



Victim Blaming

Bangladesh's Failure to Protect Human Rights Defenders

“People think the only problem is that we’re being killed – that ‘extremists’ are murdering activists. But no one talks about the government arresting us, making new laws to silence us, and refusing to protect us when we tell them about the death threats.”
- LGBTI rights defender, Dhaka

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*Cover photo: Street art in Dhaka, Bangladesh, depicts violence during the 1971 War of Liberation.
Photo: Front Line Defenders*

I. Introduction

Between February 2013 and June 2016, at least 14 human rights defenders (HRDs) and activists were murdered in Bangladesh. Local extremist groups pledging allegiance to Al-Qaeda in the Indian Subcontinent often claimed responsibility for the attacks, which have targeted HRDs who write about women's rights, indigenous peoples' rights, freedom of religion, and other human rights issues.

The government has so far failed to properly investigate a majority of the murders. Despite recent reports that some of the perpetrators were killed in "shoot outs" with police in Dhaka, few thorough and transparent investigations into the murders of activists have occurred. What began in 2013 as an assault on bloggers sharing secular views and criticising the influence of fundamental Islam on Bangladeshi politics has become a lethal environment for HRDs who advocate for human rights-related reforms to which those pushing a fundamentalist Islamic agenda are opposed.

Following the murders of some of the most prominent HRDs and writers in the country, the government released statements which criticised the writings of the murdered HRDs rather than the attackers' crimes. In August 2013, six months after bloggers and secular activists played a leading role protesting impunity for war criminals and at least one blogger had been murdered, the parliament brought widely criticised amendments to the Information and Communication Technology Act 2006 (ICT Act) aimed at restricting freedom of expression.

As a result of killings, impunity, and the authorities' refusal to protect HRDs who report threats, more than 45 of the most prominent Bangladeshi human rights defenders and writers are now dead, in exile, or have ceased writing completely.

In August 2016, Front Line Defenders conducted a research mission to Bangladesh to investigate the killings of HRDs, the government's response to the attacks, and reports from HRDs regarding the denial of their requests for police protection.

This report reflects the experiences of HRDs working on a variety of rights. HRDs interviewed include those working for the rights of women, LGBTI groups, migrant workers, indigenous peoples, and labourers, as well as those fighting for freedom of expression and academic freedom. It includes testimonies from the families and colleagues of murdered HRDs, activists still working in Bangladesh, and HRDs forced into exile. It also draws on interviews with Bangladeshi and international journalists, legal experts, and academics.

“ *If we look at the logic of the killings, it's hurting religious sentiment. But that can mean many things. The way I dress, that I wear this bindi, could hurt the sentiments of a very religious person if according to them a woman should be veiled. Women being seen in public hurts the religious sentiments of some people in this country.*

Women's liberation, women's freedom, is very much at stake if killings, attacks, harassment are justified in the name of hurting religious sentiment.” - Sultana Kamal, women's rights defender

II. Key Findings

HRDs working on a wide range of issues reported that the killings, lack of protection provided to targeted activists, and impunity for perpetrators have severely damaged their work.

Key findings include:

- **Shrinking Space:** HRDs working on at least 10 different rights issues – including indigenous peoples' rights, economic social and cultural rights, women's rights, migrant rights, labour rights, LGBTI rights, freedom of expression, police brutality, extra-judicial killings and disappearances, and sexual and reproductive rights – report **decreasing their public activism and online writings** in their area of expertise.
- **Lack of Protection:** Front Line Defenders documented **widespread failure by the authorities to protect targeted HRDs**. HRDs still in the country, HRDs in exile, and the families of murdered HRDs report that police ignored or denied requests for protection, including after reporting death threats. Multiple HRDs who have been physically attacked and the families of those who have been killed reported that in the six months prior to the attack police denied a request for protection.
- **Refusal to Investigate:** **Police have refused to accept general diaries (formal complaints) from HRDs** attempting to report threats, including death threats, and harassment. Upon trying to file general diaries, HRDs have been instructed to visit other precincts, where their report was subsequently denied again. Police told several HRDs, including those who were subsequently attacked and killed, to “just leave the country” when they went to the police station to file a complaint and request protection. Others were told “we can't help you, you're a blogger.”
- **Exile:** The proliferation of killings and violent attacks has resulted in **a stark rise in the number of HRDs seeking emergency relocation** abroad. Front Line Defenders and local partners have documented at least 25 cases of HRDs forced into exile after being publicly named on a “hit list”, receiving direct threats, requesting police protection that was ignored or denied, and/or following a physical attack.
- **(Self-) Censorship:** All HRDs interviewed reported an **increase in self-censorship** since 2013. HRDs unable or unwilling to leave the country – especially those named on the published “hit lists” – report reduced writing in both print and online forums, as well as reducing their posts on social media.¹ HRDs noted this was especially true on topics related to freedom of expression, women's rights, labour rights, indigenous peoples' rights, freedom of religion and secularism. Discussing self-censorship, HRDs cite both fear of legal harassment, following the government's increase of punishments for expression-related offences in 2013, and fear of physical attack following the murders of their colleagues.

¹ In 2013, a list of 84 names of “enemies of Islam” reportedly compiled and given to authorities by extremist groups was circulated anonymously to multiple newspapers in Bangladesh with an accompanying statement calling on the government to punish people who offend Islam. In 2015, another list purporting to be from the terrorist organisation Ansarullah Bangla Team (ABT) was circulated, threatening to kill those named if the group's demands were not met.

- HRDs are **reducing or stopping their work to protect their colleagues** from both physical attacks by non-state actors and legal harassment by the government. Some report decreasing their postings on community forums to protect other writers from physical attacks. Similarly, in response to the Draft Digital Security Act which introduced criminal liability of an entire organisation for the expression-related “crimes” of a single member, HRDs are also self-censoring to protect their networks from potential legal harassment.
- Targeting Families of HRDs: Women human rights defenders (WHRDs) report receiving **threats directed at their children**, and fear that because the killings have thus far targeted males, their sons might be attacked by proxy.
- Network Breakdown: The killings have resulted in a **severe breakdown in networks of activism**. HRDs reported network breakdown either within their rights field or issue area, and/or across fields and struggles. Security precautions HRDs took after the killings, such as changing phone numbers, apartments, and social media profiles, have resulted in decreased collaboration between HRDs. LGBTI rights defenders reported deliberately severing ties with colleagues as a “last resort” security precaution.
- Stigmatisation: A **“pariah effect” is now experienced by surviving HRDs who worked closely with murdered HRDs, or who work on similar issues**. HRDs who previously held positions of organisational and social prominence are now considered “some of the most dangerous people in the country.”²
- HRDs report a **severe loss of trust and engagement** from the communities or populations they previously represented. More than 500 Bangladeshis attended an event planned by LGBTI rights defenders in 2014. Following the murder of HRD Xulhaz Mannan in 2016, activists are too fearful to plan events and the community has disconnected with them on social media.
- Indigenous peoples' rights defenders now limit their travel to remote, rural areas, resulting in **less representation in the capital for marginalised indigenous communities**. Villagers outside of Dhaka say the decreased work of prominent HRDs on their issues has led to an increase in land grabs and rights violations in indigenous areas.

Every HRD Front Line Defenders spoke with said that it was not the killings themselves that caused them to limit, stop, or alter their work. Rather, HRDs reported limiting or stopping their work because of the lack of protection for HRDs who report threats, subsequent victim-blaming following attacks, and increased restrictions of freedom of expression implemented after the killings.

