

# URGENT ACTION

## PRISONER OF CONSCIENCE FACES PROLONGED DETENTION

**Shahidul Alam, a prisoner of conscience and possible victim of torture, has been denied bail and is being subjected to prolonged detention for peacefully exercising his right to free speech after a case was filed against him under section 57 of the draconian Information and Communication Technology Act of Bangladesh. If tried and convicted, he faces up to 14 years in prison.**

**Shahidul Alam**, a renowned Bangladeshi photographer and activist, has been denied bail by a lower court in Dhaka on 11 September 2018, more than a month after he was wrongfully detained for expressing views critical of Bangladesh government on his Facebook account.

The lower court passed the order after his petitions for bail were repeatedly refused for hearing both in the lower and higher courts with the latest on 4 September 2018, when a High Court bench declared itself “embarrassed” to hear his bail petition, without explaining the reason.

Section 57 of the Information and Communication Technology Act (Amendment) 2013 carries a minimum sentence of seven years and a maximum of 14 years in jail. The case also attributes to him a statement he didn't make on Facebook.

Arrest of Shahidul Alam comes against the backdrop of student protests calling for safer roads after two school students were killed by a speeding bus on 29 July 2018. On 5 August, Shahidul criticized the government's heavy-handed response to the protests on Al-Jazeera English. A few hours later, he was taken away by members of the Detective Branch of the police to its headquarter from his home without any arrest warrant being shown.

Amnesty International considers Shahidul Alam a prisoner conscience who has been arrested for nothing but peacefully exercising his right to freedom of speech.

### **Please write immediately in English or Bangla or in your own language urging the authorities to:**

- Immediately and unconditionally release Shahidul Alam and withdraw all cases against him as he is a prisoner of conscience, detained solely for peacefully expressing his opinions;
- Immediately order an independent and efficient investigation into his torture allegations, and if found to be true prosecute those responsible in fair proceedings;
- Amend or repeal the Information and Communication Technology Act so as to bring Bangladeshi laws into line with international human rights law.

### **PLEASE SEND APPEALS BEFORE 24 OCTOBER 2018 TO:**

#### Minister of Home Affairs

Asaduzzaman Khan Kamal

Bangladesh Secretariat

Dhaka

Bangladesh

Mobile: +880 1 711541569

Tel: +880 2 9574800

Fax: +880 2 9133498

Email: minister@mha.gov.bd

**Salutation: Honourable Home Minister**

#### Inspector General of Police

Mohammad Javed Patwary

Police Headquarters

Dhaka

Bangladesh

Tel: +880 2 9514444;

+880 2 9514445;

Fax: +880 2 7125840

Email: ig@police.gov.bd

**Salutation: Dear Inspector General of Police**

#### **And copies to:**

Political Affairs Advisor to Bangladesh

Prime Minister

H.T. Imam

Prime Minister's Office

Dhaka

Bangladesh

Tel: +880 2 9129997

E-mail: advimam@pmo.gov.bd;

htimam55@gmail.com

**Salutation: Dear Advisor**

### **Also send copies to diplomatic representatives accredited to your country:**

HIS EXCELLENCY Mr. MD. NAZMUL QUAUNINE, High Commission for the People's Republic of Bangladesh, 28 Queen's Gate London SW7 5JA, 020 7584 0081, Fax 020 7581 7477, [info@bhclondon.org.uk](mailto:info@bhclondon.org.uk), [www.bhclondon.org.uk](http://www.bhclondon.org.uk)

Please check with your section office if sending appeals after the above date. This is the first update of UA 78/18. Further information:

[www.amnesty.org/en/documents/ASA13/8905/2018/en/](http://www.amnesty.org/en/documents/ASA13/8905/2018/en/)

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### ADDITIONAL INFORMATION

Shahidul Alam has been arrested under section 57 of the draconian Information and Communication Technology Act (Amendment) 2013 (ICT), which even the Bangladesh government admits requires reform. According to The Daily Star around 700 cases have been filed under the same section since 2013.

Bangladesh is only three months away from its 11th general elections due in December. The ICT Act has become the Bangladesh government's principal instrument for suppressing voices. The Section 57 of the Act, which carries a minimum sentence of seven years, for exercising free speech on internet and electronic media, reflects the Bangladesh government's growing intolerance of critical views.

The ICT Act's vaguely worded clauses empower the authorities to prosecute people "in the interest of sovereignty, integrity or security of Bangladesh" or if they are deemed to "prejudice the image of the State" or "hurt religious belief".

The government has used the law to silence criticism in the media by bringing criminal proceedings against journalists for simply doing their work peacefully. In December 2016, Nazmul Huda, a print and television journalist, was arrested, brutally beaten in custody and then filed under the ICT Act for covering protests by garment workers outside Dhaka.

Shahidul Alam is one of 17 persons arrested under the ICT Act between 29 July 2018 and 11 August 2018 against the backdrop of student protests calling for safer roads. The peaceful protests have been met by excessive and unnecessary police force, including the use of tear-gas and rubber bullets. The students were also attacked by members of a pro-government student group, the Bangladesh Chattara League, who used sticks and metal rods to assault the students as well as journalists covering the protests.

Shahidul Alam publicly claimed that he was tortured during his detention and was made to wear the clothes he was arrested in, blooded during the torture but then washed to remove the stains when he was produced at the court on 6 August 2018. No investigation has been ordered or initiated against the police officials into his claim and on 12 August a magistrate court ordered Shahidul Alam to be sent to jail on request of the police investigation officer.

Eleven Nobel laureates and 17 eminent personalities from across the world have demanded immediate release of Shahidul Alam, who they said is the spirit behind journalistic photography movement in Bangladesh.

Celebrated Indian photographer Raghu Rai, who was conferred the title "Friend of Bangladesh Liberation War" in 2012 for his contribution in documenting the liberation war of Bangladesh in 1971 expressed deep regret and urged Prime Minister Sheikh Hasina not to punish Shahidul Alam who he referred as "the eyes and ears of the common masses".