



# BANGLADESH

## AMNESTY INTERNATIONAL SUBMISSION FOR THE UN UNIVERSAL PERIODIC REVIEW 30<sup>TH</sup> SESSION OF THE UPR WORKING GROUP, APRIL-MAY 2018

### PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

#### RESTRICTIONS ON THE RIGHT TO FREEDOM OF EXPRESSION

There has been a string of fatal attacks on secular and other activists in Bangladesh. These attacks have taken place in a context in which the right to freedom of expression in Bangladesh has been significantly eroded.<sup>1</sup>

Journalists, editors, human rights defenders, secular activists, and others have suffered restrictions on their right to freedom of expression. They have faced repressive tactics, received threats or been subjected to physical attacks (some of which have proved fatal) by armed groups and other non-state actors. The government has failed to protect these dissenting voices or hold accountable those who threaten them. It has also intensified its crackdown on public debate and criticism, harassing media workers and others, interfering with their work, and bringing criminal charges against them under draconian laws.

At least seven secular activists<sup>2</sup> – five bloggers, one publisher and one online activist<sup>3</sup> – have been killed in revenge attacks for exercising their right to freedom of expression.<sup>4</sup> On 25 April 2016, prominent LGBTI activist and producer of the magazine *Roopban*,<sup>5</sup> Xulhaz Mannan<sup>6</sup> and his colleague Mahbub Rabbi Tonoy were similarly targeted. The armed group Ansar al-Islam has claimed responsibility for all the attacks, citing the victims' secular writings and activism<sup>7</sup> as their motivation.<sup>8</sup> While the immediate threat appears to have receded (the last attack took place in April 2016), the

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<sup>1</sup> See Amnesty International, *Caught between Fear and Repression: Attacks on Freedom of Expression in Bangladesh* 8 May 2017 (AI Index: ASA 13/6114/2017).

<sup>2</sup> Those who have expressed their secular views in writing.

<sup>3</sup> See for example: Amnesty International, "Bangladesh: Authorities must act as another secular activist hacked to death", 7 April 2016, and Amnesty International, "Bangladesh: horrific pattern of violence against freedom of expression", 31 October 2015.

<sup>4</sup> Amnesty International, "Bangladesh: One year since secular blogger Ananta Bijoy Das was killed and still no justice," 11 May 2016.

<sup>5</sup> *Roopban*, Bangladesh's first and only magazine for LGBTI issues, was launched in 2014.

<sup>6</sup> See for example: Amnesty International, "Bangladesh: Authorities must act as another secular activist hacked to death", 7 April 2016, available at <https://www.amnesty.org/en/latest/news/2016/04/bangladesh-authorities-must-act-as-another-secular-activist-hacked-to-death/>; and Amnesty International, "Bangladesh: horrific pattern of violence against freedom of expression", 31 October 2015, available at: <https://www.amnesty.org/en/latest/news/2015/10/bangladesh-horrific-pattern-of-violence-against-freedom-of-expression/>

<sup>7</sup> Following Xulhaz Mannan and Mahbub Rabbi Tonoy's murder, armed group Ansar al-Islam issued statement in which they said they targeted these LGBTI activists because they were 'pioneers of practicing and promoting homosexuality' in Bangladesh. For further information see: NPR.org, Editor of Bangladesh's Only LGBT Magazine Is Hacked to Death, 26 April 2016 <http://www.npr.org/sections/thetwo-way/2016/04/26/475717047/editor-of-bangladeshs-only-lgbt-magazine-is-hacked-to-death>

<sup>8</sup> Armed groups in Bangladesh have since 2015 widened their list of victims from secular activists to also include other individuals and groups, such as members of religious minorities, foreigners and academics. Amnesty International's report however focused on those

killings have had a chilling impact. According to the Committee to Protect Journalists, between 2013 and 2016, seven journalists were killed as a direct result of their work. Journalists based outside of major towns are at increased risk of harassment or attacks from influential local actors because of their reporting and have less institutional support from their media outlets.