All HRDs interviewed stated that government responses to threats and killings indicated that the authorities would not protect them if they were threatened, and/or would blame them for their own deaths if they were killed.

² Front Line Defenders interview with an LGBTI rights defender in Dhaka. September 2016.

III. Context

Bangladesh won independence from Pakistan in December 1971. During the nine-month war of independence, the Pakistani army massacred hundreds of thousands of civilians and committed war crimes including raping thousands of women.³ At times, Pakistani soldiers were aided in these crimes by pro-Pakistani militias, including members of Jamaat-e-Islami, an opposition party that has remained a powerful political actor in Bangladesh to this day.

During the 2008 general election, the now-ruling Awami League pledged to establish a war crimes tribunal to try perpetrators of the 1971 violations after more than four decades of impunity. By 2012, the International Crimes Tribunal had indicted as suspects in war crimes nine leaders of Jamaat-e-Islami and two leaders of the Bangladesh Nationalist Party.⁴

In February 2013, protests began in Dhaka's Shahbag Square following a round of decisions from the tribunal. On 5 February 2013, Abdul Quader Mollah, a senior member of the Jamaat-e-Islami Party, was sentenced to life in prison on five of six counts of war crimes. Tens of thousands of protesters came out to demand the maximum punishment, the death penalty, instead, alleging that the government had negotiated a politically motivated reduced sentence with Jamaat. Many protesters said they feared the life sentence would be overturned if the opposition party took power in the next election; some expressed moral opposition to the death penalty but viewed it as the only “permanent punishment available in Bangladesh.”⁵ Others commented that “as long as Bangladesh keeps the death penalty in the legal system, any lesser punishment is disproportionate to the crime they have committed.”

On 28 February 2013, the tribunal sentenced to death the Vice President of the Jamaat-e-Islami Party, Delwar Hossain Sayedee. In response, Jamaat supporters called for strikes and staged protests, often violently.⁶ Police used excessive force to break up the demonstrations. Local and international human rights organisations reported that security forces killed dozens of protesters and injured hundreds more in the crackdown.

In early May, tens of thousands of supporters of the conservative group Hefazat-e-Islam protested across Bangladesh demanding stricter religious laws. The demonstrators called for the death penalty for the Shahbag protesters, increased restrictions on women’s rights and for the introduction of a blasphemy law. At least 50 people died and thousands were injured when the demonstrations turned violent and protesters clashed with police in Dhaka.⁷

In the second week of the Shahbag protests, on 15 February 2013, blogger Ahmed Rajib Haider was hacked to death with machetes as he returned home from a demonstration. Before his murder, Haider wrote under the pseudonym “Thaba Baba” about atheism and openly denounced religious

³ <http://www.womenundersiegeproject.org/conflicts/profile/bangladesh#numbers>;
<http://www.nytimes.com/1973/01/21/archives/bangladesh-after-the-first-year-will-it-ever-be-a-workable-country.html>

⁴ The tribunal was widely criticised for its failure to adhere to international standards. Critics cite irregularity, bias, partiality, saying some of the verdicts were handed down after refusing to allow witnesses for the defense or accepting evidence that was not properly corroborated.

⁵ Front Line Defenders interview with individuals who participated in the Shahbag protests in response to the trial of alleged perpetrators of war crimes committed during the country’s Liberation War in 1971. September 2016.

⁶ <http://www.thedailystar.net/news-detail-270972>

⁷ <http://www.askbd.org/ask/wp-content/uploads/2014/08/Human-Rights-Violation-Report-2013.pdf>

fundamentalism. His blogs on *somewhereinblog.net*, *amarblog.com* and *nagorikblog.com* were among those considered the impetus for the February 2013 protests.

Haider was the first of more than a dozen high profile murder victims, most killed by small groups of men armed with machetes. The targets were often writers deemed critical of or offensive to Islam. Government officials initially condemned Haider's murder – Prime Minister Sheikh Hasina went so far as to call him a martyr and visit his family – but the official approach changed when his writings critical of Islam were made public.⁸ Under pressure from opposition leaders and media outlets, government representatives and a leading imam cancelled their participation in the public funeral.⁹ Government representatives instead made statements urging restraint in online postings, setting the precedent for the government's responses to many future killings.

In the weeks following Haider's murder, “blogger” quickly shifted from a respected title to a dangerous one. Some local political scientists, rights analysts, and security experts have suggested that the militants responsible for the killings targeted Haider first because his writings were openly critical of Islam.

For much of Bangladeshi society, the term “blogger” became synonymous with “anti-Islam,” establishing a dynamic whereby HRDs who use blogs and online spaces to advocate for rights reform were, and still are, often deemed “anti-Islam” regardless of the content of their postings.

During protests organised by Islamist groups like Hefazat against what they called blasphemous writings, demonstrators chanted “God is great - hang the atheist bloggers”.¹⁰ Occasionally, the word “atheist” was removed, indicating that the act of blogging was a crime regardless of the topic. This implicated HRDs who used blogs and Facebook posts to advocate or report on human rights issues, who have become the victims of extremist attacks and government persecution for the mere fact of using a blog.

When the government increased penalties for expression-related offences in the 2013 amendments to the Information and Communication Technology Act (ICT Act, it reinforced the notion that blogging was a dangerous crime.¹¹ The stigma associated with blogging in Bangladesh also enabled government smears of murdered HRDs, arrests of those still writing, and a muted public response to the killings of peaceful activists.

Multiple HRDs used the phrase “victim blaming” to describe comments made by government officials which called on writers to be more moderate and careful in their writings, rather than strongly condemning the use of physical violence against them. Less than a month after HRD Niloy Neel was killed for his writings on gender equality and human rights, Prime Minister Sheikh Hasina stated: “No one in this country has the right to speak in a way that hurts religious sentiment ... You’ll have to stop doing this. It won’t be tolerated if someone else’s religious sentiment is hurt.”¹²

⁸ <http://www.newyorker.com/magazine/2015/12/21/the-hit-list>; <http://www.thedailystar.net/news-detail-269450>

⁹ <http://www.thedailystar.net/news-detail-269421>; <http://www.thedailystar.net/news-detail-269751>

¹⁰ <https://www.rt.com/news/bangladesh-protest-muslim-blogger-431/>; <http://www.thedailystar.net/news-detail-270122>

¹¹ <https://advox.globalvoices.org/2013/09/18/bangladeshs-ict-act-stoops-to-new-lows/>

¹² <http://bdnews24.com/bangladesh/2015/09/03/prime-minister-hasina-says-hurting-religious-sensitivities-will-not-be-accepted>

IV. Killings

HRDs hacked to death in Bangladesh since 2013 include prominent writers and activists who worked for gender equality, LGBTI rights, freedom of religion, and justice. At least 14 HRDs have been murdered since 2013. The following is not intended as a comprehensive list of HRDs who have been murdered or attacked.

Avijit Roy

On 26 February 2015, two attackers murdered HRD, writer, and engineer Dr. Avijit Roy as he was returning home from the Ekushey Book Fair in Dhaka by bicycle rickshaw with his wife, Bonya Ahmed. Roy, a dual citizen of US and Bangladesh, was the founder of the popular blog Mukto-Mona (Free Thinkers), and author of ten books. According to witnesses, the attackers dragged Roy and Ahmed from the rickshaw to the pavement before hitting and stabbing Roy with machetes. Ahmed was slashed on her shoulder and had her left hand severed when she attempted to defend her husband. Roy died in hospital later that night. Ahmed survived the attack. A group which refers to itself as “Ansar Bangla 7” claimed responsibility for the attack, stating that Roy’s writings on secularism and human rights were a “crime against Islam.” Prior to his death, Roy received direct death threats on Facebook.

