

Submission to the United Nations Universal Periodic Review of Bangladesh

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Submitted by:

Asian Legal Resource Centre (ALRC)

(www.alrc.asia; zaman@alrc.asia; 52 Princess Margaret Road, Ho Man Tin, Kowloon, Hong Kong)

Committee to Protect Journalists (CPJ)

(www.cpj.org; lbeh@cpj.org; P.O. Box 2674, New York, NY 10108)

Robert F. Kennedy Human Rights (RFK Human Rights)

(www.rfkhumanrights.org; legal@rfkhumanrights.org; 1300 19th Street NW #750, Washington, D.C. 20036)



ASIAN LEGAL RESOURCE CENTRE



I. Introduction

1. In this submission, the Asian Legal Resource Centre, Committee to Protect Journalists, and Robert F. Kennedy Human Rights assess the concerning human rights situation in Bangladesh leading up to the January 2024 national elections, which has been defined by closing civic space; pre-electoral targeting of and violence against human rights defenders (HRDs), civil society organizations (CSOs), journalists, and the opposition; and reprisals in response to the United States' sanction designations on the Rapid Action Battalion (RAB).ⁱ
2. Despite recommendations to Bangladesh on its third UPR in 2018 to properly investigate harassment and attacks against HRDs and journalists;ⁱⁱ and ensure their safety,ⁱⁱⁱ authorities continue to harass, intimidate, and attack these actors with impunity.
3. The government has also failed to implement recommendations from the third UPR cycle in 2018 calling on Bangladesh to expand its democratic space online and offline.^{iv} Instead, it has cracked down on digital freedom, increased media censorship, and quashed dissent.

II. Civic Space and Pre-Electoral Repression

4. Bangladesh is scheduled to hold the next election in January 2024. As in the lead up to previous elections, the ruling Awami League (AL) has restricted civic space and escalated political repression and violence.
5. The 2018 elections were fraught with abuse, including attacks on opposition party members, voter intimidation, and partisan behavior by election officials. The RAB and other security forces were central to intimidation campaigns and alleged voter fraud in the 2018 election. The climate of increased crackdowns on both CSOs and opposition indicates that the 2024 election could be more violent. Already, the government has accused other countries of meddling in the lead up to the election. On July 18, 2022, after several ambassadors met with the Chief Election Commissioner in Bangladesh, the Foreign Office sent a letter to all foreign embassies, UN offices, and international organizations in Dhaka calling for adherence to the laws on diplomatic and consular relations to not meddle in Bangladesh's internal politics.^v
6. Any criticism of the government has been dismissed as conspiracy, and critical voices have been punished. On August 3, 2022, Prime Minister Hasina stated that the conspiracies from before the 2014 and 2018 elections have intensified in another attempt to remove her from power.^{vi} To maintain control, the government has made efforts to close civic space and target HRDs, CSOs, the opposition, and journalists.

A. Bills, Regulations, and Laws

7. During Bangladesh's third UPR, the country supported recommendations related to press freedom and freedom of expression, including the protection of HRDs and journalists; the review of the then-proposed Digital Security Act (DSA); and full and impartial investigations into all cases of violence against journalists.^{vii}
8. Bangladesh has failed to fulfill these recommendations, instead arresting and harassing journalists under the DSA, Information and Communication Technology (ICT) Act, and colonial-era Official Secrets Act (OSA); harassing exiled journalists' relatives; allowing impunity in cases of violence against journalists and opposition leaders; introducing new bills mandating mass surveillance and online censorship ahead of the January 2024 national election; and expanding media censorship.
9. The DSA criminalizes free expression online under vague, overly-broad terms, including publishing information "with an intention to affect the image of reputation of the country," "deteriorating law and order," and "breaching the secrecy of the government."^{viii} It allows authorities to conduct warrantless arrests, searches, and seizures of equipment based only on the suspicion that a crime has been committed under the Act.^{ix}
10. The DSA's forerunner, the ICT Act, was used to arrest at least 1,200 people since its enactment in 2006, including scores of journalists and HRDs, primarily under Section 57, which criminalized "fake, obscene or defaming information in electronic form.^x While the DSA effectively repealed five problematic sections of the ICT Act, including Section 57, it essentially reincorporated these provisions with harsher penalties.^{xi}
11. According to Dhaka-based think tank Centre for Governance Studies' DSA tracker, at least 3,493 individuals have been accused of violating the DSA as of March 2023. Of these known cases, politicians comprised the highest number of targets with 374 cases followed by journalists with 345 cases.^{xii}
12. The proposed **Bangladesh Telecommunication Regulatory Commission Regulation for Digital, Social Media, and OTT Platforms, 2021** (draft regulations) would provide sweeping powers to the government to censor online content without adequate judicial oversight. The Global Network Initiative raised concerns that the draft regulations would empower authorities to order intermediaries, such as social media platforms, to remove online content on the basis of vague and overly-broad terms, including content deemed "insulting or humiliating to a person," "destroys communal harmony," or "breaches secrecy of the government." They further introduce traceability requirements on intermediaries, which would jeopardize end-to-end encryption and impose substantial privacy and data protection risks, particularly for journalists and dissidents. The draft regulations do not provide for an independent data