The Bangladeshi authorities' public response to the wave of violent attacks against secular activists has been marked by a troubling unwillingness to condemn the killings and appears to shift the focus onto the victims. The police are often reluctant to file charges or investigate influential politicians or businessmen for threats or violence against media workers, thereby creating a culture of impunity. Some activists and bloggers who received threats from "militants" approached the police for assistance, but were turned away.<sup>9</sup> In February 2015, following the death of secular blogger Avijit Roy, Arnab Goswami approached the police after receiving threats. He was asked by the police not to mention that he was a secular activist in the complaint he lodged. However, his repeated pleas for police protection were ignored and he eventually fled the country.<sup>10</sup> In March 2017, the government stated that 22 suspects had been arrested in relation to the 2015 killings of secular activists Bijoy Das, Avijit Roy, Faisal Deepan and Niloy Neel.<sup>11</sup> To date, according to information available to Amnesty International, criminal convictions have only been secured in one of the cases.<sup>12</sup> Police investigations are ongoing in some cases and trials have yet to start.

Following the killing of a senior police officer's wife in June 2016 and the attack on the Holey Artisan Bakery in Dhaka in July 2016, in which five men belonging to the armed group Jamaat-ul-Mujahideen killed 22 people, the authorities have significantly increased operations by security forces. At least 11,000 people, including alleged supporters of armed groups, have been arrested<sup>13</sup> and some have been killed in "shoot-outs" (portrayed as targeting armed groups). Human rights groups have raised serious concerns about the nature of these arrests, alleging that thousands of the arrests were politically motivated<sup>14</sup> and targeting supporters of opposition parties.<sup>15</sup>

The government has used draconian legislation against a wide spectrum of civil society in an attempt to silence them.<sup>16</sup> For example, Adilur Rahman Khan and Nasiruddin Elan, the secretary and director, respectively, of the Bangladeshi human rights organization Odhikar, were charged under Section 57 of the Information and Communication Technology Act (ICT Act) for publishing a report on alleged extrajudicial executions by security forces during a protest rally in May 2013.

Arbitrary restrictions on the media are not new and have to varying degrees been placed throughout Bangladesh's

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emblematic cases of those who have been targeted for exercising their right to freedom of expression.

<sup>9</sup> See Amnesty International, *Caught between Fear and Repression: Attacks on Freedom of Expression in Bangladesh* 8 May 2017 (AI Index: ASA 13/6114/2017).

<sup>10</sup> Similarly, both Niloy Neel and Faisal Abedin Deepan (two of the seven who were killed) stated shortly before their deaths that they had each approached police for protection but were again ignored. For further information see, Amnesty International *Caught between Fear and Repression: Attacks on Freedom of Expression in Bangladesh* 8 May 2017 (AI Index: ASA 13/6114/2017).

<sup>11</sup> Human Rights Committee 119<sup>th</sup> Session, Replies of the Bangladesh Government to the List of Issues – Annex 2, UN Doc. CCPR/C/BGD/Q/1/Add.1, 14 February 2017.

<sup>12</sup> The 2013 murder of blogger Rajib Haider is still the only case, to date, where anyone has been convicted.

<sup>13</sup> See Amnesty International: Bangladesh: End illegal detentions immediately. 14 August 2016 available at: <https://www.amnesty.org/en/latest/news/2016/08/bangladesh-end-illegal-detentions-immediately/>

<sup>14</sup> Human Rights Watch, "Bangladesh: Halt Mass Arbitrary Arrests", 17 June 2016 available at: <https://www.hrw.org/news/2016/06/17/bangladesh-halt-mass-arbitrary-arrests>

<sup>15</sup> The BNP claim that at least 2,100 of its party leaders and activists were among those swept up in the crackdown. For further information see: CNN, "Bangladesh arrests more than 11,000 after wave of killings", 14 June 2016 available at <http://edition.cnn.com/2016/06/15/asia/bangladesh-nationwide-raids>

<sup>16</sup> For further information see Amnesty International *Caught Between Fear and Repression, Attacks on Freedom of Expression in Bangladesh* 8 May 2017 (AI Index: ASA 13/6114/2017)

modern history. However, media workers consider that media freedom is now more restricted than at any point since the country returned to civilian rule in 1991. Some journalists have been charged with sedition and defamation,<sup>17</sup> while others have faced charges under the ICT Act<sup>18</sup> and other repressive laws,<sup>19</sup> often for reporting on government corruption or in other ways criticizing the authorities.

