

Dissent under Siege: Case Studies of Repression in the Digital Era of Bangladesh

Ahmed Tahsin Shams

The Media School, Indiana University Bloomington, Bloomington, Indiana, USA

Email: ahshams@iu.edu

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Abstract

From 2009 until 2023, Bangladesh's ruling government has devised ways to erase dissent. Academics, journalists, authors, and artists were arrested or persecuted if their critical views, contents, or interviews did not align with the party's propaganda. The culture of fear resulting from successive laws in Bangladesh is so evident that the constitutional right to freedom of speech, labeled with reasonable restrictions, went unchallenged in September 2023 when the third amendment of this law was passed. In this study, the Information and Communication Technology Act (ICT) Section 57, which was changed in 2013 with a new name, the Digital Security Act (DSA) 2018, and recently named the Cyber Security Act (CSA) 2023, is examined in terms of its consequences on academics, journalists, artists, and freethinkers. First, this paper presents the background context of the revolutionary student activism in Bangladesh and how it has been supported or exploited whenever the government has a vested interest. This background knowledge may set up the grounds for the impact of the three acts mentioned above on freedom of expression. This paper discusses three case studies available in international news archives: the detainment of international award-winning photojournalist Shahidul Alam, the custodial torture of cartoon journalist Ahmed Kabir Kishore, and the custodial death of author Mushtaq Ahmed, and finally, an interview testament to filmmaker Saddam Hossen's ongoing case since the Road Safety Movement 2018 when numerous students were imprisoned with entirely false accusations. This study aims to comprehensively analyze Bangladesh's evolving legal landscape concerning freedom of expression.

Keywords

Information and Communication Technology Act 2013 (ICT) Section 57, Digital Security Act (DSA) 2018, and the Cyber Security Act (CSA) 2023, Freedom of Expression, Dissent, Bangladesh

1. Introduction

Political communication within the context of Bangladesh has gone through a profound metamorphosis since the ruling government came into power in 2009. Notably, the fact that these changes were made to laws without taking into account Amnesty International, the US Embassy in Dhaka, Bangladesh, or Human Rights Watch's criticism shows a clear bias toward a story that sounds like fascist propaganda, which has a significant effect on free speech. The examination of the historical trajectory of repressive regulations within the present governmental framework reveals a nuanced narrative that can be delineated into three pivotal phases. The first was the Shahbag Movement of 2013, led by non-political party students only; the next was the Muktomona Movement of 2015, led by freethinker secular Bangladeshi American author Avijit Roy, who was killed in broad daylight at the International Book Fair in the capital; and the Road Safety Movement of 2018, led by all students of the country only asking for road safety regulations on the death of two teens. By delving into the intricacies of these transformative moments, this paper intends to provide valuable insights into the underlying dynamics and mechanisms that have shaped the contemporary governance landscape.

In 2013, the present government had a vested interest in the mass demonstrations in Bangladesh, where hundreds of thousands have gathered since early February, not to overthrow the government or demand economic equality but to seek the death penalty for those involved in war crimes during Bangladesh's independence war from Pakistan and they are the same who assassinated the Father of the Nation, Sheikh Mujibur Rahman, in 1975. Despite Jamaat-e-Islami's opposition to the trials, the Bangladesh government has moved forward, leading to nationwide protests and clashes, writes CNN in "Seeking War Crimes Justice, Bangladesh Protesters Fight 'Anti-Islam' Label" (Yuan et al., 2013). It is known as the Shahbag protests in Dhaka, Bangladesh, sparked by the life sentence of Abdul Quader Mollah, accused of war crimes during the 1971 independence war. This protest has given birth to the capital's revolutionary stage called Projonmo Chottor (New Generation Roundabout), also known as Ganajagaran Mancho (The Mass-Upsurge Stage). (Anam, 2013) Protesters demand a death sentence, reflecting the nation's desire for justice against war criminals. The movement, characterized by a robust youth and female presence and the use of social media, marks a significant shift in Bangladesh's political landscape.

After this movement, the socio-politically conscious intellectual youth of the country became part of the Muktomona Movement in 2015. (Laughland & Hammadi, 2015) This subsequent movement served as a novel platform for disseminating and cultivating free thought, attracting a significant following among individuals who identified as freethinkers. The initial implementation facilitated the expression of constructive critique and the inclusion of diverse perspectives. The incident involving the assault on Avijit Roy, a Bangladeshi-American blogger, and his spouse in 2015 serves as a poignant reminder of the perils encoun-

tered by individuals who dare to voice dissenting opinions. Dhar writes in the article “Daring to Know—The Story of Mukto-Mona” published by PEN (Dhar 2015), that Mukto-Mona, established in 2000, is a globally recognized secular humanist organization. It promotes science, reason, and rationality to foster a secular society. Comprising members primarily of Bengali and South Asian descent, Mukto-Mona evolved from an online discussion group into a significant online forum for rationalist and humanist discourse. It strongly advocates for human rights, and secularism, and critiques oppressive dogmas, supporting various causes like LGBTQ rights and secular education. Despite facing violent opposition, including the murder of its founder and members, Mukto-Mona continues to champion free thought and secular humanism.

On February 26, 2015, machete-wielding assailants brutally attacked Avijit Roy, a Bangladeshi-American blogger, and his wife, Rafida Ahmed Bonya, close to the Ekushey Book Fair in Dhaka, Bangladesh. PEN America says that despite the proximity of law enforcement, they refrained from taking action. The couple, who lived in the United States, were traveling to Bangladesh at the time. Roy expressed his strong opposition to religious extremism and advocated for secularism, primarily through his blog Mukto-Mona, in English: Freethinkers, which he established in 2001. In addition, he made valuable contributions to the Center for Inquiry, a prominent secular NGO based in the United States, writes PEN America (2022). In the face of death threats, especially following the release of his book *Bishwasher Virus*, in English: *The Virus of Faith*, he steadfastly upheld his convictions. (The Library of Congress, 2015) In 2013, a list of 84 bloggers who held atheist beliefs was circulated, tragically resulting in the targeted killings of five individuals, including Roy, by Islamist extremists in Bangladesh in 2015. Among the victims of these tragic incidents, four out of the six bloggers and publishers who lost their lives since 2013, including Roy and his publisher Faisal Arefin Deepan, were targeted individuals.

These incidents have led to international condemnation and protests, yet the Bangladeshi government’s response has been minimal. (Thakuria 2015) Avijit Roy’s life and untimely death, as chronicled by Laughland and Hammadi, not only narrates the story of an individual but also encapsulates a broader struggle for intellectual freedom in the face of religious extremism. The response of the Bangladeshi authorities and the international community to Roy’s plight and eventual murder is another area of concern. The lack of adequate protection and the subsequent handling of his assassination reflect systemic issues in the governance of intellectual freedom and the safeguarding of those who dare to challenge the status quo. Roy’s unwavering commitment to secularism in the face of mounting threats poses a critical question about the role of intellectuals in society. (Laughland & Hammadi, 2015) Roy’s life and death serve as a stark reminder of the real-world consequences of intellectual pursuits in environments hostile to dissenting views. It raises an ethical dilemma: to what extent should intellectuals risk their safety for the sake of free thought and expression?