Oyasiqur Rhaman

On 30 March 2015, HRD and blogger Oyasiqur Rhaman was murdered in the Tejgaon area of Dhaka. Three young men surrounded him and sliced his face, throat, and forehead with machetes. The police arrested two suspects with machetes near the scene of the attack, who said they killed Rahman due to his “anti-Islamic” articles. Rahman blogged under the name “Kutshit Hasher Chhana” (the Ugly Duckling) about gender equality, violations of women’s rights, and his opposition to fundamental Islam’s role in Bangladesh’s legal system. Prior to his death, Rhaman received a series of death threats.

Ananta Bijoy Das

On 12 May 2015, masked men carrying machetes approached HRD and blogger Ananta Bijoy Das on his way to work in Sylhet. They attacked him, striking him on the head and upper body. Bijoy Das was a blogger on Mukto-Mona, the “Free Thinkers” site previously moderated by Avijit Roy. In 2006, Bijoy Das won Mukto Mona’s annual award for promoting “humanist ideals and messages.” Bijoy Das’ murder was claimed by terrorist group Ansar al-Islam (also known as Ansarullah Bangla Team), which claims to have links to Al-Qaeda in the Indian Subcontinent. He received death threats purporting to be from the same group prior to his death.

Niloy Chatterjee

On 7 August 2015, a group of men murdered HRD and blogger Niloy Chatterjee, (known by his pen name, Niloy Neel) with machetes in his Dhaka home. Neel was a prominent writer on gender equality on Mukto-Mona. He wrote about human rights, secularism, and dangers that fundamental Islam posed to advancements in women’s rights in Bangladesh. Neel was a vocal critic of the killings of HRDs and writers in Bangladesh since 2013, and attended many of the protests demanding justice after each killing. He was also an organiser of the Science and Rationalist Association Bangladesh. Neel reported to the police that he was being followed and receiving death threats in the months prior to his killing.

Xulhaz Mannan and Mahbub Tonoy

On 25 April 2016, armed men attacked HRDs Xulhaz Mannan and Mahbub Tonoy in their apartment in Kalabagan. Both HRDs received serious knife wounds to the head and neck and died soon after. Mannan and Tonoy were prominent LGBTI rights defenders involved with *Roopbaan*, Bangladesh's first LGBTI magazine, launched in 2014. The magazine promoted wider tolerance of people of diverse sexual orientations by people in Bangladesh. Mannan also worked for USAID at the time of incident. Previously, he had spent seven years as a Protocol Officer at the United States Embassy in Bangladesh. Tonoy was involved in a theatre group. Both HRDs were among the organisers of the annual 'Rainbow Rally' in Dhaka, which since 2014 had been held on 14 April.

Mannan played a key role in negotiating the release of four activists who attended the 2016 Rainbow Rally. In the ten days between the rally and his murder, he reported to his friends that he was receiving an increased volume of threatening phone calls, including death threats, and that Mannan expected to be attacked in the near future. He did not report the threats because of the ongoing police persecution of LGBTI rights defenders.

“ Xulhaz is the reason I got involved in human rights. He was my inspiration. ”

An LGBTI rights defender in Dhaka told Front Line Defenders what the loss of Xulhaz Mannan has meant for their movement.

"People think the only problem is that we're being killed – that 'extremists' are murdering activists. But no one talks about the government arresting us, making new laws to silence us, or refusing to protect us. A month before Xulhaz was killed,



Xulhaz Mannan. Photo: Facebook

four other activists were arrested. We went to the police station to support them. Xulhaz was the reason I was there that day – none of us would have been there if it wasn't for him.

Xulhaz was the president of the LGBTI rights platform and magazine, *Roopbaan*, not the editor. That was a misconception. We had many editors. We assigned project managers for certain things, like running the Facebook page, publishing, advocacy, distribution or other tasks. For every one of them, Xulhaz would show him how to do it. Xulhaz was the coach for each. He organized two leadership trainings because we had no proper activists. But we wanted to be. Xulhaz always said he wanted to create more rights activists in Bangladesh. He wanted more people who could carry it forward.

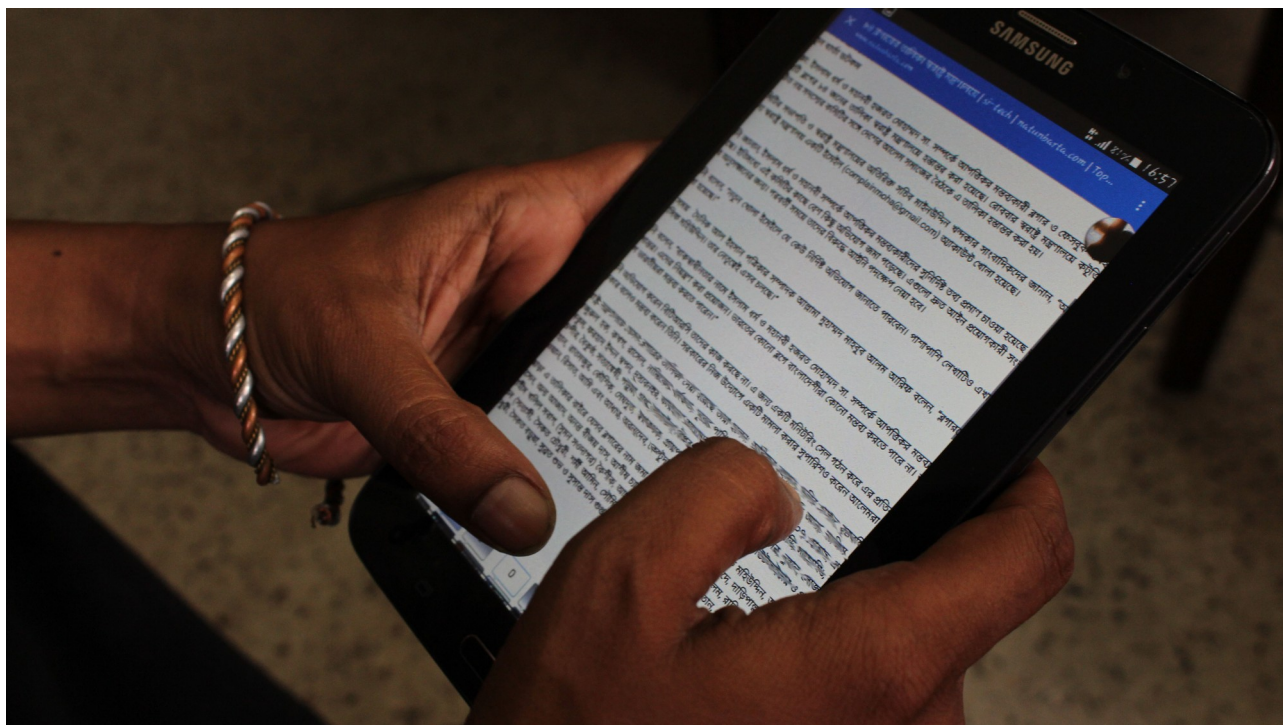
When they murdered him, it all stopped. We all stopped. Every activist I know changed their phone number and deleted their Facebook profile. People are too scared to meet, too scared to talk.