oversight authority and call for the Ministry of Information and Broadcasting to establish a broadly-defined code of ethics, setting content rules for the media.^{xiii}

13. The proposed **Data Protection Act, 2022** would grant the government sweeping powers to physically or remotely access personal data on a massive scale through data localization, without judicial oversight. Exemptions granted under the proposed act would empower the government to violate an individual's right to privacy under terms including "the prevention or detection of crime," investigations, or prosecution of offenders. The proposed act states it will have an overriding effect over all existing laws, including the Right to Information Act, key in ensuring state accountability.^{xiv} This proposed act would shield the authorities from legal accountability in cases of unlawful access of personal data.
14. Bangladesh is blocking access to online news. Since December 28, 2019, authorities have blocked domestic access to the Sweden-based investigative news website Netra News, after it published a report on alleged corruption by a high-ranking minister.^{xv} In January 2023, authorities ordered the close of 191 websites it accused of publishing "anti-state news."^{xvi} As of early 2023, the names of those websites have not been made public.
15. In February 2023, Dainik Dinkal, the newspaper of the primary opposition party Bangladesh Nationalist Party (BNP) for over 30 years, was forced to halt operations following the rejection of its appeal against a December 2022 government order canceling its printing license on tenuous grounds.^{xvii}

B. Targeting HRDs and CSOs

16. The government has used the court system to harass HRDs. On January 17, 2022, a court in Mymensingh District charged **Md. Abdul Kaium** under the DSA for documenting cases of enforced disappearances, extrajudicial killings, and other human rights violations.^{xviii} If convicted on all charges, Kaium could face up to 22 years in prison and a three million BDT fine.
17. The government has continued to prosecute Odhikar's Secretary **Adilur Rahman Khan** and Director **ASM Nasiruddin Elan** in a cybercrime case at the Cyber Tribunal of Dhaka. They were arbitrarily detained in 2013 for 62 and 25 days, respectively, after publishing a fact-finding report on extrajudicial killings in Bangladesh and have been facing trial at the Cyber Tribunal while their review petition remains pending before the Supreme Court's Appellate Division in violation of judicial norms.
18. After years of stalling, the government has accelerated the hearings in this case. Between January 2022 and March 19, 2023, Khan and Elan appeared at the Cyber Tribunal for all 17

scheduled hearings, of which 9 did not proceed as planned – once because the judge did not appear and the other times because the prosecution witnesses did not appear. The trial has been marred with judicial violations, including the defense not being provided with prior information on the prosecution witnesses.

