

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	317
Land:	Bangladesh
Kilde:	Human Rights Watch
Titel:	Crackdown On Social Media
Udgivet:	19. oktober 2018
Optaget på baggrundsmaterialet:	24. januar 2019

BANGLADESH: CRACKDOWN ON SOCIAL MEDIA

October 19, 2018 1:00AM EDT

Ahead of Elections, Government Won't Tolerate Criticism

(New York) – The [Bangladesh](#) government has embarked upon intensive and intrusive surveillance and monitoring of social media ahead of national elections, raising concern over a chilling effect on speech, Human Rights Watch said today. Draconian new laws and policies are being used to target political opponents, journalists, internet commentators, and broadcasters.

National elections are due in Bangladesh by January 2019. Opposition parties and independent observers fear that the [increasing crackdown on privacy and free expression](#) is an attempt to limit speech and criticism of the government in the election period. The government claims these efforts are to stem harmful rumors, false information, or objectionable content to maintain law and order.

“Bangladesh is using claims about public security to silence opponents and critics,” said [Brad Adams](#), Asia director. “The government’s surveillance practices are violating the rights to privacy and freedom of expression ahead of the elections.”

Bangladesh has [28 million Facebook users](#). Since social media emerged as a [key tool](#) to express dissent and organize protests, the authorities have monitored various platforms and internet-based communication. This has already [led to arrests](#) for using social media to criticize the government.

Enhanced Surveillance

On October 9, 2018, the government announced the formation of a [nine-member monitoring cell](#) to “detect rumors” on social media, including Facebook. The state minister for post and telecommunication, Tarana Halim, said that content that threatens communal harmony, disturbs state security, or embarrasses the state would be considered rumors and sent to the Bangladesh Telecommunication Regulatory Commission for filtering or blocking. The intention was not to police content, but to ensure people have the “right information only,” [she said](#).

The government has also ordered security agencies to [intensify their surveillance](#) of online expression. The agencies [include the Rapid Action Battalion \(RAB\)](#), a paramilitary force implicated in [serious human rights violations](#) including extrajudicial killings and enforced disappearances. “Besides maintaining law and order in the country, we will implement this [project] to monitor the evil propaganda and militant activities on the social media and bring the people behind these to justice,” [a RAB spokesperson said](#).

The government had previously announced its [Cyber Threat Detection and Response project](#) of installing mass monitoring equipment at key points on Bangladesh’s networks to bolster widespread telecom and internet surveillance. The project, designed to allow the authorities to track criminal activities, provides enormous power to monitor internet usage, raising concerns over violations of privacy rights on a mass scale.

Crackdown on Dissent

Television networks, already under government pressure, will [face increased restrictions](#) under the proposed National Broadcast Act 2018. The law, which the cabinet approved on October 15, provides sentences of up to three years in prison for “going against the spirit” of the 1971 liberation war, or airing “misleading or false” information.

On October 11, a police complaint known as a General Diary [was filed against Dr. Zafrullah Chowdhury](#), a well-known public health activist who is also involved in opposition politics, over his criticism of the army chief on a television talk show. The Detective Branch is investigating him for treason.

On October 10, a [new law governing online speech](#), the Digital Security Act (DSA), came into force. It replaced the controversial section 57 of the Information and Communication Technology Act (ICT Act) with provisions that are in several respects more broadly drawn and carry even harsher sentences. It grants law enforcement authorities wide-ranging powers to remove or block online information that “harms the unity of the country or any part of it, economic activities, security, defense, religious values or public order or spreads communal hostility and hatred.”

The government [rejected journalists’ calls](#) for amendments to nine sections of the act. At an [October 3 news conference](#), Prime Minister Sheikh Hasina said, “Only those journalists who have piled up false news against us and are waiting for releasing those one after another after the announcement of the election schedule, should be worried about the law.”

Journalists, however, do have cause for concern because of the recent history of the use of existing laws covering sedition and criminal defamation to [threaten and detain journalists](#) for exercising free expression and peaceful speech. A journalist, who asked not to be named, told Human Rights Watch, “There is a blanket of fear spreading over this country, and I don’t know when we are going to be freed.”

There are also concerns that the Digital Security Act will be used, as section 57 of the ICT Act was earlier, to crack down on peaceful social media content.

On the night of August 4, police [arrested Nusrat Jahan Sonia](#), a 25-year-old primary school teacher in a rural area of Patuakali district, south of Dhaka, who was seven months pregnant. They held her for over two weeks under section 57. Sonia’s alleged offense was “spreading rumors.” However, a member of her family said that Sonia had merely shared a Facebook post that reportedly appealed for caution and peace during a [student protest over road safety](#). She has been suspended from her job at a government school until her case is cleared, which may take years.

In a similar case, a Chittagong university professor, Maidul Islam, [has been in custody](#) since September, charged under section 57 with making “defamatory” remarks against the prime minister on social media.

On August 5, Shahidul Alam, an internationally renowned photographer, [was detained in Dhaka](#), accused of “provoking” unrest for Facebook comments criticizing a crackdown on student protesters and journalists covering the protests. Alam remains in custody.

At a bail hearing, the attorney general, Mahbubey Alam, [told the court](#): “Shahidul made his comment like a political leader. His statement was false and wicked.... The next parliamentary election is knocking at the door. Shahidul’s statement consists of many elements that can make the situation in the country volatile. So he cannot get bail.” Prime Minister Sheikh Hasina [has accused Shahidul Alam](#) of spreading “false news” and being “mentally sick.”

Bangladesh is obliged under the International Covenant on Civil and Political Rights to protect its citizens from arbitrary arrest (article 9), from arbitrary or unlawful interference with their privacy and correspondence (article 17), and their freedom of expression (article 19). Any interference with the rights to privacy and free expression should be based on clear law, for a legitimate reason, and be proportionate – that is, the minimal interference necessary. Peaceful criticism of the government and state authorities should always be permitted.

Recent policies directing security agencies to monitor social media and prosecute users who offend the government, as well as the draconian provisions of the new Digital Security Act, violate those rights.

“There is a chilling atmosphere for journalism and free speech in Bangladesh right now, with even those sharing innocuous social media posts at risk of arrest and harassment,” Adams said. “The government should immediately end this assault on fundamental political rights, and instead create an environment conducive to ensuring that Bangladeshis are able to elect their leaders without fear.”