Xulhaz was the reason I got involved in human rights. He was my inspiration. When he was killed, my first thought was: I don't care about the future of LGBTI in Bangladesh. I just want to know why Xulhaz is gone. But that was just my emotional reaction. Now I'm trying to work on small things, like translating the magazine into English so we can send it abroad. But every time I start to work a bit, the phone calls start again. Someone breathing into the phone, telling me to be careful..."

V. Threats

HRDs in Dhaka report ongoing threats, including death threats. Most report a marked increase in the direct threats they receive since 2013. HRDs receive threatening telephone calls, text messages, notes left on their vehicles, private messages on Facebook, and public comments on their blogs and Facebook posts, particularly those addressing human rights violations in Bangladesh.

In addition to receiving threats from what appear to be non-state actors, HRDs also report receiving threats and harassment from government officials.



*Human rights defender shows Front Line Defenders the 'hit list' on which he was named in 2013.
Photo: Front Line Defenders*

TESTIMONY: LGBTI RIGHTS DEFENDER

Following the murder of Xulhaz Mannan in April, several of his colleagues continued to receive threatening phone calls and messages, despite changing their phone numbers, moving house, and deleting their social media profiles. LGBTI rights defenders reported to Front Line Defenders that because police threatened and arrested LGBTI activists, they do not report death threats to the police.



When Xulhaz was killed, we stopped everything for months. I'm trying to work again in very very small ways now: translating his work, writing poetry about his struggle. I'm in hiding all the time, but I know I'm still being watched. As soon as I started working on these small projects, the phone calls started again. Anonymous men call from 'Unknown' numbers, tell me to be careful, or breath into the phone then hang up. But who can I tell? The same police who arrested my colleagues?"

TESTIMONY: MIGRANT RIGHTS DEFENDER

Sumaiya Islam is a migrant rights defender whose organisation, Bangladesh Ovibashi Mohila Sramik Association (BOMSA), conducts pre-departure personal security trainings with Bangladeshi women leaving to work in the Persian Gulf.¹³ Islam also organises advocacy meetings between returned migrant women and state officials and public performances dedicated to raising awareness of migrant rights violations in the Gulf. In her personal and professional capacity, Islam uses social media and broadcast television to fight for better state protection of Bangladeshi migrant women.¹⁴

Islam reported that following the attacks and killings of secular activists and HRDs in Bangladesh, she and her colleagues feel less able to publicly speak, write, or post about issues related to gender equality, women's rights, and migrant rights in both Bangladesh and the Gulf. Islam told Front Line Defenders she has received an increased number of death threats and threats of physical violence via Facebook since 2013, which has caused her and her colleagues to stop posting content related to women's rights on social media platforms. She also reported an increased number of Facebook friend requests from accounts with blank, seemingly new profiles, which she refuses to accept because it follows the pattern of abuse received by other Bangladeshi HRDs before they were killed.



Before 2013, we were free to discuss migrant rights on Facebook, to write our own articles or comment on threads that defamed migrant women – not anymore. We saw bloggers like Avijit killed for posting about gender equality and human rights. Especially if the defamation of migrant women is at all related to religion – as it often is in the Gulf – we can't comment on it, we can't fight back, I can't share my opinion. It will be seen here in Bangladesh, and it could get me killed."

TESTIMONY: WOMEN'S RIGHTS DEFENDER

Supriti Dhar is a journalist, women's rights defender and founder of the online platform Women Chapter. Dhar told Front Line Defenders she receives threats, including death threats, via social media and blog comments almost every week. When the killings of HRDs became more frequent in 2014 and 2015, she stopped writing about certain women's rights topics, (including women's sexuality and Islamic fundamentalism in Bangladesh), but continued to receive violent threats on her blog and Facebook page. Dhar said she and her colleagues, particularly those with children, are reluctant to report threats because of the stigma associated with WHRDs "endangering" their children as a result of their work.



A lot of our women bloggers were threatened when the killings started, even though most of the public violence is against men. Some women bloggers left the country. Weekly, someone messages that they will harm me or my family. Especially I worry about my son. Some of the women receive threats saying 'We know where your son goes to school, how he walks home.' See, when a male writer is killed, it affects the society immediately and visibly. But when we, women, are threatened, it affects our family lives. When I started receiving death threats, the people I told said to me, 'But you are a responsible mother of two children! Don't write these things, don't go against the fundamentalists and extremists. Just stop writing, or maybe your children will be hurt because of you.' It's like I am the villain, instead of the extremists threatening to hurt us."

¹³ <http://bomsa.net/>

¹⁴ <http://www.thefinancialexpress-bd.com/2016/10/21/50226/The-life-back-home-migrant-women-live>

VI. Legal Restrictions on Free Speech

2013 ICT Act Amendments

In August 2013, five months after the Shahbag protests began and at least one blogger had been murdered, the parliament introduced a set of widely criticised legal amendments aimed at restricting freedom of expression. The 2006 ICT Act, was enacted by the former government, now the opposition, during its final months in power.¹⁵ It primarily dealt with cybercrime and securing data online, but contained several provisions restricting the right to freedom of expression.

The deliberate publication or transmission online of any material, which “hurts or is likely to hurt religious sentiments,” is an offence under section 57 of the amended ICT Act. In defining a similar offence, the penal code specifies that a person to be criminally liable must have “deliberate and malicious intention of outraging the religious feelings” of Bangladeshi citizens.

The 2013 amendments increased punishments for “crimes” related to freedom of expression. They also introduced the allowance of warrantless arrests of the accused, and contain a number of legal provisions seemingly aimed at restricting freedom of expression. Jyotirmoy Barua, a Bangladeshi lawyer and HRD, reported that from the enactment of the original ICT Act in 2006 through the end of 2012, only three cases were ever pursued under the law. Since the enactment of the 2013 amendments however, more than 1000 cases have been filed against writers, activists, HRDs, and social media users.

The 2013 amendments:

- **increase the maximum sentence from 10 to 14 years** for offences under sections 54, 56 and 57 – which deal with defamation and “hurting religious sentiment;”
- **add a minimum sentence** of seven years;
- retain the optional fine of 10 million Bangladeshi Taka (approx. €114,730);
- allow police to make **warrantless arrests** of those accused;¹⁶
- criminalise any writing which “creates possibility to deteriorate law and order,” “prejudice the image of the State or person,” or “may hurt religious belief” but is **ambiguous as to what constitutes an offense**, giving judges extensive powers of interpretation;
- assign identical punishments to offenses of varying severity, at the discretion of the court.¹⁷

Many HRDs, even those willing to decrease or alter their human rights writing, reported concerns around not knowing how to comply with the Act, and what sorts of human rights writings may hurt religious belief or create the possibility of causing offence.

¹⁵ <http://www.icnl.org/research/library/files/Bangladesh/comm2006.pdf>

¹⁶ Under the original Act, police had to seek and receive permission from the Home Ministry before arresting and registering a case against a writer accused of defamation or hurting religious sentiments. The 2013 Amendments made offences under sections 54, 56, 57 and 61 cognizable, allowing police to make warrantless arrests.

¹⁷ The offences range from the deterioration of law and order, prejudice to the image of the State or a person and hurting religious belief, to dissemination of false information and publication of obscene materials or provocative statements.

2016 Digital Security Act

In 2016, the Bangladesh parliament began considering the draft Digital Security Act (draft Act), which the Cabinet approved in August and which now awaits parliamentary approval.¹⁸ The draft Act is an improvement on the 2013 ICT Act in some ways, in that it clarifies sections 54 and 57. The punishments associated with both defamation and “hurting religious sentiment” are reduced from 14 years to a maximum of two years. Minimum punishment under the proposed act is two months and a 200,000 Taka fine (approx. €2,300). However, the proposed Act also contains new problematic language which may be used against HRDs.