19. On October 5, 2022, police raided the house of **Sonia Akhter Smriti**, founder of Rajbari Blood Donors Club, and arrested her for criticizing the Prime Minister on Facebook on August 31, 2022. A month after the Facebook post, local AL leader Shamsul Arefin Chowdhury filed a complaint against Smriti at leading to her arrest under Sections 153 and 505 of the Penal Code for defaming the Prime Minister's reputation and image. She was released on bail after four months in jail.^{xix}
20. HRDs, opposition leaders, and journalists have been detained then questioned at Dhaka airport before being allowed to board their flight and exit the airport. Despite numerous accounts, a Special Branch senior official stated that they do not have information on people experiencing such treatment and Home Minister Khan said there was no instruction to conduct such interrogations from his ministry.^{xx}
21. Odhikar Secretary, **Khan**, was detained and questioned by the Police's Special Branch Prosecution Unit for two hours at Dhaka airport on October 4, 2022 when traveling to attend a meeting of Gwangju Human Rights Prize laureates in Thailand. The plain-clothed police officer, who refused to identify himself, questioned Khan about his personal and travel details, Odhikar's office location, and list of victims of enforced disappearances, and accused him of engaging in anti-state activities. When he returned on October 7, 2022, the Special Branch took Khan to their office at the airport for half an hour before allowing him to leave.^{xxi} Similar treatment occurred on his trip to an FIDH meeting in France on October 21, 2022. Upon his arrival to Dhaka on October 28, 2022, Khan was detained and questioned for an hour by the Special Branch. Directorate General of Forces Intelligence (DGFI) officers took his passport and kept him until a DGFI Major cleared him to go home. On December 14, 2022, before being allowed to proceed to immigration to board his flight from Dhaka to Europe to attend the EU NGO Forum, Khan was detained and questioned by the Special Branch and DGFI.
22. On November 6, 2022, **Mohammad Nur Khan**, Executive Director of Ain O Salish Kendra (ASK), was detained for questioning at Dhaka airport when traveling to Nepal.^{xxii} On January 27, 2023 when he was traveling to the US to receive the US State Department's Global Human Rights Defender Award, a plain-clothed man who refused to identify himself took him to a room to interrogate him for 1.5 hours.
23. Rather than addressing findings of human rights violations, Bangladeshi authorities have attempted to undermine CSOs. In April 2022, Foreign Minister Momen claimed that "NGOs

always see negative things everywhere” and criticized the imposition of other countries’ values as human rights.^{xxiii}

24. On May 11, 2022, Information and Broadcasting Minister Hasan Mahmud stated that Amnesty International, Transparency International Bangladesh, and Reporters without Borders were biased and have lost their credibility.^{xxiv}
25. On June 5, 2022, Bangladesh’s NGO Affairs Bureau decided to not renew Odhikar’s registration after keeping its renewal application pending for eight years.^{xxv} In its reasoning, the bureau stated that Odhikar had published “misleading information” on extrajudicial killings and enforced disappearances that had “seriously tarnished the image of the state to the world.” It further claimed that Odhikar’s publications were propaganda that “created various issues against Bangladesh.” Odhikar filed an appeal with the Prime Minister’s Office on June 28, 2022 and has been suffering increased surveillance and harassment, as well as defamation by government-backed media outlets. On September 1, 2022, the Prime Minister’s Office upheld the decision not to renew Odhikar’s registration. On October 18, 2022, Odhikar filed a Writ Petition before the High Court Division of the Supreme Court of Bangladesh challenging the bureau’s decision.

C. Targeting Opposition Leaders and Supporters

26. Similarly to the lead up to the 2018 elections, opposition members have been targeted with politically-motivated arrests and violence.
27. Since December 2022, the BNP has organized countrywide protests calling for its 10-point demand, including Prime Minister Hasina’s resignation and the installation of a caretaker government before elections.^{xxvi} On March 12, 2023, BNP announced in a meeting with EU leaders that it would not participate in the January elections, citing the serious electoral abuses during the last two elections and the systematic crackdown on political opposition as evidence that they will not be conducted in a free and fair manner while the current government remains in power.^{xxvii}
28. On March 9, 2022, BNP activist **Nazrul Islam** died in RAB custody hours after his arrest by RAB-7. The police claim that he was arrested in connection to a 2012 murder case while his family has said he was accused in multiple politically-motivated cases.^{xxviii}
29. On December 8, 2022, BNP leader **Mirza Fakhrul Islam Alamgir** criticized restrictions on peaceful political activities, accusing authorities of creating an “environment of panic.” The next day, Alamgir and BNP former minister **Mirza Abbas** were arrested and detained in a midnight raid on allegations of instigating violence against the police.^{xxix}