The ICT Act itself has had a particularly harmful effect on freedom of expression. The Act<sup>20</sup> contains vague and overly broad provisions which give the authorities wide scope to bring criminal charges against critics.<sup>21</sup> Moreover, under amendments to the Act introduced in 2013, police now have the power to make arrests without a warrant and all offences are non-bailable, which means that it is a matter of discretion of the court to grant or refuse bail.<sup>22</sup> On 2 May 2017, in response to calls to repeal the ICT Act, the Minister of Law, Justice and Parliamentary Affairs announced that Section 57 of the Act would be “scrapped” and replaced by the Digital Security Act (DSA).<sup>23</sup> The DSA,<sup>24</sup> however, itself falls short of international human rights standards imposing further restrictions on the right to freedom of expression.<sup>25</sup>

The Foreign Donations (Voluntary Activities) Regulations Act<sup>26</sup> has been used to increase scrutiny of human rights organizations and media agencies thereby curtailing their right freedom of expression. The Act makes it an offence for NGOs to make “inimical” or “derogatory” remarks against the Constitution or a constitutional body; however, neither term is defined in the Act. NGOs found to make such remarks may be deregistered.

Although the government regularly points to the proliferation of news outlets in Bangladesh as evidence of its vibrant and free media,<sup>27</sup> many of these are deeply divided along political lines with successive governments issuing broadcast licenses only to known supporters. Since 2014, the authorities have closed several news outlets.<sup>28</sup>

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<sup>17</sup> In Bangladesh, defamation is a criminal offence as well as being a matter for civil litigation.

<sup>18</sup> The same Section 57 also criminalizes publishing anything online that hurts “religious sentiment”, which has often used to bring criminal charges against religious minorities or secular activists who have been found to publish “offensive” remarks about Islam. For further information see Amnesty International *Caught Between Fear and Repression, Attacks on Freedom of Expression in Bangladesh* 8 May 2017 (AI Index: ASA 13/6114/2017)

<sup>19</sup> There are around 50 laws and regulation which govern the news media in Bangladesh, many of which overlap in sometimes contradictory ways, in particular related to online and broadcast media. For background, see Meer Ahsan Habib, “Where we stand on media governance”, *The Daily Star*, 3 May 2016, available at <http://www.thedailystar.net/op-ed/politics/where-we-stand-media-governance-1217557>

<sup>20</sup> The ICT was first introduced in 2006 under the Bangladesh Nationalist Party but amended in 2013 increasing the penalties that can be imposed and the police powers of arrest and detention.

<sup>21</sup> Amnesty’s report, *Caught Between Fear and Repression*, illustrates the clampdown on freedom of expression detailing a litany of cases where restrictions have been placed on media workers, human rights defenders and others.

<sup>22</sup> International Crisis Group, *Political Conflict, Extremism and Criminal Justice in Bangladesh*, 11 April 2016 available at <https://www.crisisgroup.org/asia/south-asia/bangladesh/political-conflict-extremism-and-criminal-justice-bangladesh>

<sup>23</sup> *Dhaka Tribune* Law Minister: Section 57 will be dropped from ICT Act 2 May 2017 available at: <http://www.dhakatribune.com/bangladesh/law-rights/2017/05/02/law-minister-section-57-dropped-ict-act/>

<sup>24</sup> The Digital Security Act was adopted by Cabinet on 22 August 2016. It has yet to be passed into law.