Under the draft Act, if an “offence” related to defamation is committed by one member of an organisation, the leaders and other members in the organisation need to prove that the offence was committed without their knowledge, or that, if they were aware of the offence, they tried at their “best level” to prevent that offence. If they cannot prove one of those two conditions, they can also be found guilty of the crime. This provision is problematic as it poses the burden of proof on the co-accused and contravenes the principle of individual criminal responsibility. This has the potential to endanger and criminalise not only HRDs writing and blogging about rights issues, but also their colleagues, regardless of whether or not they have ever written or posted publicly about their work.

If enacted, the draft Act poses yet another threat to collaboration between HRDs, who already face extreme barriers to networking and communication as a result of security risks. HRDs report that while the reduction in sentences for freedom of expression related offences is positive, the potential to endanger their entire organisation or network by writing about a sensitive issue has already caused HRDs to self-censor to protect their networks from legal harassment by the government.

TESTIMONY: LABOUR RIGHTS DEFENDER

Saydia Gulrukh is a labour rights activist known for her prominent role demanding justice for the victims of the 2012 Tazreen factory fire that killed at least 112 workers and the 2013 Savar Building (Rana Plaza) collapse which was the largest known garment factory accident in history; 1,129 people were killed and another 2,500 rescued alive. Gulrukh led protests and investigations for several years demanding justice for these and other violations of factory workers’ rights. She also wrote about women factory workers as part of a collective of feminist bloggers. Gulrukh reported reducing her postings about contentious labour rights issues on the blog for fear of endangering the other writers.¹⁹ She cited both attacks by non-state actors and the Draft Digital Security Act as primary motivators for stopping her public writings on human rights.



I write as part of different collectives. Ever since they enacted the ICT amendments and began the reckless random arrests, I am scared for my colleagues even more than myself. The way the police can take you to detention but not acknowledge they have you in custody – it’s very difficult to write as part of a group, when you fear you’ll endanger your friends. These laws limit my ability to use my writings to defend labour rights – the new Digital Security Act will make it even worse.”

TESTIMONY: MIGRANT RIGHTS DEFENDER

WHRD Sumaiya Islam reported that the increased penalties for offences related to freedom of expression in the 2013 amendments to the ICT Act have limited her ability to effectively mobilize support for migrant workers’ rights and related policy changes. She said that section 57’s mention of

¹⁸ <http://www.thedailystar.net/frontpage/new-law-curb-cybercrime-1274128>

¹⁹ <https://thotkata.net/2013/05/18/nine-to-five-feminism-and-thoughts-in-the-wake-of-tazreen-factory-fire-3/>

“hurting religious sentiment” made her work on rights abuses in the Persian Gulf particularly dangerous.



After the bloggers were killed, the government made it near impossible to safely speak about human rights. If they can arrest me without charge, and imprison me for up to 14 years for offending someone’s religion, how am I possibly supposed to mobilize national support for migrant workers in the Gulf, which is home to that religion?”


Islam has given interviews on national television and participated in televised debates. In 2015, she received a phone call from the Minister of Expatriates, Welfare, and Overseas Employment after she appeared opposite him on BBC Bangla. She reported that on the phone call, the minister threatened to file a case against her related to comments on the show. He also reportedly said that he would not press charges if the WHRD retracted her statements during her next public interview.



The Minister called me personally and told me to stop my rights work, threatening to shut down my organisation or press charges. This is a huge success, by the way, to be personally called, but these sort of threats are increasing. Now, when the press come to interview me, I count the minutes until the State targets my organisation or threatened my colleagues. I dislike this. If you work for freedom and rights, you should stand in a good position in society.”

VII. Refusal to Protect

HRDs reported to Front Line Defenders that police routinely refuse or ignore requests for protection. Family members of murdered HRDs report that in the months prior to the killings, HRDs had requested police protection or action following a series of death threats and acts of intimidation. At least two were told by police to “just leave the country.” HRDs still working in the country report routine mistreatment at police stations – including insults and sexist remarks – when they attempt to file official complaints of threats, intimidation, and stalking. HRDs working on a variety of rights reported that police at their respective local stations have refused to allow them to file reports and refused to receive their statements regarding physical and verbal attacks.

 *“I considered asking for protection in 2013, when I started getting death threats. But I avoided the police because I knew they hadn’t protected the others.*

Plus, there are at least 10 cases of activists who have asked for protection and ended up on the front page of Dhaka newspapers. ‘Human rights activist X asked for police protection yesterday!’ Sometimes they even publish their address. The media publishing exactly what I tell the police would put me more at risk, so I never reported the threats.” - HRD, Dhaka

Many HRDs and the relatives of murdered HRDs reported to Front Line Defenders that their local precincts instructed them to visit police stations in other districts after refusing to accept their general diaries. Those who did visit other stations to request protection had their diaries refused at multiple locations. Front Line Defenders also spoke with HRDs who have been forced into exile since 2013, many of whom reported that after requesting police action on threats received online related to their human rights writings, police came to their homes, confiscated their books and printed writings, and took no action regarding the threats.

On at least five occasions, HRDs who reported death threats to police stations saw the threats against them reported in local newspapers within one day. The unwanted attention often garnered further direct threats to them and their families. HRDs still working in Dhaka report that the seemingly close collaboration between police and crime reporters, and lack of regard shown by police for victim confidentiality, have dissuaded HRDs from reporting threats they receive.

TESTIMONY: FAMILY OF AVIJIT ROY

In September 2014, six months before he was murdered, HRD Avijit Roy posted a photo to his Mukto-Mona blog showing a death threat he received on Facebook.²⁰ Farabi Shafiur Rahman, a Bangladeshi man reportedly linked to local extremist groups, had written “Avijit Roy lives in America. So it’s not possible to kill him at this moment. But when he’ll return to the country, he’ll be murdered.” It was one of several death threats Rahman posted.

Roy’s wife, Bonya Ahmed, who was also attacked the night Roy was murdered, told Front Line Defenders that police received multiple reports of death threats prior to her husband’s murder but

²⁰ <http://enblog.mukto-mona.com/2014/09/24/from-farabi-to-isis-the-virus-of-faith-is-indeed-real/#post/0>

took no action. In his September 2014 blog post, Roy himself publicised the death threats and wrote:



The story does not end there. Farabi also wrote a death threat to Rokomari.com (Bangladesh's first online bookstore) and ordered the site to stop selling my books. [Farabi] specified the office address of Rokomari and called upon his 'Islamist friends' to attack the adjacent locality. He also told the owner of Rokomari (Mahmudul Hasan Sohagh), that he would suffer the same fate as Ahmed Rajib Haider if he did not comply. As a result, Rokomari took my books off its list. The news created a huge uproar, and the issue came to the attention of national media and beyond. ... The government, however, was reluctant to take any action. Farabi was not arrested.”²¹

In March 2015, four days after Roy's murder, authorities announced the arrest of Farabi Shafiur Rahman in connection with the killing.²² The failure to investigate numerous reports of death threats prior to killing of an HRD, however, has become standard practice in Bangladesh.