The reason for this political backdrop is to highlight the next few significant

years of revolt by artists, academics, and freethinkers. The Cartoon Movement of 2018-2019 and the Road Safety Movement of 2018 are the central concerns of this paper. The detention of the highly acclaimed photographer and an advocate for human rights in Bangladesh, Shahidul Alam, in 2018, after his interview with Al-Jazeera regarding the student protests, serves as a compelling exemplification. The individual in question has been subjected to legal charges under the rigorous Information and Communication Technology (ICT) Act for the offense of disseminating inaccurate information to the media, according to the government, writes [Front Line Defenders \(2018\)](#) Alam is an accomplished individual in the realms of photography and human rights advocacy. In 1998, he established the Pathshala South Asian Institute of Photography, a renowned institution that has trained numerous photographers and shed light on human rights abuses in Bangladesh. In addition, he serves as the director of Chobi Mela, a prominent photography festival in Asia. His outstanding photographic work has attracted attention on a global scale, shedding light on pressing issues like human rights abuses, the difficulties Rohingya refugees face, and the suffering experienced by Bangladeshi migrant workers. ([Front Line Defenders, 2018](#))

The implementation of the Digital Security Act (DSA) in 2018, under the Awami League's (AL) governance, was primarily designed to curtail dissent and exercise freedom of expression, particularly within cyberspace. These actions align with the course of action established by Section 57 of the ICT Act 2013, which has garnered significant criticism for its impact on curtailing freedom of online expression. A report published on May 9, 2018, by Human Rights Watch New York shed light on the widespread utilization of Section 57 of Bangladesh's ICT Act to apprehend numerous individuals over the last five years. These individuals were targeted for expressing dissent towards the government, political figures, and other entities on popular social media platforms such as Facebook. The report, titled "No Place for Criticism: Bangladesh Crackdown on Social Media Commentary," provides a comprehensive overview of the arbitrary arrests that have taken place since the amendment of the ICT Act in 2013. In April 2018, the police presented a total of 1271 charge sheets to the Cyber Tribunal in Dhaka under Section 57 of the ICT Act. ([Human Rights Watch, 2018](#))

"The government of Bangladesh acknowledges that the current section 57 of the ICT Act is draconian and needs to go," said Brad Adams, Asia director at Human Rights Watch. "But the new law being proposed is hardly an improvement, creating a series of new offenses that will undoubtedly be used for years to come against government critics in the country's highly politicized criminal justice system." ([Adams, 2018](#))

N. Tanjeem and R. E. Fatima's 4th chapter, "The 2018 Road Safety Protest in Bangladesh: How a Student Crowd Challenged (or Could Not Challenge) the Repressive State," discusses how the government's response to this protest was a combination of short-term actions and ongoing repression. ([Tanjeem & Fatima, 2023, p. 70-74](#)) The government initiated a media campaign to suppress the stu-

dent-led protests, asserting that all demands had been fulfilled and encouraging students to resume their studies. The state's crackdown on the protests intensified when members of the Chhatra League, associated with the ruling party, launched an assault on the demonstrating students. The police chose to file cases against the protesting students rather than apprehending the attackers. The government's action served to undermine the protests and uphold its narrative. (Tanjeem & Fatima, 2023, p. 71) Amidst the protests, the government apprehended individuals under the Information and Communication Technology Act for their online activities associated with the protest. One notable incident was the apprehension of the acclaimed journalist Shahidul Alam. (Tanjeem & Fatima, 2023, p. 72) The government's firm stance on dissent was evident with the implementation of the Digital Security Act in October 2018. This act enabled the removal of digital content and criminalized different forms of online expression. (Tanjeem & Fatima, 2023, p. 73)

The 2018 protest marked a significant turning point where digital platforms played a vital role in rallying and magnifying the students' voices (Tanjeem & Fatima, 2023, p. 69). In their analysis, Tanjeem and Fatima (2023) contend that these protests in Bangladesh, despite facing suppression from the state, serve as a powerful manifestation of the underlying societal and political grievances. Moreover, they highlight the potential of the youth to actively engage in shaping democratic politics.

Micahel Safi writes in "Bangladesh Struggles to Contain Mass Road-Safety Protests" in *The Guardian* that protests have seen a significant number of students participating, effectively obstructing traffic and advocating for the implementation of laws mandating licenses and the installation of speed bumps on hazardous roads. (Safi, 2018) The demonstrations were initially tolerated by authorities until the police started using rubber bullets against the demonstrators, resulting in injuries to at least 100 people. (ibid.) The level of violence increased as a sizable group made their way towards an Awami League office, only to be confronted by teargas and armed personnel, reportedly affiliated with the party. Amidst these incidents, the arrest of photojournalist Shahidul Alam for voicing his criticism of the government in an interview has created a sense of hesitation among students and analysts to openly engage in discussions about the protests. The situation in Bangladesh reflects a larger problem of pent-up frustration due to a lack of transparency and responsibility. This has been further intensified by the targeting of opposition figures as well as the imprisonment or disappearance of numerous opposition supporters in recent times. Amnesty International has urged for an immediate halt to the suppression of student demonstrators, highlighting the fundamental rights of students to engage in peaceful gatherings and ensure their physical well-being. (ibid.)

Moreover, Human Rights Watch published an article on August 6, 2018, on the government's response to the protests, "Bangladesh: Stop Attacks on Student Protesters, Critics, Photographer Shahidul Alam, and Others Attacked, Detained." The demonstrations have encountered fierce resistance from members

of the ruling Awami League party's student and youth wings, the Bangladesh Chhatra League, and the Awami Juba League, despite the active participation of schoolchildren. (Human Rights Watch, 2018) According to reports, these groups have resorted to using weapons like machetes and sticks to attack protesters, "chanting "we want justice"." (Barron, 2018) There have been instances where the police have been observed passively witnessing the assault of protesters, including children, by individuals identified as supporters of the Awami League.

Brad Adams, the Asia director at Human Rights Watch, strongly criticized the Bangladesh authorities for resorting to unethical methods to address issues and for attacking individuals who voiced their concerns about these actions. (ibid.) The detention of Shahidul Alam after his interview with Al Jazeera, in which he expressed his criticism of the government's handling of the protests, has been widely recognized as a significant incident. He faced charges under the ICT, a law that Human Rights Watch has highlighted as being used to prosecute individuals who voice criticism of the government. (ibid.)

During the interview, Shahidul Alam delved into the student protests in Dhaka and boldly criticized Prime Minister Sheikh Hasina's government for resorting to "brute force" (Almond, 2019) to maintain their hold on power, writes CNN in "This photographer spent 107 days in jail. But he won't be silenced." After making his remarks, he faced charges of disseminating unfounded rumors, promoting false information, and instigating violence against the state. The individual further claimed to have experienced mistreatment at the hands of law enforcement, a contention that has been refuted by official sources. There was a significant international outcry following Alam's arrest, as human rights groups strongly demanded his "immediate and unconditional release." (ibid.) They denounced the charges against him as clearly violating his fundamental right to freedom of expression. While incarcerated, Alam was keenly aware of the #FreeShahidulAlam movement, which served as a source of inspiration for him and his fellow inmates. They found solace in the campaign, advocating for Alam's release and standing up against the prevailing injustice. Later, Alam was granted bail and was subsequently featured in Time magazine's prestigious annual Person of the Year edition. Although Alam has been released, his case is still awaiting a verdict, which could result in a maximum sentence of 14 years.

Alam's dedication to promoting social justice is clearly demonstrated through establishing the school and Chobi Mela, which stands as Asia's pioneering photo festival. In addition to co-founding Drik, a photo agency, he also established Majority World. This platform aims to highlight the work of local photographers and challenge preconceived notions about countries such as Bangladesh. After his time in jail, Alam has advocated for jail reform. He collaborates with NGOs and donor organizations to offer legal assistance to prisoners and enhance prison conditions. His achievements have garnered global recognition, such as being honored with the esteemed Infinity Award from the International Center of Photography and being selected for an upcoming retrospective at the Rubin Museum of Art in New York. Alam's struggle is situated within the backdrop of

the Digital Security Act's approval by Bangladeshi President Abdul Hamid, a decision that has sparked controversy. Additionally, Bangladesh's low ranking in the World Press Freedom Index further adds to the context of Alam's plight. (ibid.)