<sup>25</sup> For detailed analysis on the act see Article 19, *Bangladesh: Draft Digital Security Act*, 11 May 2016 available at <https://www.article19.org/resources.php/%20resource/38368/en/bangladesh--draft-digital-security-act>

<sup>26</sup> The Financial Donations Regulations Act entered into force after the President gave his final approval to the law on 13 October 2016. For further information and analysis see *Bangladesh: New law designed to stifle civil society must be repealed* 17 October 2016 (ASA 13/4996/2016)

<sup>27</sup> In 2017, there were some 2,800 newspapers and magazines in Bangladesh as well as scores of independent TV and radio stations throughout the country with a further 500 news portals active by the end of 2014. For further information see Anis Rahman, “Print and electronic media in Bangladesh”, in *Routledge Handbook of Contemporary Bangladesh*, 2016, p. 502.

<sup>28</sup> For further information, see Amnesty International *Caught Between Fear and Repression*, page 40, 8 May 2017 (AI Index: ASA 13/6114/2017).

Meanwhile, scores of activists have perceived no option for themselves but to flee Bangladesh. Self-censorship has become the norm among those who have remained.

## **DISCRIMINATION AGAINST LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE**

LGBTI people are among the most marginalised groups in Bangladesh and face both state and non-state harassment and violence. Section 377 of the Penal Code criminalises “carnal intercourse against the order of nature”, referring to same-sex relationships between men and women, and carries a maximum sentence of 10 years’ imprisonment. Police often use this law as a pretext to harass, intimidate and detain people (torture and ill-treatment in police custody is rife) on the grounds of their real or perceived sexual orientation or gender identity.<sup>29</sup>

On 29 September 2017, Bangladesh joined 12 other countries in voting against a UN resolution asking countries in which the death penalty is legal to ensure it is not applied “arbitrarily or in a discriminatory manner” or imposed to punish consensual same-sex relations.<sup>30</sup>

## **ENFORCED DISAPPEARANCES**

Enforced disappearances continue at an alarming rate with the Working Group on Enforced or Involuntary Disappearances<sup>31</sup> communicating its growing concern to the authorities in February 2017.<sup>32</sup> Among those disappeared are supporters of opposition parties Bangladesh Nationalist Party and Jamaat-e-Islami. At its second UPR, Bangladesh stated that neither “forced disappearances” nor “extrajudicial executions” were permitted under Bangladesh’s laws.<sup>33</sup>

Amnesty has confirmed reports by Odhikar that 90 people were forcibly disappeared over the course of 2016.<sup>34</sup> Some of them were subsequently found dead. The figures for 2017 present a similarly grim picture with 67 people reportedly having been subjected to enforced disappearances since January 2017.<sup>35</sup>

In April 2017, Swedish Radio disclosed details of a (corroborated) secretly recorded interview with a senior member of the elite anti-terrorism police force, Rapid Action Battalion (RAB).<sup>36</sup> In the interview, the officer candidly outlined how RAB

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<sup>29</sup> For further information, see Amnesty International Bangladesh: 28 Arrested Suspected of Being Gay, 22 May 2017 (AI Index: ASA 13/6305/2017) and Amnesty International, Bangladesh: Further Information: All 28 Men Suspected of Being Gay Released, 2 August 2017 (AI Index: 13/6854/2017)

<sup>30</sup> Salon, U.S. votes against U.N. resolution condemning death penalty for LGBT people; is this who we are? 3 October 2017, available at: <https://www.salon.com/2017/10/03/u-s-votes-against-u-n-resolution-condemning-death-penalty-for-lgbtq-people-is-this-who-we-are/>

<sup>31</sup> “UN expert group urges Bangladesh to stop enforced disappearances” 24 February 2017 available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21220&LangID=E>

<sup>32</sup> On 12 March 2013 the WGEID requested an invitation to undertake a visit to Bangladesh. No response has yet been received from the government in spite of reminders sent on 27 October 2014, 27 November 2015 and 18 November 2016.

<sup>33</sup> Bangladesh commented on recommendation 130.20 by stating that “Issues such as “forced disappearance” or “extra-judicial execution” are not permitted under Bangladesh’s laws. Any incident of death, or any form of breach of human rights in the hands of law enforcement agencies must be accounted for within the bounds of laws. The criminal justice system has absolute jurisdiction over the members of law enforcement agencies for any alleged criminal offence and human rights violation. There is no legal provision that shields law enforcement personnel from prosecution and penalization if found guilty of committing excesses beyond their Codes of Conduct and Rule of Engagement”, A/HRC/24/12/Add.1.