TESTIMONY: FAMILY OF NILOY NEEL

Ashamoni (no last name used), the wife of murdered blogger and HRD Niloy Neel, told Front Line Defenders her husband was refused police protection in the months before he was killed in 2015. According to Ashamoni, Neel received death threats on Facebook and in the comments section of his blog in the six months before his murder. After attending a protest condemning the murder of another blogger in May 2014, Neel began noticing that he was being followed daily by a rotation of the same men, cars, and motorbikes. Neel went to a police station to file a general diary regarding the death threats, surveillance and acts of intimidation. According to Ashamoni, police officers at the station refused to accept the general diary, claiming they “could not do anything” because he was a blogger, given “the situation in the country.” A second officer told Neel: “If you feel unsafe, just leave the country.”



Niloy got many threats on his Facebook statuses like ‘we are coming, we will hack you’ or ‘we are coming to stab you.’ After [HRD and blogger] Ananta Bijoy's killing, Niloy took a part in a human chain to protest the murder. That night, he was followed home by a group of boys. He changed his route home and hid down a small side street. Then he took a rickshaw home. He reduced the writing a bit and removed his pictures from Facebook. He changed the location setting in Facebook to show he was in ‘India’ instead of Bangladesh. One day Niloy was again followed home by someone. The next morning he wrote all the details of what he does and how he was being followed. Then he immediately went to the Khilgaon area police station with written details to file a report.

One police officer said, ‘You are a blogger? We cannot give protection to bloggers. You should go abroad.’ Another said, ‘You were followed in the Shahjahanpur area, so you have to go to that station’ even though we know police in any precinct can make incident reports. So Niloy went to the second station. They told him to go abroad, too.

Niloy didn't want to leave Bangladesh. So after that he didn't say anything to police when he got more death threats. A few months later, the men with knives came to our house.”

²¹ <http://enblog.mukto-mona.com/2014/09/24/from-farabi-to-isis-the-virus-of-faith-is-indeed-real/>

²² <https://www.theguardian.com/world/2015/mar/02/bangladesh-authorities-arrest-man-atheist-bloggers-murder-avijit-roy#img-1>

TESTIMONY: LABOUR RIGHTS DEFENDER

Saydia Gulrukh has been threatened, harassed, and physically attacked at protests demanding justice for victims of factory collapses and fires in Bangladesh. Gulrukh told Front Line Defenders that when she went to her local police station in the Dhanmondi area of Dhaka to file a complaint following a physical attack during a protest, officers refused to receive her written Testimony. Gulrukh reported demeaning and sexist comments from the officers on duty. Multiple officers told her they were unwilling or unable to accept her complaint. Gulrukh said officers instructed her to visit the police station in the area on Dhaka in which one of the attacks listed in her complaint occurred. Gulrukh believes they said this knowing she would not return to that area because of the risks involved. She and other activists also told Front Line Defenders they believe that the owner of the factory they are working to bring to justice has close ties to the police station. Gulrukh said that at a 2013 protest, the factory owner's security forces identified prominent HRDs in the rally and pointed them out to police. Police then physically assaulted and arrested Gulrukh and others who had been identified.



We have been using the buddy system, walking home in groups. But after one of the attacks our friends and lawyers told us we should really file a written complaint with the police, so that if anything more serious happens, we can't be blamed for never asking for help – because they do this to activists a lot. So we went to the police with a written statement and told the head officer. The place was very gendered, and not at all welcoming for a woman. It makes you feel fragile and vulnerable. The officers wouldn't even look at the statement. He looked at us, realised it was a labour rights case, and they refused to cooperate. They said, 'we wont take it here; go away'. They asked us to go to the area where we were assaulted. When we said we feel we may be attacked if we return to that precinct; he just insisted we had to go back. Later we learned any precinct can take your statement."

VIII. Effects on HRDs

The government's failure to come out strongly and consistently against the attacks on HRDs has had severe and wide-reaching impacts on at least ten different human rights struggles in Bangladesh. HRDs working on labour rights, indigenous peoples' rights, women's rights, sexual and reproductive health, LGBTI rights, civil and political rights, and for the rights of garment factory workers all reported that the climate of fear and impunity created by the lack of protection, killings, victim blaming, and legal restrictions of freedom of expression caused them to stop or significantly reduce their work.

Dozens of HRDs have fled into exile. Those unable or unwilling to leave the country – especially those named on the published “hit lists” – report reduced writing on human rights topics, especially those related to women's rights, freedom of religion, indigenous peoples' rights and sexuality. All HRDs interviewed reported an increase in self-censorship since 2013, citing fears of both physical attacks and legal abuse.

1. Exile

The proliferation of killings and violent attacks has resulted in a stark rise in the number of HRDs seeking emergency relocation. Front Line Defenders and local partners have documented at least 25 cases of HRDs forced into exile after being publicly named on a hit list, receiving direct threats, requesting police protection that was ignored or denied, and/or following a physical attack.

While some exiled HRDs have continued to write and to organise freedom of expression events abroad, many fear retribution against family members in Bangladesh and have ceased their human rights activities in exile.

2. Self-Censorship

Of the dozens of HRDs Front Line Defenders spoke with in Dhaka, all reported decreasing the frequency with which they write. Each recalled at least one instance in which they had written or planned to write an article related to human rights that they later decided not to publish for fear of physical attack. More than half of the HRDs reported that they have stopped posting about human rights entirely.

- **Land and environmental rights defenders** working for the rights of people in the Chittagong Hill Tracts region reported ceasing to post about the rights of indigenous communities who are not Muslim.
- **LGBTI rights defenders** have completely stopped the writing and publication of their groundbreaking magazine, *Roopbaan*, following the assassination of Xulhaz Mannan.²³
- HRDs working in the **academic field** and as professors reported censoring their classroom lectures and organising fewer human rights discussions for their students and peers.
- **Labour rights defenders** have decreased their writings on multiple outlets, including on a shared feminist blog which previously highlighted the intersections between women's rights and labour rights in Bangladesh, fearing endangering other writers on the platform.²⁴

²³ <https://twitter.com/roopbaan>

²⁴ <https://thotkata.net/>

- **Women’s rights** defenders report a growing number of topics they “suddenly cannot write about” for fear of attack, including gender violence. WHRDs working on women’s rights in particular feared that because the killings have thus far targeted males, their sons might be attacked by proxy.
- A HRD who wrote the country’s first ever column on **indigenous peoples’ rights** in a mainstream newspaper reported decreasing his writings to a few times a year after more than a decade of monthly postings, citing both fear of attack and a marked increase in censorship and edits to his pieces prior to publication.
- Bloggers who remain in the country have reported stopping their writings on democracy, human rights, secularism, and attacks on HRDs, limiting themselves to writing “non-sensitive poetry”.
- **Migrant rights** activists report reducing their activity on Facebook in confronting defamation of migrant workers, because they fear their defence of migrants in the Gulf states will be seen as “anti-Islamic” and put them in danger of attacks and killings.
- HRDs working on **civil and political rights** have reduced and/or delayed their publications about extrajudicial killings.



Khushi Kabir, indigenous peoples’ and women’s rights defender, Dhaka. Photo: Front Line Defenders

TESTIMONY: INDIGENOUS PEOPLES' RIGHTS DEFENDER

A land and indigenous peoples' rights defender known for her work in the militarized Chittagong Hill Tracts region (CHT) told Front Line Defenders that the increasingly wide range of HRDs targeted and attacked has caused her to restrict her activism in a number of ways. The WHRD has worked on human rights in the CHT from both Dhaka and abroad, but said that because of the proliferation of attacks in 2013 and what she calls the government's "pathetic response," she now limits her public writings and Facebook postings about human rights to when she is outside the country, fearing retribution or attack. She said that because the attacks were targeted against those deemed to have offended Islam, she fears that her work defending the rights of non-Muslim indigenous people may put her at risk. The WHRD also reported that because the government responded to the killings by demonising those who allegedly offended religious sentiment through their human rights work, rather than by denouncing the killers, she is "certain" that she would receive no protection if she reported the death threats she receives. As a result, she disengages entirely with social media platforms and ceases posting about human rights when she is physically in the country.