The phase is the Cartoon Movement of 2018-2019. In May 2020, Ahmed Kabir Kishore and Mushtaq Ahmed were apprehended due to their satirical depictions on Facebook, which offered a critical perspective on the government's handling of the COVID-19 pandemic. Mushtaq Ahmed tragically passed away in prison on February 25, 2021, after being denied bail on six separate occasions. (Amnesty International, 2021) After the unfortunate demise of Mushtaq in prison, Kishore was granted bail, as he had suffered injuries that were allegedly the result of torture during his time in custody. The charge under the DSA against Kishore and others for simply exercising their right to freedom of expression exemplifies the oppressive nature of the Act. The untimely demise of Mushtaq Ahmed while in prison and the disturbing accusations of torture against Kishore have sparked global demands for the revision or abolition of the DSA, by universally recognized human rights norms. The United Nations Human Rights Committee has noted that the act of harassing or stigmatizing individuals based on their opinions is a clear infringement upon their fundamental rights. Applying the DSA in Bangladesh contradicts the principle that criticism of public figures or institutions should not result in severe penalties. (ibid.) In addition, Gower Rizvi, an international affairs adviser to the Prime Minister of Bangladesh, has acknowledged the need for more explicit language in the DSA. (ibid.) The vagueness in the language of the law provides opportunities for its misuse, especially when it comes to individuals who question or express dissent towards the government.

The European Parliament's sub-committee on human rights, led by Maria Arena, also addressed the situation in Bangladesh. (Cartooning for Peace, 2021) Arena passionately advocated for the immediate release of Kishore. During the 46th UN Human Rights Council session, Karima Bennoune, the special rapporteur for cultural rights, brought attention to Kishore's situation. Terry Anderson, Executive Director of CRNI, stressed the importance of conducting a fair and unbiased investigation into Kishore's claims of torture and ensuring that those responsible for Mushtaq Ahmed's death are held accountable. The president of Cartooning for Peace emphasized the unjust suppression a cartoonist can endure for expressing their opinions through art. Kishore's incarceration, despite the Rapid Action Battalion (RAB) report being deemed incomplete and the subsequent release of other detainees, brought attention to the contentious nature of the DSA and its implications for individual rights.

An article titled "229 journalists sued under Digital Security Act" was published by *Prothom Alo* on June 24, 2023. According to the report, a significant number of 229 journalists have faced legal action under Bangladesh's Digital Security Act (DSA) within the past three and a half years. Out of these cases, 56 journalists were promptly arrested following the filing of charges, often without

proper examination. The article showcases the significant influence of the DSA on the media and freedom of speech in Bangladesh, utilizing data from Article 19, a renowned UK-based agency dedicated to promoting freedom of expression. Article 19 conducted an analysis of 1150 cases filed under the DSA, revealing that 115 of these were directed toward journalists. (Prohom Alo, 2023)

According to Freedom House's "Freedom on the Net 2023 Country Report," there was a significant decline in internet freedom in Bangladesh between June 1, 2022, and May 31, 2023. During this period, several noteworthy advancements depict a complex environment for digital rights and freedoms in the country. A rise in physical assaults against online activists and journalists, particularly those supporting or affiliated with the opposition Bangladesh Nationalist Party (BNP), marked a decline in internet freedom. The report brings attention to significant concerns regarding human rights violations committed by security forces, who operate with little accountability. The Digital Security Act (DSA) has proven to be a powerful tool in the government's arsenal. Over the covered period, 189 cases related to DSA were filed, contributing to the overall count of approximately 7000 cases since the Act was first introduced. The utilization of the DSA by partisan actors has significantly contributed to the decline of internet freedom in Bangladesh. (Freedom House, 2023) Regarding surveillance, there have been concerning reports regarding the National Telecommunication Monitoring Centre (NTMC) obtaining advanced equipment to intercept encrypted messages and inject spyware into specific devices. These recent advancements give rise to significant apprehensions regarding protecting privacy rights and the possibility of misuse by governmental entities. The case of Raghunath Kha, a journalist who was allegedly abducted and subjected to torture by the police, serves as a powerful illustration of the dangers encountered by individuals who dare to question or criticize the government. (Freedom House, 2023)

The prevailing atmosphere of intimidation and censorship is a matter of great concern, especially in light of the imminent parliamentary elections scheduled for January 2024. The Bangladeshi government has proposed the new Cyber Security Act (CSA) as a potential alternative to the existing DSA in response to the aforementioned criticisms. Amnesty International and Human Rights Watch have meticulously documented a distressing trend of escalating intimidation and harassment targeting journalists within the socio-political landscape of Bangladesh.

Two human rights activists, Adilur Rahman Khan and ASM Nasiruddin Elan, have been handed a two-year prison sentence by the Dhaka Cyber Tribunal. (Hasnat & Mashal, 2023) Their conviction for disseminating false information. This sentencing is believed to be part of a more extensive campaign run by Prime Minister Sheikh Hasina, who has come under fire for allegedly using the legal system and other institutions to stifle opposition and increase her power. (ibid.) Khan and Elan, leaders of the human rights group Odhikar, faced legal action due to a report they released in 2013 regarding police brutality during a

crackdown on a rally organized by the Islamist organization Hefazat-e-Islam Bangladesh. The government swiftly and harshly reacted to the report, detaining activists and dismissing the report as distorted and defamatory. The conviction of Khan and Elan has drawn harsh criticism from the international human rights community, including from groups like Human Rights Watch and Amnesty International. They view it as a form of retaliation for their valuable efforts in documenting human rights violations in Bangladesh. Nevertheless, the government of Bangladesh has rejected Odhikar as an organization that does not comply with regulations and is politically biased. They have justified the actions of the judiciary as being grounded in evidence and in line with legal procedures, writes Hasnat and Mashal, in “Bangladeshi Activists Sentenced to Prison for a Report the Government Dislikes” in *The New York Times* on September 15, 2023.

A recent article by Anbarasan Ethirajan on BBC News, published on January 1, 2024, sheds light on the conviction of Nobel laureate Muhammad Yunus in Bangladesh. The friction between Hasina and Yunus remains enigmatic. Yet, Yunus’ supporters contend that the government’s motive for discrediting him stems from his previous contemplation of forming a political party to challenge the ruling Awami League (Ethirajan, 2024). In 2006, Yunus and Grameen Bank were honored with the Nobel Peace Prize for their remarkable contributions.

Yunus faces numerous legal challenges, including over 100 charges related to labor law violations and alleged graft. These cases go beyond the one at hand, highlighting the complexity of his situation. Prime Minister Sheikh Hasina has previously expressed her disapproval of Yunus, characterizing him as someone who exploits the poor and accusing Grameen Bank of imposing exorbitant interest rates. Irene Khan, the former head of Amnesty International and a current UN special rapporteur, strongly criticized the conviction, describing it as a grave miscarriage of justice. Many influential individuals, such as Hillary Clinton, Richard Branson, and Bono, urged Prime Minister Hasina to end Yunus’s oppression. They called for an immediate halt to the ongoing legal persecution he is enduring. (ibid.) Hasina expressed her warm welcome to international experts who are invited to evaluate the ongoing legal proceedings against Yunus, according to the article “Muhammad Yunus: Nobel Laureate Sentenced to Jail in Bangladesh.”