<sup>34</sup> Amnesty International Bangladesh: Man Released From Long Secret Detention, 2 March 2017, available at: <https://www.amnesty.org/en/latest/news/2017/03/bangladesh-man-released-from-long-secret-detention/>

<sup>35</sup> Odhikar, Human Rights Monitoring Report, 1 October 2017 available at: [http://1dgyo51vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/10/human-rights-monitoring-report-September-2017\\_Eng.pdf](http://1dgyo51vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/10/human-rights-monitoring-report-September-2017_Eng.pdf)

<sup>36</sup> See Amnesty International, *Crimes unseen: Extrajudicial executions in Bangladesh* (Index: ASA 13/005/2011) and “Exclusive: Officer Exposes Brutal Killings by Bangladeshi Elite Police Unit RAB”, Swedish Radio, 4 April 2017 available at

operates and carries out enforced disappearances and extra-judicial executions. The recording matched Amnesty International's observations over the past few years regarding this pattern of violations in which RAB, and other members of law enforcement agencies, has been repeatedly implicated.

## CHITTAGONG HILL TRACTS

Indigenous Peoples in the Chittagong Hill Tracts (CHT) have made numerous complaints that land traditionally owned by them has been occupied either by the army or by Bengali settlers who arrived during the war in the 1990s or earlier. The Chittagong Hill Tracts Peace Accord of 1997 established a Land Commission to resolve such land disputes; however, since then the Commission has not resolved a single dispute. As a result of this culture of impunity, tension between the settlers and the Indigenous communities, and the failure of the security forces to protect Indigenous Peoples against attacks by the Bengali settlers, have led to frequent clashes between the two communities and injuries on both sides.

Indigenous women living in the CHT face multiple and intersecting forms of discrimination and barriers in their access to justice because of their gender, Indigenous identity and socio economic status.<sup>37</sup> In a number of cases, the perpetrators of sexual and other gender-based violence against Indigenous women in the CHT are alleged to be Bengali settlers living on traditional lands or military and security officials based in the Tracts.

Discriminatory restrictions on the rights to freedom of expression and freedom of movement were imposed in January 2015 when the government issued a memorandum placing restrictions on people, including Bangladeshi citizens,<sup>38</sup> wishing to visit or organize activities in the CHT or to hold meetings with Indigenous Peoples.<sup>39</sup> Human rights activists and journalists have reported to Amnesty International that the memorandum has had a negative impact on their work.<sup>40</sup>

In early June 2017, a vicious mob attack on Indigenous Peoples in Langadu sub-district, in eastern Chittagong division, left hundreds of homes torched and at least one person dead.<sup>41</sup> Police and soldiers present reportedly did nothing to protect the Indigenous villagers. Two days later, soldiers are reported to have used excessive force against a group of about 50-60 students gathered in Dighinala sub-district peacefully protesting against the violence and against the disappearance of Indigenous rights activist Kalpana Chakma.

Amnesty International has received reports that some 30-45 people were arrested in connection with the violence and while this is a positive step, the authorities have a poor track record of ensuring justice to Indigenous Peoples who are victims of violent attacks. Other cases where Indigenous communities have been attacked have all met similar fates –

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<http://sverigesradio.se/sida/artikel.aspx?programid=83&artikel=6665807>

<sup>37</sup> See Amnesty International Submission to the United Nations Committee on the Elimination of Discrimination against Women 20 September 2016 (ASA Index: ASA 13/4863/2016).

<sup>38</sup> Under the new guidelines, even Bangladeshi citizens would need to apply for permission to hold meetings in the CHT, at which the presence of army officials would be obligatory.

<sup>39</sup> As Amnesty International stated in an open letter to the Prime Minister, these measures violate rights to freedom of expression, association and assembly, as they do not comply with Covenant criteria regarding permissible limitations on these rights. For further information see: Open Letter To The Prime Minister Of Bangladesh, Sheikh Hasina <https://www.amnesty.org/download/Documents/ASA1326252015ENGLISH.pdf>

<sup>40</sup> The title of the memorandum, "Regarding implementation of the decisions about meeting local ethnic minorities in the CHT by native/foreign persons/organizations" reveals its explicitly discriminatory intent.

