

URGENT ACTION

JOURNALIST ARRESTED FOR COVERING COST OF LIVING

On 29 March, Bangladeshi journalist Shamsuzzaman Shams was picked up from his residence by a group in civil clothes that identified as the Criminal Investigations Department for an online article he wrote for newspaper Prothom Alo on 26 March, Bangladesh's Independence Day, covering the rising cost of living. If convicted, he faces up to seven years in prison. His whereabouts were unknown for about 10 hours, after which the police stated that he was in custody and is being charged under Bangladesh's draconian Digital Security Act. This is a blatant violation of the right to freedom of expression, and Shamsuzzaman Shams must be immediately released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Prime Minister Sheikh Hasina

Prime Minister's Office

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Bangladesh

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Honourable Prime Minister Sheikh Hasina,

I'm writing to express my concern about journalist Shamsuzzaman Shams who was picked up from his residence in Ambagan, Dhaka, at 4 am on 29 March 2023 by a group in civil clothes that identified as the Criminal Investigations Department, for an online article he wrote for the Prothom Alo newspaper on 26 March regarding the rising prices of essential commodities in Bangladesh. His whereabouts were unknown for about 10 hours.

Following this, Police said Shamsuzzaman Shams was in their custody and has been charged with multiple offences under Sections 25, 26, 29, 31 and 35 of the draconian Digital Security Act 2018 (DSA) for allegedly creating and aiding the deterioration of the law-and-order in the country by publishing defamatory, false and fabricated information on the Independence Day of Bangladesh. The article was posted on Prothom Alo's Facebook page with a photo of a child selling flowers near an independence memorial accompanied by a quote from a labourer regarding the cost of living. Acknowledging the photo had been used incorrectly alongside the labourer's quote, Prothom Alo removed the photo 17 minutes later and carried a correction.

Shamsuzzaman Shams could face up to seven years in prison if convicted, and the term could be higher if the sentences do not run concurrently. Since its inception, the Digital Security Act has been used by the authorities to target critical voices and silence dissent, including journalists who have been targeted for their publications online. His arrest is a clear violation of the right to freedom of expression under international human rights law including the International Covenant on Civil and Political Rights, to which Bangladesh is a state party.

Amnesty International calls on the Bangladeshi government to:

- **Drop all charges against Shamsuzzaman Shams and release him immediately.**
- **Repeal the Digital Security Act 2018 or amend it in line with international human rights standards and release others arbitrarily detained under the Act.**
- **Uphold its obligations to protect the right to freedom of expression under its constitution and the International Covenant on Civil and Political Rights (ICCPR).**

Yours sincerely,

ADDITIONAL INFORMATION

Shamsuzzaman Shams is a journalist working for the [Prothom Alo](#) newspaper in Bangladesh who was picked up at around 4 AM on 29 March 2023, from his residence in Ambagan, Savar, in Dhaka, the capital of Bangladesh, by a group of people in civil clothes, who identified themselves as the Criminal Investigations Department (CID). Initially, the local police and the CID's Dhaka division denied any knowledge of his whereabouts. He was produced before court on 30 March, but his bail was denied and he was sent to jail.

Prothom Alo newspaper carried an [article](#) with eyewitness accounts that stated a group of around 15 people arrived at Shams's house in three vehicles at around 4 am. Some of them entered the house, while others stood outside, and searched Shams's room and seized his laptop, two mobile phones and portable hard disk, and left with Shams in their custody. Around half an hour later, they returned with Shams to his house, made a list of items they seized, took photos of Shams standing in the room, and asked him to pack some clothes before leaving. Eyewitnesses believed a police officer to be amongst the group in plainclothes.

The [article](#) written by Shams on Bangladesh Independence Day, March 26 2023, focused on the rising cost of living, titled 'We want independence of fish, meat and rice', pointing to the rising prices of essential commodities in Bangladesh. In Prothom Alo's Facebook page, a photo of a child holding flowers was published with a quote underneath it which was attributed to a labourer who was quoted interviewed in the article saying, "What will I do with the independence if I don't have rice to eat? Going to the market causes me to break a sweat. We need independence of fish, meat and rice." Acknowledging the photo had been used incorrectly alongside the labourer's quote, Prothom Alo removed the post from its Facebook page within 17 minutes of its publication, removed the photo of the boy from its online report and issued a clarification.

In addition to Shams, a group of unnamed people including a photographer have been charged and the editor of Prothom Alo, Matiur Rahman, is also being sued under the Digital Security Act, named as the main accused in Shams's case. Since the law was introduced in 2018, the authorities have used it to suppress online dissent, and curtail freedom of expression in online spaces.

The UN Human Rights Committee has stated that the right to freedom of expression protects the expression of every form of idea and opinion including political discourse, commentary on public affairs and discussion of human rights under the International Covenant on Civil and Political Rights, to which Bangladesh is a state party. The UN Special Rapporteurs on freedom of expression and on the situation of human rights defenders have said that the sections in the Digital Security Act, including those used against Shamsuzzaman Shams, criminalize large categories of expression in vague and broad terms. They said that the Digital Security Act affords Bangladesh's "Government broad discretion to unduly penalize individuals for holding or sharing personal opinions, creating a chilling effect on the exercise of the right to freedom of expression." Individuals have been subjected to a wide range of human rights [violations](#) including enforced disappearance, arbitrary detention and torture, simply for criticising powerful people or the government on social media.

Despite Bangladesh's international commitment to protect the right to freedom of expression, journalists are being punished for their work, and as reported, according to the Center for Governance Studies, a total of 138 cases were filed against journalists under the DSA between January 2019 and August 2022, in which a total of 280 people were accused and 84 were arrested.

The Digital Security Act is a law consisting of vague and overbroad provisions that are increasingly being used to target people from all walks of life solely for expressing dissent and exercising their right to freedom of expression online. In February 2021, [Mushtaq Ahmed](#), a Bangladeshi writer died in prison after languishing there for 10 months in pretrial detention for criticizing on Facebook the Bangladeshi government's response to the Covid-19 pandemic. Recently, a government employee, [Sultana Jasmine](#), accused under the DSA, died in the custody of Rapid Action Battalion-5 after suffering bleeding in her brain.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Bangla

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 26 May 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Shamsuzzaman Shams He/him

ADDITIONAL TARGET

Please copy in:

1. Mr. AK Abdul Momen
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