In a news article by *Prothom Alo* dated January 4, 2024, the United States’ response to the recent conviction of Nobel laureate Dr. Muhammad Yunus was discussed during a regular briefing by the US State Department. Spokesperson Matthew Miller stated that the US actively monitors Dr. Yunus’s case. Miller emphasized Dr. Yunus’ significant contributions to eradicating poverty, which aligns with his receipt of the Nobel Peace Prize and other international honors. A media person asked about Prime Minister Sheikh Hasina’s instructions for using dummy candidates and the international community’s suggestions for a free and fair election. (Prothom Alo, 2023)

In “Bangladesh: The Election That Has Turned Into a One-Woman Show,”

Anbarasan Ethirajan of BBC News, on December 31, 2023, provides a detailed exposition on the prelude to the Bangladeshi general elections scheduled for January 7. (Ethirajan, 2023) This article not only offers a glimpse into the political climate of Bangladesh but also serves as a mirror reflecting the broader implications of contesting democratic ideals and human rights issues in the country. The article draws attention to the human rights situation, which has deteriorated notably in recent years. There has been a pattern of political repression that has resulted in the systematic arrest and conviction of opposition leaders and supporters. (ibid.) The international community, including the United Nations and influential global figures like Barack Obama and Richard Branson, have expressed concerns over the “continuous judicial harassment” (ibid.) of prominent figures like Nobel laureate Muhammad Yunus, yet the government’s response remains dismissive. Looking beyond the immediate political landscape, Ethirajan raises critical questions about the role of Western nations and neighboring India in the context of Bangladesh’s democratic backsliding. The strategic and economic considerations, including Bangladesh’s significant garment exports and India’s regional interests, seemingly contribute to the international community’s muted response to Hasina’s tightening grip on power. (ibid.)

Such a fascist approach is not new in the present world. In the article “Why is Freedom of Expression” important, Amnesty International (2023) gave an example of Egypt:

“For example, in Egypt, it is currently extremely dangerous to criticize the government. Over the course of 2018, the authorities arrested at least 113 individuals, citing a host of absurd reasons including satire, tweeting, supporting football clubs, denouncing sexual harassment, editing movies and giving interviews. Those arrested have been accused of “membership of terrorist groups” and “disseminating false news”. Detained without trial for months, those who eventually faced trial were sentenced by military courts, even though military trials of civilians, in Egypt as elsewhere, are inherently unfair.” (Amnesty International, 2023)

Amnesty International highlights the significance of freedom of expression as a fundamental human right, safeguarded by international law. It plays a vital role in upholding other rights such as freedom of thought and religion. It promotes the idea of holding power accountable and encourages the principles of democracy. Nevertheless, authorities frequently stifle it to evade scrutiny, as evidenced by the apprehension of individuals in Egypt for a range of offenses, including satire and journalism. (Amnesty International 2023) Press freedom is facing significant challenges globally, as journalists encounter repression in numerous nations. Although freedom of speech encompasses a wide range of ideas, there are instances where legitimate restrictions are permitted under international law, such as in the case of preventing hate speech. The digital realm offers a vast array of knowledge, yet it is also susceptible to government control and surveillance. This calls for a constant need to be watchful and inventive in safeguarding the

freedom of expression in the digital sphere, writes Amnesty International.

“Reasonable Restrictions: Article 39 of the Bangladesh Constitution and Global Standards,” by Afrose and Sheikh (2023), points out Article 39(2) of the Constitution of Bangladesh that provides for certain limitations in particular situations, such as safeguarding national security, maintaining public order, and upholding decency. The article compares with global standards such as the International Covenant on Civil and Political Rights (ICCPR), emphasizing variations in scope and interpretation. Afrose and Sheikh also explore the approaches of various countries, such as the US and European nations, towards freedom of expression, highlighting the delicate balance between safeguarding this fundamental right and addressing issues like hate speech.

Ananya Azad’s “Digital Security Act in Bangladesh: The Death of Dissent and of Freedom of Expression,” a master’s thesis in the Department of Legal Studies at Central European University on May 27, 2021, explores the realm of freedom of speech as outlined in the International Covenant on Civil and Political Rights (ICCPR), a treaty that Bangladesh has ratified. (Azad, 2021, p. 15-17) ICCPR permits certain limitations on freedom of expression, as long as they are deemed essential and balanced for particular objectives such as safeguarding national security or maintaining public order. Nevertheless, Azad highlights the importance of having restrictions that are transparent, essential, and balanced, in line with the objectives of ICCPR. She also explores the role of international law in interpreting fundamental rights in Bangladesh, emphasizing that international law, although not directly applicable, can be utilized to interpret constitutional provisions concerning fundamental rights. He also delves into the consequences of the repeal of Section 57 of the ICT Act in Bangladesh and the subsequent implementation of the Digital Security Act (DSA) in 2018. Azad contends that the removal of Section 57 did not bolster freedom of expression, but instead resulted in the implementation of more rigorous legislation. The DSA, he observes, broke down Section 57 into various subsections, each prescribing distinct consequences, such as punishing online material that damages the reputation of the nation or causes offense to religious beliefs. In addition, the DSA implemented additional limitations that were not present in the ICT Act. Azad argues that this shift represents a misguided decision that placed more limitations on freedom of expression.

Azad highlights the need for greater clarity in the definitions of “obscenity” and “hurting religious sentiment” within both the ICT Act and DSA. (Azad, 2021, p. 18-23) This lack of precision opens the door to subjective interpretation and raises concerns about the potential for arbitrary enforcement. In addition, she points out that while the constitution in Bangladesh allows for reasonable restrictions on freedom of speech, the ICT Act and DSA go beyond these limits, thereby undermining this fundamental right. The expansive nature of these laws resulted in the criminalization of various activities that went beyond the boundaries set by the Constitution. (ibid.)

The 2013 amendment to the Act resulted in a significant rise in cases, specifi-

cally aimed at individuals who voiced criticism against the government. The amendment, which imposed harsher penalties and authorized warrantless arrests, had a profound impact on the situation. Notable instances involve the apprehension of rational writers, a newspaper editor exposing governmental misconduct, and a human rights advocate disseminating details on government suppressions. (Azad, 2021, p. 24-26) These examples highlight a recurring trend in which the government utilizes legal measures to stifle dissent, displaying a lack of respect for fundamental freedom of expression. The wide and imprecise scope of Section 57 allowed for its arbitrary implementation, frequently resulting in extended periods of detention without the possibility of bail for those accused. This demonstrates the government's calculated utilization of the Act to intimidate and stifle opposing viewpoints. (ibid.)

Sage Journals published an Index on Censorship (2016, p. 40-41), which offers a thought-provoking and reflective narrative of Bangladeshi blogger Ananya Azad's choice to abandon anonymity, despite the dangers involved in openly challenging religious extremism and oppressive cultural norms in Bangladesh. Azad's story starts by contemplating the potential protection that anonymity could have provided, shielding his family from constant fear and himself from becoming a target. Nevertheless, he made the decision to use his true name, embracing his personal identity and background in the face of potential danger. This decision was guided by his dedication to championing the rights of diverse marginalized communities, such as women and those who are sexually marginalized. He was initially hopeful about Bangladesh's democratic system, but he became disappointed when the government failed to safeguard freedom of expression, which ultimately led him to move to Germany. Azad argues that although anonymity can serve as a vital defense in the battle for free speech, it is not an infallible remedy. There are situations where it may not be practical to disclose one's identity due to the potential dangers that could arise. His narrative exemplifies the difficulties encountered by those who have the audacity to voice their opposition to tyranny, shedding light on the intricate interplay between one's sense of self, personal security, and the ability to freely express oneself within oppressive contexts. (Azad, 2016, p. 40-41)

2. Discussion

Foreign international news agencies often intervene in local matters as local news outlets have limited freedom of expression. Various renowned organizations and media outlets, such as *Amnesty International*, *Human Rights Watch*, *The Guardian*, *The New York Times*, *Al-Jazeera*, and others, have extensively reported on the disturbing trend of censoring journalists, newspapers, books, artworks, authors, artists, academics, and more in recent years, solely for expressing even the slightest form of dissent. Within this discourse, this paper sheds light on Saddam Hossen, born on February 22, 1993, a 31-year-old filmmaker who fell victim to the Road Safety Movement of 2018 (**Appendix A**) with

his full consent (**Appendix E, Figure E1**). Surprisingly, this particular incident has not received any coverage from local or international news agencies. In addition to Saddam Hossen, 13 other individuals are facing similar charges (**Appendix C, Figure C2**) under Penal Codes 143, 147, 332, 353, 427, and 506. (**Appendix B**) These “false and made-up” cases (**Appendix A, Appendix C: Figure C2**) are currently pending in the courts of Dhaka, Bangladesh.

