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Freedom of the Press 2012 - Bangladesh

2012 Scores

Press Status: Partly Free**Press Freedom Score:** 52**Legal Environment:** 15**Political Environment:** 21**Economic Environment:** 16

Bangladesh's media environment, which had improved considerably in 2009 following the resumption of civilian rule, remained relatively open in 2011 despite some worrying signs of intolerance by the government. Although the constitution provides for freedom of expression subject to "reasonable restrictions," the press can be constrained by national security legislation as well as sedition and criminal libel laws. The punishment for sedition ranges from three years to life in prison. The 15th amendment to the constitution, which was passed by Parliament in July, includes language that equates criticism of the constitution with sedition. Journalists can also 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, or can be charged with contempt of court. The opposition-oriented daily *Amar Desh* has faced a barrage of legal and regulatory threats. Acting editor Mahmudur Rahman was released in March 2011 after spending nine months in jail. He had been arrested in June 2010 and charged with fraud, publishing without a valid license, sedition, and contempt of court. Over the past several years, various employees at the paper have been charged with defamation for articles about the ruling party. The paper, whose publication had been suspended briefly in 2010, published regularly in 2011, but was awaiting a final resolution of its licensing application. In another case during the year, Mohammad Ekramul Haq, editor of the *Sheersha News* web portal and the *Sheersha Kagoj* weekly, was arrested in July on what appeared to be trumped-up extortion charges. He was released in late November after serving four months in jail, despite a court's earlier decision that he be granted bail.

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 enacted by the end of 2011, and arrests stemming from defamation charges continued to occur. In September 2011, the Dhaka Metropolitan Magistrate issued a summons to three journalists – Saiful Alam, Salma Islam, and Jashim Chowdhury – from the daily *Jugantor*, following defamation charges brought against them by Shahjahan Khan, a government minister. The paper had published two reports that raised questions regarding travel expenses incurred by the minister and his political colleagues.

A 2009 Right to Information Act aimed 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. The chief information commissioner has 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, opposition-oriented Channel 1 television station, citing violations of broadcasting regulations. A

draft broadcasting act, which would update existing regulations and allow nonprofit entities to operate radio and television stations, remained under discussion in 2011. Local industry representatives called for the draft to conform to international standards and be finalized with sufficient input from relevant stakeholders. In September, the Ministry of Information approved a version of the draft that critics argued could significantly increase television censorship. It contained a number of restrictions that would severely limit program content, including bans on "kissing scenes," criticism of national ideology and "friendly" nations, and any scenes or footage of mutinies or political demonstrations.

The print media are generally allowed more leeway than broadcasters and new media, with private television channels that provide 24-hour news coverage facing particular scrutiny. 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. Some journalists practice self-censorship when reporting on sensitive topics like the military and judiciary.

Journalists are threatened and attacked with impunity by organized crime groups, party activists, and Islamist groups. Although no journalists have been killed for the past six years, according to the Committee to Protect Journalists, there appeared to be an increase in harassment in 2011. In June, five journalists were injured by armed ruling party activists in the town of Comilla, and other attacks by party activists and criminal gangs were noted in September. The local rights group Odhikar reported that dozens of cases of threats and physical harassment leading to injury had taken place during the year. Impunity is the norm for those who perpetrate crimes against journalists, 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 and 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. No cases of custodial torture by security services were reported during 2011, but some journalists continued to receive threatening telephone calls from intelligence agencies seeking to prevent negative coverage. Criminal gangs and business owners also attempt to influence coverage through coercion or threats. In August 2011, senior crime reporter Jahangir Alam received telephone death threats from an organized crime group following his reporting on the drug trade and criminal activities.

With hundreds of daily and weekly publications, the privately owned print media continue to present an array of views, although political coverage at many newspapers is highly partisan. 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 individuals with close political or official affiliations. The state owns or influences several broadcast outlets, including the public BTV, which remains 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 is generally unrestricted, but the penetration rate was just 5 percent of the population in 2011. During the last few years, the number of online news outlets, including news websites and internet-based radio stations, has increased dramatically. The government continues to monitor internet activity. 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. Certain Facebook pages were blocked by the government during 2011, including those with depictions of the prophet Muhammad and others that promulgated criticism of the prime minister and the leader of the opposition.

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