

URGENT ACTION

BLOGGER ARBITRARILY DETAINED DESPITE BAIL

Selim Khan is an atheist blogger from Bangladesh. He was part of a private Facebook group for like-minded atheists where he expressed his views privately. Another member photographed his comment and shared it publicly, causing public agitation. A ruling party member then filed a case against him “under the newly enacted Cyber Security Act and the Penal Code”. Selim was arrested on 4 November 2023 and was refused bail repeatedly even though these were bailable offences. He was finally granted bail on 13 March 2024 but he remains in jail due to procedural delays. Selim must be released immediately and unconditionally.

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

Prime Minister Sheikh Hasina
Prime Minister's Office
Old Sangsad Bhaban
Tejgaon, Dhaka-1215
Bangladesh
Email: ps1topm@pmo.gov.bd

Dear Prime Minister Sheikh Hasina,

Blogger Selim Khan was granted bail on 13 March 2024, but it is deeply concerning that he is yet to be released from jail. According to Judicial authorities he has not been released yet due to an extreme delay in drafting the bail sentencing, which should be sent to the jail for his release to be processed. The normal procedure would only take 3-4 days. Selim Khan must not have been charged for expressing his views in the first place, yet the delay in ensuring his release on bail appears to be an additional form of punishment.

Selim is known as an atheist blogger in his community and was arrested over a comment he posted on a private Facebook group in early November 2023. Another member of that group took screenshots of Selim's comment and shared it publicly on Facebook, causing public agitation. Following the wider publication of his comment, a ruling party member from the same area filed a case against Selim claiming that his comment hurt the religious values and sentiments of the local people, caused riots and deteriorated law-and-order in the area. He also accused Selim of hurting religious sentiments through his blog.

The police arrested Selim on 4 November 2023. He was charged under the Cyber Security Act with publishing false information, hurting religious values and defamation, in addition to wantonly giving provocation and causing riots under the Penal Code. Despite all these offences being bailable, the Judicial Magistrate court and the Court of Sessions denied his bail applications. The High Court finally granted bail on 13 March 2024. While granting bail, the judge also added his personal sentiments that the offence should warrant the highest punishment, life imprisonment or even death sentence. Despite the bail being granted, Selim has spent almost three months awaiting his release.

The prosecution of Selim Khan under the Cyber Security Act and the Penal Code, and the continued violations of due process, are a direct violation of the rights to freedom of expression and freedom of religion and belief, and also violate the prohibition of arbitrary detention.

I therefore urge you to:

- Drop all charges against Selim Khan and ensure he is released immediately and unconditionally as these stem solely from the peaceful exercise of his rights to freedom of expression and freedom of religion and belief;***
- Amend the Cyber Security Act in accordance with international human rights law and standards;***
- Immediately and unconditionally release all those detained under the Cyber Security Act and the now repealed Digital Security Act who have been charged solely for exercising their right to freedom of expression.***

Yours sincerely,

ADDITIONAL INFORMATION

Selim Khan is a 19-year-old atheist blogger from a village in the Southwest of Bangladesh, a predominantly Muslim country.

Selim has his own blog where he expresses views critical of religion, and people in his village know him to be someone who is an atheist and critical of Islam. Selim's lawyer told Amnesty International that they believe the individual who posted Selim's comment publicly on Facebook had joined the private Facebook group to take a screenshot of Selim's posts to specifically target him.

The politician who saw the screenshots of Selim's comment on Facebook and filed the complaint had previously warned Selim to refrain from posting such views. According to a report filed by the police, the screenshots caused an angry mob to gather outside Selim's house. Selim had already left his house for safety and the police later dispersed the crowd. The police report also accuses Selim for using his blog to express critical views on religion. The [Cyber Security Act](#) (CSA) was introduced by the government in September 2023 to replace the draconian [Digital Security Act](#) (DSA). However, the CSA retains many repressive features of the DSA that were used to threaten and restrict the rights to freedom of expression, privacy and liberty. Even if the Law Minister had presented the CSA as being more aligned with human rights, particularly as it [removed](#) prison sentences for defamation and increased the number of bailable offences, the law continues to be used as a way to silence critical voices.

Bangladesh has a history of targeting atheist bloggers solely for freely expressing their views. Atheist blogger [Avijit Roy](#) was killed with a machete in the streets of Dhaka, the Capital of Bangladesh, and another blogger Washiqur Rahman was killed near his home in Bangladesh's capital Dhaka a month apart, back in 2015. This sparked the persecution of atheist bloggers and their families, while online spaces for them to express their views were closing down. Many atheist bloggers fled the country in the years that followed for fear of reprisals.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Bangla, you can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 5 August 2024

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

NAME AND PREFERRED PRONOUN: [Selim Khan] (he/him)