Hossen’s experience is not an isolated incident but reflects a broader pattern of state behavior towards dissenting voices in Bangladesh. The government’s response to the 2018 Road Safety Movement, marked by the wrongful arrest and persecution of students and activists like Hossen, illustrates a systemic use of legal instruments to suppress and control dissent. This approach, as seen through Hossen’s eyes, highlights the state’s propensity to criminalize protest and silence criticism, often under the guise of maintaining public order and national security. (**Appendix A**) The misuse of legal provisions, as narrated by Hossen, points to a critical issue in the country’s legal and political framework. (ibid.)

In June 2020, Zyma Islam conducted research by interviewing the victimized students of this movement with the support of Front Line Defenders, CIVICUS: World Alliance for Citizen Participation, and South Asians for Human Rights (SAHR). (Islam, 2020) The article titled “Crushing Student Protests: Bangladesh’s Repression of the Quota Reform & Road Safety Movements” brings attention to the issue of excessive force, arbitrary arrests, torture, and ill-treatment carried out by the security forces in Bangladesh, as well as the attacks perpetrated by non-state actors, with a particular focus on the Bangladesh Chhatra League (BCL). The report highlights incidents of violence, such as the assault on an activist from Jagannath University by BCL members. The police’s handling of the protests, which called for quota reform in government jobs and road safety, included the utilization of teargas, rubber bullets, and high-pressure hot water cannons. (ibid.) Activists and protesters were subjected to arbitrary arrests and detained without any clear charges, with disturbing reports of torture emerging from their time in custody. The report also highlights incidents involving journalists, such as the arrest of Shahidul Alam, a well-known photojournalist, under the Information and Communication Technology (ICT) Act. Andrew Anderson, the Executive Director of Front Line Defenders, passionately calls upon the authorities to end the relentless harassment and take immediate action to create a secure and conducive environment for activists. The report offers a thoughtful critique of the Digital Security Act, highlighting its tendency to criminalize legitimate dissent. (ibid.)

Hossen’s ordeal, encompassing his wrongful arrest, the charges levied against him, and the subsequent legal battles, underscores the precarious state of individual rights in Bangladesh. It raises pressing questions about the balance between state authority and personal freedoms, the role of law in a democratic society, and the resilience of civil liberties in an increasingly digital and surveillance landscape. Hossen’s story, set against the backdrop of Bangladesh’s shifting

legal terrain, offers a critical lens through which to examine the state's approach to dissent and the impact of its legal apparatus on individual freedoms.

This paper does not undertake more extensive case studies. However, hundreds of similar cases exist in the country. This paper does not provide a comparative analysis of other countries to track the long-term effects of these repressive laws. The main objective is to advocate for a democratic society where dissent is not only tolerated but appreciated and where the lives of individuals—whether they are renowned creatives like Shahidul Alam and Kabir Ahmed Kishore or aspiring practitioners like Saddam Hossen—are protected under the fundamental human right to freedom of expression. The subjects in this paper brought through case studies are yet to see a definite conclusion in reality or the judicial system of the country. In contrast, this paper claims they did not commit any crime but were vocal against governmental corruption, or its humanitarian crime, which turned out to be their only crime. Such political dynamics and repressive socio-political environments are a threat to humanity. Like Saddam's bail petition (**Appendix D, Figure D1**), which is yet to see permanent resolution in the court, there are numerous activists, creatives, and students' bails pending in the courts of Bangladesh till date.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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Appendix

Appendix A

Interview with Saddam Hossen, interview by Ahmed Tahsin Shams (Date of Interview: August 1, 2023)

Interviewer: Please introduce yourself.

Interviewee: My name is Saddam Hossain. I have been working in the cinematic arts as the chief assistant director or line producer since 2014.

Interviewer: Why did you participate in the students' Road Safety Movement?

Interviewee: The movement was not at all for or against any political party. Instead, it was against the corruption of road transport authorities, who do not act against almost half a million unfit illegal vehicles on the roads. Two school-children died on July 29, 2018, and that incident initiated the movement, which was utterly peaceful. All students started taking over the streets not to perform violence but to showcase examples of how the traffic system can be improved by performing the job responsibly. We, who are creatives or university students, joined the movement later to support the kids.

Interviewer: Share your personal story from August 5, 2018 onward.

Interviewee: I am a spry thirty-year-old with the good (or perhaps questionable) fortune of being Bangladeshi. Let me regale you with a tale from 2018, a tableau of chaos etched against the backdrop of Dhaka's concrete jungle. It was the 26th or 27th of July—the details blur like a watercolor in rain—when fate, in its infinite jest, steered a wayward car onto a footpath in Banani, snatching the lives of two unsuspecting students. It was an absurd twist, a cosmic error, where the innocents stood not in the path of destiny but a wayward vehicle. Thus sparked a road safety movement—a ballet of youthful defiance on the tarmac stage. For a moment, a fleeting three days, it was applauded, a symphony of hopeful change in a city where chaos reigns supreme. But as Beckett might suggest, repetition is a form of change, and the accidents continued, an unending Groundhog Day of tragedy.

The students' cries for order, their six-point manifesto, were as logical as they were doomed, for in Dhaka, it seemed 70% of the chariots were not fit for roads, and 75% of the charioteers were unlicensed oracles, spouting prophecies with expired credentials. Their demands? Nietzschean in their boldness: the maximum penalty for traffic transgressions should be nothing less than the dance with death herself. These were not the whisperings of political machinations but the roar for order in the cacophony of disorder. The law, that indifferent spectator, paid no mind at first. But soon, the baton was passed, and the authorities took to the stage with a vigor that turned the streets into a Shakespearean tragedy. The movement was not a call for government collapse but a plea for six strands of sanity in a city's tangled transport web.

Misunderstandings with the police, the social media uproar, and the spreading wildfire of rumors changed the narrative. Like a Woody Allen protagonist, I found myself entangled in the farce—an observer, not of politics, but of a strug-

gle for the simple right to safe passage. On the 4th of August, as the evening draped Dhanmondi in shadows, I witnessed baton charges and heard the cries of the young, their innocence battered by the absurdity of violence. Sleep evaded me that night as my thoughts spun around justice and its elusive nature. Dawn brought no respite, only the urge to seek the truth amid the chaos. Hospitals became sanctuaries for the wounded students, and the streets became a stage for a confrontation between the unarmed truth and the armored fiction. Trapped between advancing students and an unyielding police front, I became an unwitting player in a scene that would make Beckett nod in grim recognition—a stalemate of human bodies and ideologies.

In the blink of an eye, the absurdity escalated. A child's eye was nearly lost, the screams of the young echoing through the streets—it was a symphony of horror that no comedy could dispel. Then, like a character in a play who suddenly realizes they're in the wrong act, I found myself mistaken for one of the assailants. In the throes of survival, one's identity can become as fluid as the roles in an improvisational farce.

