although the level of harassment has declined and no journalists have been killed as a result of their work for the past five years, according to the Committee to Protect Journalists. Local rights group Odhikar noted dozens of instances of attacks or other intimidation, mostly by political party activists or local criminal gangs, against members of the media in its 2010 human rights report. Impunity for those who perpetrate crimes against journalists remains the norm, with at least 16 murders since 1998 remaining unpunished, according to the International Press Institute. Investigations of such crimes generally proceed slowly, if at all. A primary threat to journalists' physical safety comes from security forces, including the police and military intelligence. Police brutality toward reporters or photographers attempting to document political protests or other sensitive events remains a concern, as do occasional cases of arrest, detention, or custodial torture of journalists.

With hundreds of daily and weekly publications, the privately owned print media continue to present an array of views, although political coverage at a number of newspapers is highly partisan, and outlets presenting views that were critical of the government faced increased pressure in 2010. Private broadcasting has expanded in recent years, with more than a dozen satellite and cable television stations and three radio stations now operating; three new television stations, including two 24-hour news channels, started in 2010. A number of private broadcast outlets are owned by those with close political connections or official affiliations. The state owns or influences several broadcast media outlets, including the public BTV, which remained the sole national terrestrial channel. Private outlets are required to air selected government-produced news segments and official speeches. 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 allocation of advertising.

Access to the internet, although generally unrestricted, was limited to 3.7 percent of the population in 2010. During the last few years, the number of online news outlets, including news websites and internet-based radio stations, has increased. Some journalists' e-mail correspondence is reportedly monitored by police, and those brought in for questioning have been asked to supply personal internet passwords to intelligence officers. In May, authorities temporarily blocked access within Bangladesh to Facebook following a furor over a cartoon-drawing competition of the prophet Mohammed hosted on the social networking site, as well as the posting of satirical pictures of a number of political leaders; the young man who posted the images was also arrested. Access to the site was restored after a week, when the offending content was withdrawn.

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