

PUBLIC

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16 January 2008

Further Information on UA 285/07 (AI Index: ASA 13/012/2007, 1 November 2007) Fear for safety/torture/prisoner of conscience

BANGLADESH

Jahangir Alam Akash (m), journalist, human rights defender

Jahangir Alam Akash, a journalist and human rights activist, was released on bail in November 2007 after over a month in detention. He has publicly stated that he has been tortured in detention by Rapid Action Battalion (RAB) agents. The authorities have issued a new warrant for his arrest. If he is arrested, he is at great risk of being tortured again.

Jahangir Alam Akash was arrested on at 2am on 24 October 2007 by RAB agents who came to his house in the northwestern city of Rajshahi. He had produced a television report broadcast on 3 May 2007 alleging that RAB agents had shot a man offering no resistance in his home in front of his family. Jahangir Alam Akash has been charged with extortion, a charge widely believed to be false and politically motivated.

Jahangir Alam Akash has stated publicly that he was tortured by RAB agents, including with electric shocks, beating on the sole of his foot with a stick, and being suspended from the ceiling with his hands tied.

Following his release in late November 2007, the Home Ministry, reportedly at the instigation of the Rajshahi RAB agents, instructed the police to apply to the case the provisions of the Emergency Powers Rules, 2007 (EPR), usually applied to detainees whom the authorities want to prevent from being released on bail allegedly on security grounds. Defendants to whose cases the EPR provisions are applied are not permitted bail. This means that Jahangir Alam Akash's bail is nullified and he has to return to detention. Despite his lawyers winning a High Court ruling that EPR provisions should not be applied to his case, on 7 January the authorities issued a new arrest warrant for Jahangir Alam Akash.

Jahangir Alam Akash is the local head of two NGOs, the Task Force against Torture and the Bangladesh Institute of Human Rights. His concern with human rights has been a powerful influence on his work as head of the Rajshahi office of the independent TV station CBS News.

BACKGROUND INFORMATION

A state of emergency was imposed in January 2007. Subsequently the President issued The Emergency Powers Ordinance, 2007 and the Emergency Powers Rules, 2007. The EPO provides the legal basis for the State of Emergency and EPR lay down the rules that govern the State of Emergency.

The two ordinances provide far-reaching powers to law enforcement agencies, including the power to arrest anyone without a warrant on suspicion of seeking to engage in a "prejudicial act", a breach of the EPO, or a criminal offence.

Under the rules, processions, meetings, assemblies or demonstrations or participation in them are not allowed unless they relate to "religious, social, state or governmental programmes are permissible". The restrictions have been partially lifted in Dhaka to allow for some political meetings but they remain in force in the rest of the country.

The EPR are so broadly formulated that it is open to abuse by law enforcement personnel. It has frequently been used as a punitive measure to detain those criticising army or RAB operations.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Bangla, English or your own language:

- expressing concern that a warrant of arrest has been issued against Jahangir Alam Akash, despite a high court order effectively safeguarding his bail;
- expressing concern that if he is arrested, he is at risk of torture in RAB custody;
- urging the authorities to ensure his safety;
- calling on the authorities to protect Jahangir Alam Akash against any risk of torture by Rapid Action Battalion or any other security forces;
- urging the authorities to have the reports of the torture of Jahangir Alam Akash investigated by an independent, impartial and competent body, and bring those responsible to justice.

APPEALS TO:

Equivalent to prime minister

Dr Fakhruddin Ahmed

Chief Adviser

Office of the Chief Adviser

Bangladesh

Fax: +880 2 8113243

Email: info@pmo.gov.bd

Salutation: Dear Chief Adviser

COPIES TO: diplomatic representatives of BANGLADESH accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 February 2008.