I emerged as a Kafkaesque metamorphosis, no longer a bystander but a perceived enemy of the cause I supported. My escape was a noir film shot in broad daylight, a blend of fear and the instinct to survive. Captured by the very forces I fled, I played the role of the innocent bystander, a thespian of the streets, weaving tales of hospital visits to skeptical ears. They searched, they pushed, they probed—and, like an anticlimactic punchline, they took my phone, my wallet, my very sense of security. Yet, in a twist of Woody Allen-esque neurosis, one leader's word spared me from the mob's frenzy, only to find refuge in the arms of the law—a bitter irony, a sanctuary in the belly of the beast.

On that fateful day, with the sun high on its midday throne, a procession of blue-clad lawmen descended upon me. It was a scene where the absurdities of existence are laid bare—the ever-watchful state, with its ironic twist of fate, chose me as its protagonist. Here I sit, recounting this tale with a chuckle that barely conceals the weariness. It's akin to explaining the punchline of a joke for the umpteenth time—the humor dims with each telling, and yet, the show must go on.

Post-assault—and I use the term “assault” in the most theatrically grievous sense—the officers bestowed upon me the grand opportunity to perform the ritual of the “one phone call.” I telephoned a compatriot, briefing him on my unexpected sojourn at the Dhanmondi Thana, a locale as infamous as it is unassuming. The lockup, my temporary abode, was a quaint chamber, sparingly populated at first. It soon burgeoned with fellow “agitationists”—a term that makes us sound far more revolutionary than the mere mortals we were, caught in the state's all-seeing eye.

Time, that slippery eel, slipped by unnoticed, as clocks are luxuries not afforded to those in the state's embrace. Evening or night? Who could tell in the chronicle-less void of a cell? And then, like a plot twist in a dark comedy, two co-workers from the film crew—photojournalists by trade—joined me in what

would soon become an overcrowded tableau of existential despair. As the cell swelled past its capacity with more than twenty-five souls, it became clear that it was more like the setting of a Beckettian stage—where waiting is the only pastime and release is the elusive denouement. Yet, in the dank musk of despair, my thoughts did not linger on discomfort but danced around the notion of freedom, that teasing mirage.

The irony was rich and dark—I, along with others, was herded to court over an act of vandalism committed not by us but by the hands of time itself, an event staged before our dramatic encounter with the law. As I mused over the absurdity of it all, I realized that the agitation wasn't a mere student's play. It was a grand narrative where multiple actors had taken the stage unbeknownst to the students themselves. The court, a theatre where fates are decided, remains a blur in my memory. Perhaps it was the trauma of seeing loved ones rendered powerless by the script of governance or the dawning realization that the bars of a cell awaited me.

Then, we got shifted to Keranigonj prison! How it redefined “hospitality” in the most Nietzschean sense, stripping one of all illusions and revealing the truth of one's existence in its most raw form. Upon arrival, we were paraded and processed, and our “costumes” were searched with an intimacy that would make even the most avant-garde playwright blush. The living quarters, a microcosm of the world itself, were crowded beyond belief. My narrative became one of survival—the inedible, uncooked rice, the hard rock-solid-beds, and the very filthy air I breathed became characters in a story of resilience. Days turned into nights, and nights into days, in a place where the currency was cigarettes and the law of the land was the unwritten code of the incarcerated. And so, after fifteen days, a miniature eternity, I was released back into the world—a bit like the end of a Woody Allenian surreal film, where the jazz plays on, and life goes on, inexplicably and wonderfully absurd.

Five years hence, as elections loom like a new act in this grand play, I still make my “pilgrimages” to the court. The case lingers, like a Beckettian aside, unresolved. I await another bail, another chance to step offstage. In the end, what is life but the greatest of tragicomedies, with each of us playing our part, awaiting the final curtain call?

Appendix B

People's Republic of Bangladesh, Legislative and Parliamentary Affairs Division, Ministry of Law, Justice, and Parliamentary Affairs (1860) The Penal Code, Act No. XLV of 1860.

CHAPTER VIII: Of offences against public tranquility

143. Whoever is a member of an unlawful assembly, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

147. Whoever is guilty of rioting, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

CHAPTER XVI: Of offenses affecting the human body

332. Whoever voluntarily causes hurt to any person being a public servant in the discharge of his duty as such public servant, or with intent to prevent or deter that person or any other public servant from discharging his duty as such public servant, or in consequence of anything done or attempted to be done by that person in the lawful discharge of his duty as such public servant, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

CHAPTER XVI: Of offenses affecting the human body, Of Criminal Force and Assault

353. Whoever assaults or uses criminal force to any person being a public servant in the execution of his duty as such public servant, or with intent to prevent or deter that person from discharging his duty as such public servant, or in consequence of anything done or attempted to be done by such person in the lawful discharge of his duty as such public servant, shall be punished with imprisonment of either description for a term which may extend to 2[three years], or with fine, or with both.

CHAPTER XVII, Of offenses against property, Of Mischief

427. Whoever commits mischief and thereby causes loss or damage to the amount of fifty taka or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

CHAPTER XXII: Of criminal intimidation, insult, prejudicial act and annoyance

506. Whoever commits the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Appendix C

Charge Sheet Document from the Police Station

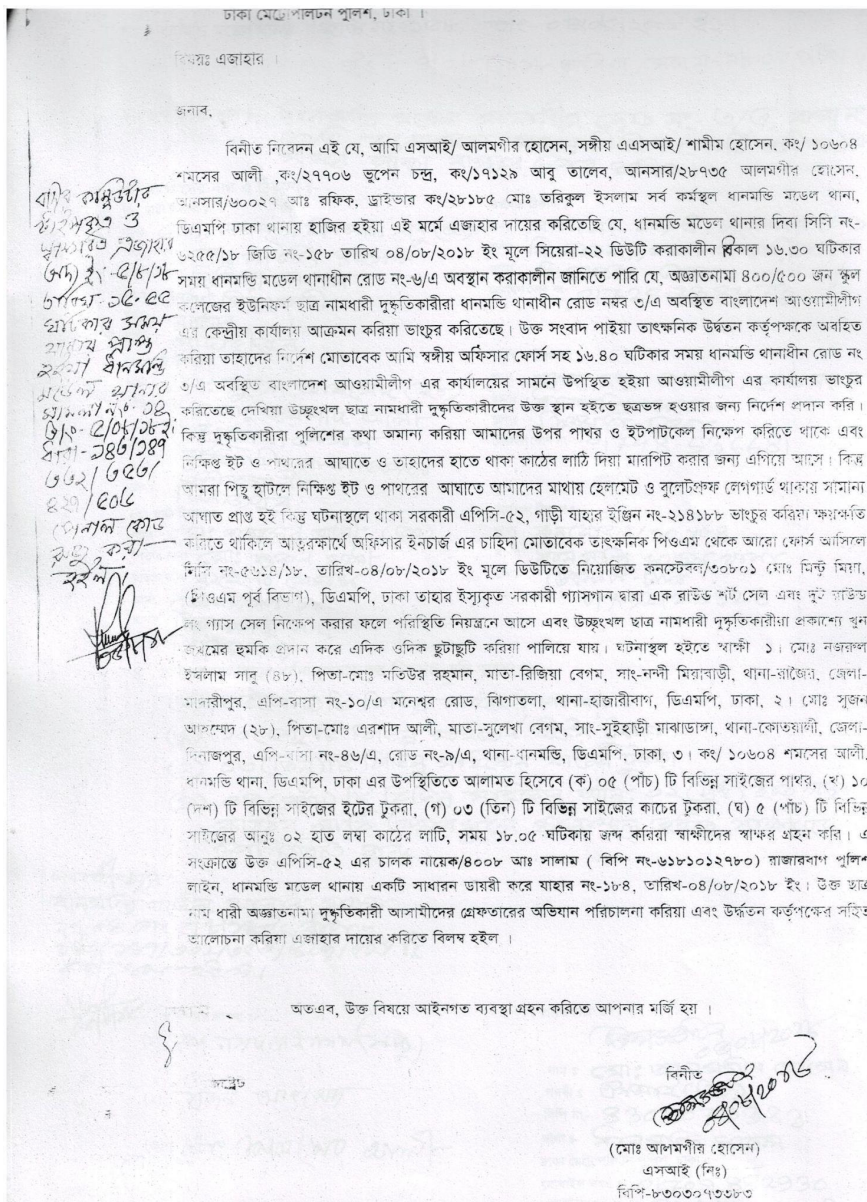


Figure C1. The narrative description (original language: Bangla) of the police officer in charge at Dhanmondi Police Station.