30. On December 31, 2022, leaders of Chhatra Odhikar Parishad, a student wing of Gono Odhikar Parishad, **Mohammad Aktaruzzaman Samrat** and **Nazmul Huda**, were picked up by men claiming to be the Detective Branch. This happened a day after they participated in a coffin procession where Samrat was photographed with the slogan “Democracy now in Coffin” written on his chest.^{xxx}
31. On November 19, 2022, leader **Rafiqul Islam Nayan** of Jatiotabadi Chatra Dal (JCD), the BNP’s student wing, was shot at close range by police as they arrested BNP activists who were distributing leaflets for a rally. Nayan was declared dead at the hospital. No case has been filed in connection to his death; however, the police filed a case against 17 BNP leaders and activists and more than 100 unidentified people for allegedly attacking police personnel.^{xxxi}
32. On December 10, 2022, the police opened fire during a mass procession in Panchagarh's Boda Upazila. BNP leader **Abdur Rashin Arefin** was shot and taken to a local hospital, where he was declared dead.^{xxxii}
33. A number of opposition leaders and supporters have been attacked by members of the AL and its student and youth wings. On September 17, 2022, BNP Vice Chairman **Barkatullah Bulu** and his wife **Shamima Barkat** were attacked and seriously injured by AL leaders and activists while drinking tea at a shop in Manoharganj.^{xxxiii}
34. On November 28, 2022, **Mohammad Shahjahan**, a former BNP MP from Patuakhali-3 constituency, who was attacked by Jubo League and Chhatra League supporters on his way to a rally in Barishal, died in the hospital.^{xxxiv}
35. There have been systematic efforts by the police and AL supporters to disrupt BNP gatherings and protests. According to the BNP, at least 20,000 cases have been filed against its supporters, in many cases with the accused unnamed.^{xxxv} Law-enforcement officers have used these open cases to intimidate and threaten opposition members.^{xxxvi}
36. On July 31, 2022, police opened fire on a BNP procession in Bhola Town. BNP-affiliate Swechchasebak Dal leader **Abdur Rahim Matbbar** was shot and killed.^{xxxvii} Bhola District Unit JCD President, **Mohammad Noore Alam**, also died on August 3 after being shot.^{xxxviii} At least 24 BNP leaders and activists were shot dead. The police filed two cases accusing 600 BNP supporters and 250-300 unknown people.^{xxxix}
37. On August 22, 2022, the BNP staged a series of protests over increases in fuel and commodity prices. Police and AL supporters reportedly attacked or obstructed BNP rallies in various

districts. At least four people died and hundreds were injured. According to a BNP spokesperson, at least 4,081 BNP supporters were charged.^{xl}

38. On August 31, 2022, leaders and activists of Bangladesh Chhatra League (BCL), AL's student wing, brought a procession and tried to vandalize a BNP meeting stage at the Microbus Stand area in Pirganj under Thakurgaon District. BCL supporters beat **Latifur Rahman Limon**, Pirganj Upazila representative of news outlet *the Daily Manabkantha* for taking pictures of this incident, who was admitted to the hospital in serious condition.^{xli}
39. On September 1, 2022, at least one BNP youth activist was fatally shot and dozens of others, including pedestrians and students, were injured during the party's anniversary programs in Narayanganj. BNP supporters encountered similar attacks in at least six other districts, where scores of people were injured by the police.^{xlii} A candlelight vigil organized by the BNP in Dhaka on September 17, 2022 came under attack by AL supporters who allegedly threw stones and beat people with iron rods.^{xliii}
40. In early December 2022, there was an escalation of arrests and other repressive measures after the BNP announced a major political rally on December 10.^{xliv} According to reports, during December 1-9, more than 6,000 people, including BNP leaders, activists, and their families, were arrested to prevent them from attending the protest.^{xlv} On December 6, an AL leader publicly threatened to kill opposition activists if they joined the mass protest in Dhaka.^{xlvi}
41. On December 7, 2022, the police opened fire on thousands of BNP activists gathered outside the party's headquarters in Dhaka reportedly with live ammunition, pellets, rubber bullets, and tear gas. At least one person was killed and 60 people were injured. Police raided the headquarters and arrested hundreds of BNP leaders and supporters.^{xlvii}
42. On December 9, 2022, law-enforcement agencies set up checkpoints at the entrances to the capital. Police were allegedly harassing commuters and taking people's mobile phones to check their photos and messages. There were also reports of BCL activists checking mobile phones at the Nilkhet entry point and assaulting then handing BNP supporters to the police.^{xlviii}
43. It was also reported that mobile network operators were instructed to suspend high-speed mobile internet services in the capital's Golapbagh area where the BNP was to hold its December 10 rally at 11:00 am. According to media reports, a government agency asked the operators to downgrade their 4G service to 2G from 9:30 am to 8:00 pm.^{xlix}
44. On December 24, 2022, the police attacked and arrested opposition leaders and supporters throughout the country who were attending a mass procession called by various opposition parties. BNP leader **Abdur Rashid** was seriously injured when the police charged and threw