<sup>41</sup> Amnesty International, Bangladesh: Investigate vicious mob violence against Indigenous Peoples 5 June 2017.

Indigenous families have been left homeless while the alleged perpetrators are rarely held to account and court cases continue to languish.<sup>42</sup> Those who lost their homes remain homeless despite government promises of relief.<sup>43</sup>

In June 1996, Kalpana Chakma was abducted by an army officer and two members of a paramilitary force. The case has been characterized by numerous procedural failings and despite three investigations by 39 investigating officers crucial eyewitnesses and the alleged perpetrators were not interviewed until 18 years after the event. Kalpana's family has lodged a petition with a court in Rangamati requesting an investigation by the Police Bureau of Investigation.

## ROHINGYA REFUGEES

Members of Myanmar's mainly Muslim Rohingya minority community have arrived into Bangladesh since at least the 1970s, fleeing violence, persecution and discrimination in Myanmar. Cox's Bazaar District which has been hosting arrivals<sup>44</sup> has seen an influx of an estimated of 519,000 Rohingya refugees since 25 August 2017.<sup>45</sup>

The government's inconsistent response to the influx over the last year has at times compounded difficulties for refugees fleeing violence. Following the violence in October 2016, the Border Guards were instructed to push Rohingya<sup>46</sup> refugees back across the border (reinforcing a long standing and unlawful policy)<sup>47</sup> and forcing many to use dangerous, irregular routes into the country. With the recent exodus of Rohingya refugees from Myanmar, the Border Guards limited some boat crossing points after boats carrying refugees capsized in the river Naf and dozens drowned. However, while the official position of the Bangladeshi government is that the border is closed, no major obstructions seems to be placed on movement and the Border Guards have not turned refugees back.

Amnesty International remains concerned, however, that a joint working group, reportedly established by the governments of Bangladesh and Myanmar to discuss the repatriation of Rohingya refugees, may not be sufficiently robust to ensure full respect for the human rights of the Rohingya, including to refugee status in accordance with international law or a safe, voluntary and dignified return to their homes.<sup>48</sup>

The refugees have constructed thousands of shelters on whatever empty land they could find. On 16 September 2017, the government of Bangladesh announced that new settlements would be built in October 2017 on 2,000 acres in the Cox's Bazar District. Officials plan the construction of 14,000 shelters led by the Bangladesh military and supported by international agencies. However, the government has also announced restrictions on inhabitants of the planned

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<sup>42</sup> For example, in Sajek in 2008, clashes happened, according to reports by Indigenous villagers, when the army encouraged Bengalis to settle on Indigenous land. When Indigenous residents complained, there were clashes and the houses of 70 Indigenous residents were burnt to the ground. In 2010 there were further clashes and one Indigenous resident was killed. There has been no independent inquiry into the attacks and no one has been held to account for the violence.

<sup>43</sup> Daily Star, "Longadu Fire: 3 months on, they're still homeless", <http://www.thedailystar.net/backpage/longadu-fire-3-months-theyre-still-homeless-1465837>

<sup>44</sup> Cox's Bazaar is already home to 32,000 registered refugees as well as an additional 300,000 to 500,000 unregistered Rohingyas. A further 66,000 are estimated to have fled during 9 October 2016 to 6 January 2017 in response to an operation launched by the Myanmar military in Rakhine state.

<sup>45</sup> Figures from Situation Report: Rohingya Refugee Crisis, Inter Sector Coordination Group, 8 October 2017 Available here: [https://www.humanitarianresponse.info/system/files/documents/files/171008\\_weekly\\_iscg\\_sitrep\\_final.pdf](https://www.humanitarianresponse.info/system/files/documents/files/171008_weekly_iscg_sitrep_final.pdf)

<sup>46</sup> For further information see Amnesty International, We are at Breaking Point, Rohingya Persecuted in Myanmar, Neglected in Bangladesh (ASA Index: ASA 16/5362/2016) 19 December 2016 Available here: <https://www.amnesty.org/en/documents/asa16/5362/2016/en/>

<sup>47</sup> Such pushbacks violate international law, in particular the principle of *non-refoulement*, an absolute ban on returning refugees to countries where they are at risk of serious human rights violations or persecution.