মাধ্যমঃ ডিএম (প্রসিকিউশন), ডিএমপি, ঢাকা।
 বিষয়ঃ শ্রেণীভিত্তিক আসামীকে কোর্টে ধরেন প্রসঙ্গে।
 সূত্রঃ ধানমন্ডি মডেল থানার মামলা নং-০৪ তারিখঃ ০৫/০৮/২০১৮ ইং ধারাঃ ১৪৩/১৪৭/৩৩২/৩৫৩/৪২৭/৫০৬
 পেনাল কোড।
 জনাব,
 সর্বনয় বিনীত নিবেদন এই যে, সূত্রে বর্ণিত মামলার সন্দিক্ত আসামী জেবাবয়ের হোসেন(২৬), পিতা- জাকারিয়া হোসেন বকুল, সাং- লড় টেংরা মিয়াপাড়া, থানা- বগুড়া সদর, জেলা- বগুড়া এ/পি- বাসা নং-২৫/৭, জিহলিং পুরাতন কাটাবাজার, জিপাতলা, থানা- হাজারাবাগ, ঢাকা; মোঃ মোহন(১৮), পিতা- আঃ জলিল গ্রাম- চরলকী, থানা- লালমোহন, জেলা- ভোলা এ/পি- ঢাকা উদ্যান, শ্যামলী হাউজিং ৩ নম্বর, থানা- মোহাম্মদপুর, ঢাকা; মোঃ সাদ্দাম হোসেন(২৫), পিতা- মৃত মোঃ আবুল হোসেন, গ্রাম- মোবজেল রোড বেগুলা, থানা- কোতয়ালী, জেলা- যশোর এ/পি- বাসা নং-১০, রোড নং- ৩, (কাদেশাবাদ হাউজিং) মোহাম্মদপুর, ঢাকা; মিনহাজুল ইসলাম(২০), পিতা- আবুল কালাম, গ্রাম- তেঁতেরা সুওদাধার পাড়া, থানা ও জেলা- কসুবাওয়ার এ/পি- বাসা নং-১৫৩/৫৫, রোড নং-৩৫, শান্তিনগর, থানা- রমনা, ঢাকা; মোঃ হোসেন(২৪), পিতা- মৃত আজম খান, সাং- উত্তর বাজীখাল, থানা- শ্রীনগর, জেলা- মুন্সিগঞ্জ এ/পি- বাসা নং-২২, রোড নং-২, থানা- মোহাম্মদপুর, ঢাকা; মাসরিকুল আলম(২৪), পিতা- শামসুল আলম, সাং- দক্ষিণ দিঘলী, টুলীবাড়ি, থানা ও জেলা- ভোলা এ/পি বাসা নং-২২, রোড নং-২, থানা- মোহাম্মদপুর, ঢাকা; বর্ণালী চৌধুরী গোপা(৩৫), পিতা- মোঃ রফিক উদ্দিন চৌধুরী, সাং- ধর্মিত চৌধুরীপাড়া, থানা- দেবীদ্বার, জেলা- কুমিল্লা, এ/পি- ১/১, ৪নং স্টাফ কোয়ার্টার, রায়-৪, সওজ, মিরপুর, ঢাকা; তমাল সামাদ(২৪), পিতা- মোঃ আব্দুল সামাদ, গ্রাম- গাছতলা নজর দৌলত, পোঃ বিরগাঁও, থানা- নবীনগর, জেলা- প্রাচীনবাড়ীয়া এ/পি- ১/সি, স্ট্যাট এ-৯, নর্থ ধানমন্ডি জে জে টাওয়ার, কলাবাগান, ঢাকা; ওমর সাদাম(২০), পিতা- মোঃ জাসিম উদ্দিন, গ্রাম- ২নং ওয়ার্ড, থানা- বোরহানউদ্দিন, জেলা- ভোলা এ/পি- বাসা নং-২২, রোড নং-২ থানা- মোহাম্মদপুর, ঢাকা; মোঃ মাহমুদুর রহমান(১৯), পিতা- আব্দুল জাহের, সাং- পশ্চিম এখলাছপুর, থানা- বেগমগঞ্জ, জেলা- নোয়াখালী এ/পি- বাসা ২৪১, মোহাম্মদিয়া হাউজিং লিঃ, থানা- মোহাম্মদপুর, ঢাকা; গাজী ইমাম বুখারী সিদ্দিক(২০), পিতা- গাজী আব্দুল আদী, সাং- ১৫৯.৩/ডি, আশামীড়, শ্যামলী ২নং রোড, পশ্চিম আগারগাঁও, থানা- শেরেবাংলানগর, ঢাকা; মোঃ নাইমুর রহমান(২০), পিতা- মোঃ হুফের রহমান, সাং- মান্দারী(আলী বেপারীর বাড়ি), থানা ও জেলা- রাফীপুর এ/পি- ২৪৬/১, বি/চ পশ্চিম আগারগাঁও, থানা- শেরেবাংলানগর, ঢাকা; মোঃ মাহবুবুর নাইম(২২), পিতা- আব্দুল জাহের, সাং- পশ্চিম এখলাছপুর, থানা- বেগমগঞ্জ, জেলা- নোয়াখালী এ/পি- বাসা ২৪১, মোহাম্মদিয়া হাউজিং লিঃ, থানা- মোহাম্মদপুর, ঢাকা; মোঃ ইকবাল হাসান(২১), পিতা- মোঃ গোলাম হোসেন, সাং- ভবানী জীবন পুর, থানা- বেগমগঞ্জ, জেলা- নোয়াখালী এ/পি- বাসা নং-৫৮, রোড নং-৯, নবীনগর হাউজিং, থানা- মোহাম্মদপুর, ঢাকাদের যথাযথ পুলিশ পাহারার মাধ্যমে বিজ্ঞ আদালতে প্রেরণ পূর্বক এই প্রতিবেদন দাখিল করিতেছি যে, বাদী ধানমন্ডি মডেল থানার দিলা সিসি নং-৬২৫৫/১৮ জিডি নং-১৫৮ তারিখ ০৪/০৮/২০১৮ ইং মূলে সিয়েরা-২২ ডিভিডি করাধীন সকাপ ১৬.৩০ ঘটিকার সময় ধানমন্ডি মডেল থানাবীন রোড নং-৬/এ অবস্থান করাধীন জামিনতে পারের যে, অজ্ঞাতনামা ৪০০/৫০০ জন স্থূল কলেজের ইউনিফর্ম ছাত্র নামধারী দৃষ্টিকারীরা ধানমন্ডি থানাবীন রোড নম্বর ৩/এ অবস্থিত বাংলাদেশ আওয়ামীলীগ এর কেন্দ্রীয় কার্যালয় আক্রমণ করিয়া ভাঙচুর করিতেছে। উক্ত সংবাদ পাইয়া তাৎক্ষণিক উপস্থিত কর্তৃপক্ষকে অবহিত করিয়া তাহাদের নির্দেশ মোতাবেক বাদী সঙ্গীয় অফিসার ফোর্স সহ ১৬.৪০ ঘটিকার সময় ধানমন্ডি থানাবীন রোড নং ৩/এ অবস্থিত বাংলাদেশ আওয়ামীলীগ এর কার্যালয়ের সামনে উপস্থিত হইয়া আওয়ামীলীগ এর কার্যালয় ভাঙচুর করিতেছে দেখিয়া উচ্চস্থল ছাত্র নামধারী দৃষ্টিকারীদের উক্ত স্থান হইতে ছত্রভঙ্গ হওয়ার জন্য নির্দেশ প্রদান করেন। কিন্তু দৃষ্টিকারীরা পুলিশের কথা অমান্য করিয়া তাহাদের উপর পাথর ও ইটপাটকেল নিক্ষেপ করিতে থাকে এবং নিক্ষেপ ইট ও পাথরের আঘাতে ও তাহাদের হাতে থাকা কাঠের লাঠি দিয়া মারপিট করার জন্য এগিয়ে আসে। কিন্তু তাহারা পিছু হাটলে নিক্ষেপ ইট ও পাথরের আঘাতে তাহাদের মাথায় হেলমেট ও বুস্টেপ্রফ গেলগার্ড থাকায় সামান্য আঘাত প্রাপ্ত হন কিন্তু ঘটনাস্থলে থাকা সরকারী এপিসি-৫২, গাড়ী যাহার ইঞ্জিন নং-২১৪১৮৮ ভাঙচুর করিয়া ক্ষয়ক্ষতি করিতে থাকিলে আত্মরক্ষার্থে অফিসার ইনচার্জ এর চাহিদা মোতাবেক তাৎক্ষণিক পিওএম থেকে আরো ফোর্স আসিলে সিসি নং- ৫৬১৪/১৮, তারিখ-০৪/০৮/২০১৮ ইং মূলে ডিভিডিতে নিয়োজিত কনস্টেবল/৩০৮০১ মোঃ মিন্টু মিয়া, (পিওএম পূর্ব বিভাগ), ডিএমপি, ঢাকা তাহার ইসুকৃত সরকারী গ্যাসগান দ্বারা এক রাউন্ড শর্ট সেল এবং দুই রাউন্ড গ্যাস সেল নিক্ষেপ করার ফলে পরিস্থিতি নিয়ন্ত্রনে আসে এবং উচ্চস্থল ছাত্র নামধারী দৃষ্টিকারীরা প্রকাশ্যে খুন জখমের হুমকি প্রদান করে এদিক ওদিক ছুটছুটি করিয়া পালিয়ে যায় মর্মে বাদী এজাহারে জানান। মামলাটি প্রাথমিক তদন্তে উল্লিখিত শ্রেণীভিত্তিকদের মামলার ঘটনার স্মৃতি থাকার কথা পাওয়া যাইতেছে এবং আসামীদেরকে জিজ্ঞাসাবাদে তাহারা ঘটনার সঙ্গে জড়িত মর্মে স্বীকার করে। তদন্ত অব্যাহত আছে। পরবর্তীতে মামলা তদন্তের স্বার্থে উক্ত আসামীদের রিমান্ড চাওয়া হইতে পারে। আসামীদের নাম টিকানা যাচাই করা প্রয়োজন আছে। সন্ত্রাস সময়ে আসামীদের নাম-টিকানা যাচাই করা সমস্ত হয় নাই। প্রসঙ্গ নাম টিকানা যাচাই বাচাই করা হইতেছে। আসামীরা জামিনে মুক্তি পাইলে চিরতরে পলাতক হওয়া সহ মামলা তদন্তে বাধা ঘটায় সন্তোষজনক। আমি তাহাদের জামিনের যোর বিরোধিতা করিলাম।
 অতএব, মহোদয় সমীপে আরোজ মামলাটি সূষ্ঠ তদন্তের স্বার্থে তদন্ত কার্য সমাপ্ত না হওয়া পর্যন্ত আসামীদেরকে জেল হাজতে আটক রাখিতে মর্জি হয়।