tear gas shells and rubber bullets at BNP supporters. He died on the way to the hospital.^l Police filed a case accusing 81 named people and 2,000 unknown people and arrested eight BNP and Bangladesh Jamaat-e-Islami supporters. BNP Member Secretary **Hasan Ajmal Bhuiyan** was arrested by Gazipur Sadar Police Station for participating in the rally and the police tortured him and broke his left leg.^{li} In Pirojpur, police opened fire on BNP supporters gathered at the party's office. The police then raided the office, assaulted the district BNP convener, **Alamgir Hossain**, and injured approximately 20 supporters.^{lii}

D. Targeting Journalists

45. Journalists have risked arrest, detention, and violence for reporting on the actions of Bangladesh government officials, particularly those associated with the AL and the situation of human rights and alleged corruption. During Bangladesh's third UPR, the government supported a recommendation to investigate all cases of violence against journalists and bloggers and bring the perpetrators to justice. Moreover, Bangladesh supported a recommendation to protect HRDs and journalists from harassment by combating impunity and ensuring the prompt and impartial investigation of all violations against them. Yet, almost total impunity has persisted.
46. On August 5, 2018, plain-clothed officers detained photojournalist and activist **Shahidul Alam** from his Dhaka home after he published a Facebook Live video and conducted a TV interview with Al Jazeera on student protests over road safety. His whereabouts remained unknown until the next day, when police produced him before a Dhaka court, barefoot and unable to walk unaided after he was allegedly beaten severely in custody.^{liii} On August 7, 2018, Alam's wife, Rahnuma Ahmed, filed a complaint with the National Human Rights Commission, claiming that he had been tortured between the night of August 5 and early hours of August 6. The commission instructed the Ministry of Home Affairs to provide a written response within seven working days. Two and a half years later, on February 28, 2021, the commission issued a letter to Ahmed, stating that the Ministry had found "no evidence of torture" in police custody from August 6 to August 12, 2018, a period differing from that identified in Ahmed's complaint. Neither the Ministry nor Commission questioned Alam directly.^{liv} Alam was detained for 107 days.
47. Alam was accused of "making provocative comments" and "giving false information" to the media in violation of Section 57 of the ICT Act.^{lv} As of early 2023, the police continue to pursue an investigation into Alam under the now-repealed ICT Act.^{lvi} According to the DSA, proceedings or cases under Section 57 of the ICT Act shall only continue "if pending at any stage of trial" and "initiated before" or "taken cognizance by" the Cyber Tribunal.^{lvii} However, when the DSA was enacted in 2018, the police investigation into Alam remained ongoing, no charge sheet had been filed against him, and the case had yet to reach the trial stage.^{lviii}