When the killings first started, the government's response was pathetic. Then they moved on to victim blaming. This sent a message to the killers. When the attacks spread to religious minority leaders, gay activists, and HRDs known for writing on gender equality, we knew it was only a matter of time before we – people who work for the rights of non-Muslims – are attacked, too.”

TESTIMONY: INDIGENOUS PEOPLES' RIGHTS DEFENDER

Sanjeeb Drong is an indigenous peoples' rights activist based in Dhaka. He is the General Secretary of the Bangladesh Indigenous Peoples Forum, and has authored columns on violations against indigenous communities for more than a decade. He is thought to be the first indigenous peoples' rights activist to write regularly in a major national newspaper, and is credited with amplifying coverage of the land and identity struggles of indigenous peoples in Bangladesh.²⁵ Drong reported experiencing increased censorship since the government enacted the ICT amendments in 2013. In April 2016, an editor made substantive edits to his column – removing words having to do with human rights – for the first time in more than ten years. Drong stated that although "indigenous" has long been a contentious word in Bangladesh, the new legal restrictions brought in to regulate secular bloggers have also enabled the government to curtail the language used by HRDs working on indigenous peoples, land, and environmental rights. As a result, Drong and other indigenous peoples' rights defenders have reported reducing the amount of print articles they pitch and independent blogs they post.

TESTIMONY: HUMAN RIGHTS DEFENDER

Shantanu Majumder is a professor of political science at Dhaka University. In addition to teaching courses on human rights, political violence, and democracy building, Majumder organises trainings, exhibitions and seminars to introduce his students and the wider community to human rights struggles and democracy movements in other countries. He regularly brings HRDs and democracy activists from other countries to speak with youth in Bangladesh. He has spoken against both government corruption and the death penalty, despite popular support for the death penalty in some segments of Bangladeshi civil society. Majumder has also worked extensively with indigenous communities to help them network with mainstream civil society in Dhaka, and worked with them to design his courses on ethnicity and nationalism in Bangladesh.

²⁵ <http://opinion.bdnews24.com/2011/08/04/adivasi-land-rights/>

Following the attacks on HRDs and critics of religious fundamentalism between 2013 and 2016, Majumder reported cutting his human rights work in both academic and activist settings. He received threatening phone calls, Facebook posts, and letters accusing him of “speaking against Islam.” Majumder reported that following government statements which criticised the murdered bloggers for “hurting religious sentiment,” he began to receive complaints from students about his human rights courses. Now, he says he “actively censors” himself during lectures on human rights, democracy, and political violence.



The most negative effect of the killings on the human rights community isn't panic. It's self-censorship. Intellectuals, academics, activists, journalists – all of us. Yesterday I taught a class on South Asian democracy, and I told my students: 'I'm censoring myself right now.' I believe in freedom of expression, but I fear for my life."

3. HRD Network Disintegration

HRDs working in all fields reported a partial or complete breakdown of their activist networks following the assassination of HRDs and the subsequent government inaction. In particular, HRDs working for LGBTI rights, labour rights, and those who use blogs to raise awareness of violations report significantly decreasing or entirely ending their communications with fellow HRDs.

A “pariah” effect is now experienced by surviving HRDs who worked closely with the murdered HRDs, or who work on similar issues. HRDs who previously held positions of organisational and social prominence now appear to be considered some of the most dangerous people with whom to associate. All HRDs interviewed reported network breakdown at one or more of the following levels: within a particular rights field or issue area; across fields and struggles, resulting in decreasing cooperation between HRDs working on different rights issues; and/or between HRDs and their own communities, villages, or populations they previously worked with or represented.

➔ **Within a rights sector:** HRDs working on LGBTI rights reported a severe breakdown in activist networks and organising following the killing of Xulhaz Mannan in April 2016. Approximately 40 activists, almost all known HRDs working on these issues, deleted their Facebook profiles and changed their phone numbers after the attack, severing most ties between the community. HRDs report that this makes former colleagues and friends “difficult, usually impossible” to contact, even for social purposes. For years, a group of twenty to thirty activists had gathered weekly in Mannan's apartment to plan events and social activities promoting LGBTI rights and health in Dhaka; as of October 2016, that group had not met once since his murder in April 2016. The HRDs who remain interested in quietly promoting LGBTI rights – either through translating the LGBTI magazine *Roopbaan* into English for international dissemination or shifting their focus to health services as opposed to explicit rights advocacy – have thus far been unsuccessful in convincing former colleagues and friends to meet, even informally in small groups.

An HRD working on access to health care and legal services following transphobic attacks reported that following the arrests in April and Mannan's killing shortly after, “people we used to work with just disappeared.” He told Front Line Defenders that two major LGBTI rights collectives, *Roopbaan* and Boys of Bangladesh, “went underground.” Activists associated with each group severed ties with one another and the broader LGBTI population of the country.

➔ **Across rights sectors:** The fear created by the killings and impunity has also severed connections between HRDs working on different rights issues. Fearing risk by association, HRDs have cut off relationships that used to bridge divides and create solidarity between various struggles, such as the now weakened relationships between some indigenous peoples' rights

defenders and LGBTI rights defenders. One indigenous peoples' rights activist known for her work in the CHT region said, “All the LGBTI activists have disappeared. I don’t know where they are any more – and I don’t want to know.”

Interactions between HRDs and some locally-operating international organisations have also been affected. One employee of an international NGO operating in Dhaka told Front Line Defenders the lack of HRDs willing to work publicly had made it “nearly impossible to support the LGBTI HRDs in the same way [the organisation] did before the killings.”

TESTIMONY: MIGRANT RIGHTS DEFENDER

Migrant rights defender Sumaiya Islam she has stopped networking with NGOs, activists, and researchers she does not personally know. Because her organisation depends on collaboration with HRDs in the Gulf, Islam says she now feels less connected as a result of taking necessary security precautions.²⁶



I received a request from someone with a Bangladeshi, Muslim name who said they were in London conducting research on the abuse of migrant women in Saudi Arabia. Three years ago, I would have accepted immediately and sent them all the information I had – violence against house workers in Saudi doesn’t get enough attention, and it’s my job to promote it. But we know that Xulhaz and other activists received many Facebook requests – which had profile pictures of men with beards – before they were killed. So I declined that request. I decline every unknown person now. It might be safer, but this climate of fear is bad for rights work. Now I don’t share information with anyone – that means I’ve probably withheld it from legitimate researchers who could have helped migrant women.”

4. Loss of Community Trust and Engagement

HRDs say one of the most difficult effects of the killings was the erosion of trust in the communities with whom the HRDs used to work. This has been especially apparent for HRDs working on LGBTI rights and indigenous peoples' rights. Following nearly twenty years of what some HRDs call “continuous successes and victories” in the struggle for LGBTI recognition, health care, and human rights, many in the movement now feel completely disconnected, not only from one another, but from the larger community. HRDs reported to Front Line Defenders that three years ago, nearly 500 people requested copies of *Roopbaan*. Following Mannan's killing, many LGBTI-identifying Bangladeshis associate the magazine with physical attacks, and have deleted all evidence of prior contact with the platform. Former readers have deleted HRDs from their contact lists on Facebook, Instagram, Twitter, and in their personal cellphones.