বিনীত নিবেদক
 জায়েদ আব্দুল্লাহ বিন সরোয়ার
 এসআই
 তারিখ: ০৬/০৮/২০১৮

Figure C2. The list of 14 victims imprisoned with “false” charges (original language: Bangla).

Appendix D

Bail Petition Document

দরখাস্ত/হ
 ১৮-১৯
 ইসি
 ১৮-১৯

বাংলাদেশ
 কোর্ট ফি

মামলা
 এডভোকেট

বিজ্ঞ সি.এম.এম আদালত, ঢাকা।
 সূত্রঃ ধানমন্ডি মডেল থানার মামলা নং- ৪(০৮)২০১৮
 ধারা-১৪৩/১৪৭/৩৩২/৩৫৩/৪২৭/৫০৬ পেনাল কোড
 রাষ্ট্র বাদী।
 বনাম
 মোঃ সাদ্দাম হোসেন
 আসামী/(জেশহাজতী)।
 বিষয়ঃ আসামী পক্ষে জামিনের আবেদন।

আসামী পক্ষে বিনীত নিবেদন এই যে,

- ১। দরখাস্তকারী আসামী বিশ্ববিদ্যালয়ে পড়ুয়া আইনমান্যকারী বাংলাদেশের স্থায়ী নাগরিক।
- ২। দরখাস্তকারী আসামী বিগত ৪/০৮/২০১৮ইং তারিখ হইতে জেল হাজতে বন্দি আছে।
- ৩। দরখাস্তকারী আসামী কথিত ঘটনার সাথে কোন ভাবে জড়িত নহে। পুলিশ কেবল হয়রানী করার মানসে দরখাস্ত কারী আসামীকে গ্রেফতার করেছে।
- ৪। দরখাস্তকারী আসামী ছাত্র বিধায় জেল হাজতে থাকার কারণে তার বৃদ্ধ মা অসুস্থ হয়ে পড়েছেন।
- ৫। দরখাস্তকারী আসামীকে জামিন দিলে পলাতক হবে না। নিয়মিত বিজ্ঞ আদালতে হাজিরা প্রদান করিবেন।

অতএব উপরোক্ত বিষয়ের আলোকে দরখাস্তকারী আসামীকে যে কোন শর্তে জামিন দানের আদেশ দিতে বিজ্ঞ আদালতের সদয় মর্জি হয়।

Figure D1. The first bail petition of Saddam Hossen (original language: Bangla).

Appendix E

Consent Letter



Avant-Garde Productions

Corporate Office: Eastern Elite Center, House 50, 3rd Floor, Road 9A (New), Dhanmondi, Dhaka 1209

Date: July 30, 2023

To Whom It May Concern

I, Saddam Hossen, DoB: February 2, 1993, fully consent to use my interview for research papers, news, and documentary film purposes. Also, I agree to publish copies of the police charge sheet and bail petition documents if needed.

Regards,

A handwritten signature in black ink, appearing to read 'সাদাম হোসেন' (Saddam Hossen).

SADDAM HOSSEN
COO & Creative Director



www.agproductionsbd.com

+8801730599557

info@agproductionsbd.com

Figure E1. Consent letter to use Saddam Hossen's interview for the first time in public in this paper, along with other legal documents presented in **Appendix A**, **Appendix C**, and **Appendix D**.