

URGENT ACTION

ACTIVIST HARASSED UNDER POLITICAL INFLUENCE

Businessman and activist Emdadul Haque Milon faces seven years in prison if convicted under the draconian Digital Security Act. It is believed that the case against him has been filed by a local leader of the ruling political party Awami League, who has used his political influence for personal interest. The Bangladesh government must drop the case against Emdadul Haque Milon filed under the Digital Security Act, which is, a highly repressive law with vague provisions, harsh punishment and in violation of international human rights law.

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

Mr. Asaduzzaman Khan, MP
Minister
Ministry of Home Affairs
Bangladesh Secretariat
Dhaka-1000, Bangladesh
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Honourable Minister Khan,

While it is encouraging that **Emdadul Haque Milon** was granted bail on 26 March 2020, after serving 23 days in prison, it is alarming that he still faces a seven-year prison sentence, if convicted – for a Facebook post criticizing the decision to invite the Indian Prime Minister for a state visit.

Emdadul Haque Milon could face charges under sections 25(2), 29(1) and 31(2) of the Digital Security Act (DSA). He alleges the case against him was filed by Billal Hossain Sarker, general secretary of the Muktagachha unit of Awami League to stop him from securing a government contract. This is a clear example of a worrying trend of State agencies using draconian laws, like the DSA, to intimidate and muzzle dissent on social media.

Bangladesh is a state party to the International Covenant on Civil and Political Rights (ICCPR). Under Article 19 of the ICCPR, Bangladesh has an obligation to ensure that “Everyone shall have the right to hold opinions without interference”, making clear that the case against Emdadul Haque Milon violates international human rights law.

I therefore call on you to ensure the Bangladesh authorities:

- 1. Immediately close the investigation against Emdadul Haque Milon and all those implicated solely for exercising their right to freedom of expression;**
- 2. Decriminalize defamation, and treat it as a matter of civil litigation;**
- 3. Promptly amend the Digital Security Act in compliance with international human rights law including ICCPR, to which Bangladesh is a State party**

Yours sincerely,

ADDITIONAL INFORMATION

Emdadul Haque Milon, 34, was arrested by the police on 3 March 2020. The next day, a case under the draconian Digital Security Act (DSA) was apparently filed against him by Billal Hossain Sarker, a ruling party politician in Muktagachha, Mymensingh. Amnesty International has earlier called on the Bangladesh government to release him without further delay. He has been released on bail on 26 March 2020 after serving 23 days in prison. The case against him however, continues.

Emdadul Haque Milon posted on his Facebook account on 27 February 2020 that “Inviting Modi, an oppressor of Muslims at the birth centenary of Mujib is an insult to the Bengali nation’s pride, Bangabandhu, and people of Bangladesh will not welcome that.”

The police used this Facebook post and accused that he also shared a post with a satirical image of Bangladeshi minister Obaidul Quader to express his dissatisfaction of the electronic voting system. Emdadul Haque Milon has denied sharing anything about Obaidul Quader and said that the police did not find such a post on his Facebook.

Police accused him for publishing “offensive” and “defamatory” content and “deteriorating law and order” respectively under sections 25(2), 29(1) and 31(2) of the DSA. If convicted, he could face up to seven years in jail and/or a fine of up to 500,000 takas.

“When the government is asking everyone to refrain from commenting about Indian Prime Minister Narendra Modi...and the honourable secretary of Awami League [Muktagachha unit] has come to the police station to file a case, it means there is deterioration of law and order,” Biplob Kumar Bishwas, officer-in-charge of Muktagachha Police Station in Mymensingh told Amnesty International.

The police official’s explanation contradicts Article 19 of the International Covenant on Civil and Political Rights that clearly states, “Everyone shall have the right to hold opinions without interference.”

“He [Emdadul Haque Milon] has insulted a person. He does not have a right to insult a person. He has posted a distorted image of our honourable secretary [Obaidul Quader]. We have filed the case after consulting with the administration,” said Billal Hossain Sarker, the ruling party politician and plaintiff of the case, to Amnesty International.

Under international human rights law, the mere fact that forms of expression are considered to be insulting to a public figure is not sufficient to justify the imposition of penalties. In particular, the UN Human Rights Committee has called on States to consider the decriminalization of defamation, and instead treat it as a matter of civil litigation.

The UN High Commissioner for Human Rights has called on Bangladesh to “urgently revise the Digital Security Act (DSA), to ensure that it is in line with international human rights law and that it provides for checks and balances against arbitrary arrest, detention, and other undue restrictions of the rights of individuals to the legitimate exercise of their freedom of expression and opinion”.

Emdadul Haque Milon feels that the case was filed by the ruling Awami League party politician abusing his power to stop him from submitting a proposal for a government contract that subsequently went to the politician’s son-in-law.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 27 May 2020

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

NAME AND PREFERRED PRONOUN: Emdadul Haque Milon (he/him/his)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa13/1945/2020/en/>