➔ **Decreased Dissemination of Human Rights Writings:** HRDs report that fewer readers are sharing and commenting on their blogs since the killings began in 2013. Several reported receiving messages from readers apologizing for no longer publicly supporting the HRDs’ work. Readers have told HRDs that they fear both attacks by extremists and government persecution related to the ongoing crackdown on freedom of expression. This fear of sharing content and of being associated with at-risk HRDs had led to decreased dissemination of HRDs’ writings, resulting in the widespread perception that Bengali content promoting women’s rights and freedom of religion, in particular, is less accessible than it was prior to 2013.

²⁶ <http://www.bahrainrights.org/issue/term/16>

➔ **Decreased Representation of Vulnerable Communities:** The combination of HRDs reducing their writing and the fear felt by communities has led people in marginalised groups to report feeling less represented in Bangladeshi public life, politics, and the media.

- Indigenous peoples' rights defenders working in Dhaka for advocacy purposes report that as a result of the killings and lack of available protection, they have significantly cut their travel outside Dhaka to indigenous communities, including their own.
- Two years ago, more than 400 people attended a public HIV-testing event organized by Boys of Bangladesh and Rupan. The breakdown in the LGBTI HRD network has made organizing such an event again dangerous and nearly impossible. HRDs say even if they were to try, their community fears them now and would be unlikely to attend, and expect this to have negative consequences on access to appropriate health care for LGBTI people in the country.
- LGBTI rights defenders used phrases like “20 years of activism is dead,” explaining that now even their achievements in things like trans health are complicated by fear and disengagement in the community.



Before, people came to our events – sometimes hundreds. This was a huge success, for this to happen in our society, for LGBTI people to come out. We had people coming out. After Xulhaz was killed, they are too scared. Scared of us. They will not come. - LGBTI rights defender, Dhaka



Rainbow Rally in Dhaka, Bangladesh. Photo: Roopbaan

TESTIMONY: INDIGENOUS PEOPLES' RIGHTS DEFENDER

Indigenous peoples' rights activist Sanjeeb Drong reported that the fear of arrest or abduction without official acknowledgement of the detention is the single biggest fear he currently has, which has increased since the legal crackdown on freedom of expression. Drong has reduced his travel outside of Dhaka to his and other indigenous communities, often declining invitations he would have previously accepted. As a result, some of the most marginalized and remote communities in Bangladesh receive less training, networking, and development opportunities. Drong also reported installing an extra security system on his home, which has discouraged drop-in visits from community members who travel to Dhaka because they perceive a heightened risk is involved in visiting the HRD. Furthermore, multiple members of the indigenous communities Drong represents have reported an increase in land grabs in their areas since he began decreasing his visits. Community members told Drong they believe his decreased public activism has allowed the land grabs to occur with less opposition, and with increased frequency.



The trouble with the governments' response to the killings – punishing the HRDs rather than the killers – is that it sends a message, and not just to the killers. It sends a message to the HRDs that they won't be protected, to the communities that they're leaders aren't valued, and to anyone who is annoyed by rights activists that they can continue unhindered. In the case of my community – and other indigenous communities in Bangladesh – the violation we deal with daily is land grabs. Because I can't travel, write, or organize the way I used to, my community thinks I've abandoned them and the land grabbers think they're free to violate. In some ways, they are right.”

TESTIMONY: INDIGENOUS PEOPLES' RIGHTS DEFENDER

Khushi Kabir is an indigenous peoples' and women's rights defender. In 1972 she joined one of the country's first post-liberation NGOs and spent decades working with rural, marginalised communities. Based in Dhaka, she frequently visits indigenous communities outside the capital.



I work a lot in the villages outside of Dhaka, and what I see is increasingly worrying. There's an increasingly conservative, strict form of [Islam] in the villages. People there are very aware of the killings in Dhaka, and it has compounded the fears of minorities, especially LGBTI people. They've always been at risk, but now they see these famous activists being murdered and the activism stopping suddenly. It's taken away what little representation they thought they had.”

TESTIMONY: LGBTI RIGHTS DEFENDER

An LGBTI rights defender Dhaka said Mannan's murder had drastically altered the LGBTI community's willingness to gather, report violations, and develop advocacy initiatives.



I think Xulhaz was born an activist. He had a personality that made people listen. Even before we started the magazine, Roopbaan, Xulhaz was organizing social events to bring the community together. He was very well connected. We gave away 400 copies of the first print magazine just because of his contacts. Now I can't even get people to share articles on Facebook.” - LGBTI rights defender, Dhaka

IX. Recommendations

Based on the above findings, Front Line Defenders calls on the **Government of Bangladesh** to:

- carry out immediate, thorough and impartial investigations into all killings of HRDs, and ensure that their colleagues and families are informed of the developments in the case;
- publicly recognise the positive role of HRDs in society and the importance and legitimacy of their work;
- repeal sections of the 2006 ICT Act and 2013 Amendments which criminalize freedom of expression and the legitimate work of HRDs, particularly sections 54, 56, 57 and 60;
- review the potential impact of the draft Digital Security Act on HRDs, particularly the segments which hold entire organisations responsible for expression related “crimes” committed by one member, and which pose a further threat to networking and collaboration amongst HRDs;
- enhance training for local police precincts to ensure that HRD reports of harassment, attacks, and death threats are received and addressed;
- provide gender sensitivity training to police officers, particularly with regard to receiving and responding to threats reported by women HRDs;
- consider establishing a protection mechanism for HRDs at risk which responds effectively to their protection needs, including addressing gendered threats to WHRD and LGBTI-identifying defenders and their families;
- support the National Human Rights Commission in its stated desire to increase protections for targeted HRDs, including through the establishment of an “HRD Desk” which would have the mandate to receive and respond to threats against HRDs.

In its 2015 Annual Report, the **European Union** states a commitment to prioritise women’s rights, labour rights, and human rights defenders in Bangladesh, and expresses concern regarding the shrinking space for civil society. The concrete action taken by some EU member states to protect HRDs in immediate danger is commendable, as is the practical support provided by ProtectDefenders.eu, the European Union Human Rights Defenders mechanism. However, a majority of HRDs interviewed by Front Line Defenders were largely unaware of support available from the EU. In the framework of the implementation of the EU Guidelines on Human Rights Defenders, the EU should:

- make a concerted effort to contact HRDs, especially those at risk, utilizing information published by local and international HRD organisations;
- facilitate networking opportunities for HRDs and EU officials in Bangladesh;
- make EU support for HRDs public, by stating clearly its general support for the legitimate work of HRDs and by raising individual HRD cases with Bangladeshi authorities;
- utilize its ongoing human rights dialogue with the Bangladeshi government as an opportunity to express concern for the legal persecution of HRDs, and to call for independent, transparent investigations into the attacks;

- criticise laws which restrict the rights to freedom of expression and the legitimate work of HRDs, namely the 2013 ICT Act Amendments, sections 54, 56, 57 and 60;
- express its severe concern regarding the proposed 2016 Digital Security Act, particularly the sections which further hinder relationships between HRDs by making an entire organisation liable for expression-related offences committed by one of its members;
- support the NHRC in the establishment of an HRD desk;
- call for protection measures for targeted HRDs, and explore potential for funding a protection mechanism for HRDs in Bangladesh.