48. On March 10, 2020, journalist **Shafiqul Islam Kajol** disappeared, one day after he and 31 others were named in a criminal defamation complaint filed by Saifuzzaman Shikhor, an AL parliament member. The complaint alleged that Kajol had published defamatory news about Shikhor in a social media post in violation of the DSA.^{lix} Kajol stated he was held in an underground cell for 53 days, where he was permanently blindfolded and repeatedly electrocuted.^{lx} On May 3, 2020, Kajol was “found” blindfolded, with his legs and arms bound, in Benapole, near the border with India, and arrested on allegations of trespassing. After he was granted bail, the police rearrested him under Section 54 of the Code of Criminal Procedure, which allows warrantless arrests.^{lxi} He was released on bail in December 2020.^{lxii} As of early 2023, the DSA proceedings against Kajol remain suspended, and the final hearing remains pending at the High Court.^{lxiii}
49. In May 2020, the RAB arrested cartoonist **Ahmed Kabir Kishore** and writer **Mushtaq Ahmed** for their work at the outset of the COVID-19 pandemic. Both were accused of “spreading rumors and carrying out anti-government activities” in violation of the DSA.^{lxiv} Authorities did not file a charge sheet against them until February 2021.^{lxv} Kishore stated that plain-clothed men detained him from his Dhaka home three days before his formal arrest, then blindfolded and transferred him to an unknown location, where he was interrogated, threatened, denied access to adequate food, and severely beaten, leading to leg ailments and long-term hearing loss in his right ear. He was also allegedly denied access to adequate medical treatment.^{lxvi} Kishore was denied bail at least six times before his release on bail in March 2021 and continues to face charges under the DSA. He has since fled to Sweden.^{lxvii}
50. The RAB detained Ahmed on May 4, 2020.^{lxviii} Kishore stated that Ahmed informed him that officers electrocuted his genitals prior to his formal arrest on May 5.^{lxix} He was denied bail at least six times before suffering a fatal heart attack in the high-security Kashimpur jail, where he was held in pre-trial detention for over nine months. Ahmed’s family claimed there was a three-hour delay before he was admitted to the hospital.^{lxx} Authorities have failed to conduct a full and impartial investigation into Ahmed’s death. The findings of the Home Ministry’s investigative report into his death have not been made public.^{lxxi}
51. In May 2020, journalist **Rozina Islam** was detained for seven days under the colonial-era OSA and Penal Code after reporting on alleged corruption in the public health sector at the outset of the COVID-19 pandemic. Islam was granted bail on the condition to surrender her passport even though there is no provision for conditional bail in the Code of Criminal Procedure. While the court temporarily permitted the return of her passport for six months in January 2022, Islam has since had to request the court for the return of her passport whenever she travels abroad. In July 2022, the Dhaka Metropolitan Police’s Detective Branch submitted its final investigative report to a Dhaka court and called for her case to be dropped due to lack of

evidence. However, in January 2023, the court ordered the Police Bureau of Investigation to further investigate. As of early 2023, authorities continue to subject Islam to judicial harassment. If charged and convicted under the OSA, Islam faces up to 14 years in prison or a maximum penalty of a death sentence.^{lxxii}

52. On January 23, 2023, plain-clothed police officers detained **Raghunath Kha** after he reported on land rights in Satkhira district and accused him and two others of involvement in an attempted bombing. That evening, the police allegedly denied that Kha was in their custody and did not present him in court until 5:00 pm on January 24, in violation of the Code of Criminal Procedure, which requires the arrested person to be presented before court within 24 hours. Kha was unable to stand properly in court after he was allegedly beaten, electrocuted, and threatened in police custody.^{lxxiii} He was detained for seven days and remains under investigation in one case under the Special Powers Act and Explosive Substances Act and one case under the Penal Code.^{lxxiv}
53. As of early 2023, authorities have failed to secure the conviction of a single suspect in the February 2012 murder of journalist couple **Sagar Sarowar** and **Meherun Runi**. The RAB, tasked with investigating the murder, has failed to produce a probe report, deferring its submission to the court at least 95 times.^{lxxv}
54. In October 2020, unidentified men abducted and severely beat journalist **Golam Sarwar** after he published an article alleging that Anisuzzaman Chowdhury, brother of AL politician and Minister of Land Saifuzzaman Chowdhury, was involved in land grabs.^{lxxvi} Sarwar was found unconscious, heavily bruised, and stripped of his clothes beside a canal three days later. As of early 2023, authorities have failed to conduct a full and transparent investigation into Sarwar's abduction.^{lxxvii}
55. Bangladesh police and intelligence forces have repeatedly harassed and questioned the mother of **Tasneem Khalil**, a Sweden-based Bangladeshi exiled journalist and editor of Netra News.^{lxxviii} In September 2021, authorities issued an arrest warrant for Khalil in relation to DSA charges alleging he made derogatory comments about government officials on his Facebook page and "instigated" cartoonist Kishore to "make anti-state rumours go viral on social media."^{lxxix}
56. On October 5, 2021, the RAB raided the home of **Nusrat Shahrin Raka**, sister of US-based Bangladeshi exiled journalist Kanak Sarwar and detained her and her three minor sons. While Raka's sons were released 30 hours later, the RAB held Raka and filed a First Information Report (FIR) against her under the DSA, citing posts critical of Bangladesh government officials and agencies published on a fraudulent Facebook account, which Raka herself had reported to local police prior to her arrest. The RAB subsequently filed an additional FIR