<sup>48</sup> When in the 1990s and 2000s, tens of thousands of Rohingya refugees were returned from Bangladesh to Myanmar in a large-scale repatriation operation those returned continued to face systematic state sponsored discrimination and waves of violence in Rakhine state. For further information see Amnesty International, Myanmar/Bangladesh: Rohingya refugees must not be forced home to abuse and discrimination, 4 October 2017.

settlements. Rohingya are not permitted to leave the camp, including to live with family or friends. They are also barred from travelling by vehicle within the country and landlords are prohibited from renting to them and only those registered as refugees will qualify for official assistance.

## RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

**Amnesty International calls on the government of Bangladesh to:**

### *Restrictions on the right to freedom of expression*

- Promptly and fairly conclude ongoing police investigations and criminal prosecutions into the killing of secular bloggers, LGBTI activists and others;
- Unequivocally condemn attacks by armed groups on secular bloggers, LGBTI activists and others;
- Publicly commit to ensuring that journalists and other media workers are able to carry out peaceful journalistic activities without fear of surveillance, intimidation, harassment, arrest, prosecution or retribution;
- Ensure effective protection of the lives and personal integrity of journalists and media workers, including against attacks or threats coming from non-state groups;
- Immediately end the practice of bringing criminal charges and unconditionally drop all criminal charges against journalists, activists and others for merely exercising their right to freedom of expression;
- Ensure that police officers are adequately trained and instructed to ensure reports of harassment, attacks and death threats by activists are investigated, and that those under threat are protected;
- Repeal or amend all laws that violate the rights to freedom of expression, association and peaceful assembly, including the provisions of the Penal Code related to defamation and sedition, the Information Communication Technology (ICT) Act, and the Foreign Donations (Voluntary Activities) Regulation Act, in line with international human rights law;
- Ensure that bills currently being considered for adoption into law, are brought in line with international human rights law and standards, including the Digital Security Act.

### *Abductions, enforced disappearances and lack of accountability*

- Criminalize enforced disappearance by incorporating provisions of the International Convention for the Protection of All Persons from Enforced Disappearances into national law;
- Take effective measures to address past human rights violations, including abductions and enforced disappearances by security agents, with a view to establishing the truth, giving access to justice to the victims, bringing perpetrators to account in fair proceedings, and providing remedies to the victims, including compensation;
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 6 February 2007, without any reservations, incorporate it into its domestic legislation, including the Penal Code, and implement it in policy and practice;
- In ratifying the Convention, recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties under its Article 32.

### *Chittagong Hill Tracts*

- Rescind the 2015 memo restricting visits to the Chittagong Hill Tracts and contacts with Indigenous Peoples;
- Urgently investigate reports of sexual and gender-based violence against Indigenous women and girls in the Chittagong Hill Tracts and strengthen the effectiveness of the justice system in addressing sexual and gender-based violence;

- Provide immediate relief to those made homeless by the mob violence in Langadu and ensure that those responsible for the violence are brought to justice in accordance with international standards of fair trial;
- Provide all necessary resources to the Chittagong Hill Tracts Land Commission to enable it to resolve unlawful land expropriations.

*Rohingya refugees*

- Provide for or facilitate the provision of the humanitarian needs of refugees and migrants, including food, water, shelter and health care, as well as education for children;
- End any formal and informal restrictions preventing the UN and NGOs from providing aid to refugees;
- Ratify the 1951 Refugee Convention and ensure that those claiming asylum are able to access refugee status determination procedures without discrimination of any kind;
- Ensure that any plan to repatriate Rohingya refugees to their homes in Myanmar is a voluntary, safe and dignified process;
- Guarantee that no one will be forced back to a situation where they risk facing serious human rights violations, including systematic discrimination and segregation.