against her under the Narcotics Control Act, claiming that methamphetamines had been recovered from her home.^{lxxx} Raka was released on bail in March 2022 and as of early 2023, continues to face proceedings in both cases.^{lxxxi}

57. On March 17, 2023, four men beat **Mainur Khan**, an entrepreneur and brother of United Kingdom-based exiled journalist **Zulkarnain Saer Khan**, with iron rods and kicked him while accusing the journalist of writing about the Prime Minister and “against the government.” Zulkarnain Saer Khan had recently published investigative reports on alleged corruption of AL government officials and the country’s expanding surveillance apparatus. As of April 2023, police have failed to apprehend a single suspect in the case. Bangladesh law enforcement have submitted multiple requests to Twitter to remove tweets from Zulkarnain Saer Khan’s account, where he frequently posts political news and commentary, including one in November 2022 that alleged Bangladesh government officials had submitted malicious reports to Meta, Facebook’s parent company, resulting in multiple temporary restrictions on the journalist’s Facebook page.^{lxxxii}

III. US Sanctions and Bangladesh Reprisals

58. On December 10 2021, the US Treasury Department designated sanctions against the RAB and six former and current commanders, and the US State Department imposed visa restrictions against two RAB commanders for serious human rights abuses.^{lxxxiii}
59. Instead of holding the perpetrators accountable, Bangladeshi officials have repeatedly denied the existence of human rights violations in the country.^{lxxxiv} They continue to claim that enforced disappearances do not happen in the country; allegedly disappeared persons were not missing, but in hiding or drowned.^{lxxxv}
60. Further, on January 23, 2022, Prime Minister Hasina awarded two sanctioned RAB officials with medals for “their bravery and service to the country in 2021.”^{lxxxvi} On September 30, 2022, sanctioned Chowdhury Abdullah Al-Mamun was promoted to Inspector General of the Police.^{lxxxvii}
61. On April 5, 2022, Foreign Minister AK Abdul Momen praised the RAB for eliminating terrorism in Bangladesh.^{lxxxviii} On October 1, 2022, newly-appointed RAB Director General M Khurshid Hossain said the RAB does not need any reform because it does not do anything in violation of the rule of law.^{lxxxix}
62. Insistent that the sanctions had no basis, the Bangladesh government has intensified reprisals against HRDs, the very victims of violations that gave rise to the sanctions and their families.

A. Reprisals Against Victims and Their Families

63. Following the sanction designations, law-enforcement officers targeted the families of victims of enforced disappearances. According to Maayer Daak, authorities visited and threatened at least 10 victims' families within one month of the sanctions, sometimes forcing them to sign false statements that their relative had not been forcibly disappeared and they had intentionally misled the police.^{xc} Some relatives faced repeated visits and questioning by authorities and were taken to the police station at night for hours.
64. On January 10, 2022, Sabujbagh Police Station officers went to the house of **Mahbub Hasan Sujon**, who was forcibly disappeared in December 2013, with a pre-written statement claiming that the victim's family was concealing information and providing misleading information. When Sujon's father refused to sign the statement, the officers threatened to take him to the police station.^{xcⁱ}
65. On April 16, 2022, within hours of Netra News publishing a teaser YouTube video on RAB's Intelligence Wing's involvement in opposition party BNP leader Ilias Ali's 2012 disappearance, the government launched a disinformation campaign with multiple fake YouTube videos with the same title characterizing him as "a danger."^{xcⁱⁱ}
66. On September 10, 2022, Maayer Daak publicly condemned AL supporters who had collected photographs of female relatives of victims then photoshopped and publicized them on social media to portray them as prostitutes.^{xcⁱⁱⁱ}

B. Reprisals Against HRDs and CSOs

67. Since January 2022, there has been heightened surveillance by both law-enforcement officers and plain-clothed men on motorbikes in front of the homes of Odhikar's secretary **Khan** and Maayer Daak's coordinator **Sanjida Islam**. Those entering and exiting the respective buildings have been asked for their personal details and questioned about the activities in the building.
68. On January 13, 2022, two Dhaka Metropolitan Police's Counter Terrorism and Transnational Crime and Cyber Crime Department officers visited ASK's offices to ask about their leadership and sources of their recently-publicized finding of 80 extrajudicial killings in 2021.^{xc^{iv}}
69. On December 14, 2022, US Ambassador Peter Haas visited **Islam**'s home for a meeting with families of victims of enforced disappearance, but had to abruptly leave due to security risks created by AL supporters.^{xc^v} His visit increased police surveillance on the building. On December 21, 2022, a police team arrived at 1:00 am and asked the security guard to open the gate so they could check if there were any foreigners inside the building, claiming that they

were checking on foreigners' safety.^{xcvi} On January 10, 2023 at 3:10 am, a plain-clothed police officer carrying a weapon and wireless transceiver arrived at the building asking the security guard if residents were involved in BNP politics and if he was aware of any "trouble" that took place recently.^{xcvii}

70. Some CSOs have been particularly scapegoated. In a government circular dated January 25, 2022 and signed by Prime Minister Hasina and Cabinet Secretary Khandkher Anwarul Islam, it appears that the Finance Ministry and the Prime Minister's Office were tasked with monitoring foreign funding to several CSOs.^{xcviii}

71. Bangladesh authorities have also harassed the family members of exiled HRDs. A police intelligence agency officer visited the home of **Mohammad Ashrafuzzaman**'s family in Jashore in early 2022.^{xcix} The police questioned his relatives and friends about Ashrafuzzaman personal and professional information and collected information on his extended family.

IV. Recommendations

- Create an independent commission of inquiry to investigate all allegations of enforced disappearances, abductions, torture, extrajudicial killings, and custodial deaths. This commission should be formed in consultation with victims, their families, and independent experts. It should regularly and publicly report on its findings and be mandated to recommend cases for prosecution.
- Conduct full and impartial investigations into all allegations of arbitrary detention, enforced disappearance, abductions, and violence against HRDs and journalists by state and non-state actors. Hold all perpetrators accountable.
- End all harassment, intimidation, and attacks against HRDs, CSOs, and journalists. Re-register Odhikar so that they may continue their human rights work.
- End all arbitrary arrests, detentions, harassment, and attacks against opposition leaders and supporters and guarantee their right to peacefully assemble and participate in the January 2024 elections. Opposition party media outlets must be allowed to operate freely.
- Allow independent election observers into the country to monitor and make recommendations as soon as possible leading up to the January 2024 elections.
- Respect the rights to freedom of expression, association, and peaceful assembly for all. All bills, regulations, and laws must fully guarantee these rights and meet international standards.

- Amend the DSA and OSA in line with international standards and cease the use of these laws against HRDs and journalists in retaliation for their work.
- Withdraw the proposed Bangladesh Telecommunication Regulatory Commission Regulation for Digital, Social Media and OTT Platforms.
- Withdraw and amend the proposed Data Protection Act, 2022 in line with international standards, ensuring that the rights to information, privacy, and equal protection are upheld and that authorities are not exempted from accountability for rights violations.
- Protect the right of all forms of media to operate freely and independently. Respect the public's right to information through full and unrestricted access to critical news outlets.

ⁱ A description of the submitting organizations is attached in Annex I.

ⁱⁱ Recommendations 147.23, 147.77, 147.86, 149.33, and 149.53 from Matrix of Recommendations; Universal Periodic Review - Bangladesh, Third Cycle, <https://www.ohchr.org/en/hr-bodies/upr/bd-index>.

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