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## NEW DIGITAL SECURITY ACT IS ATTACK ON FREEDOM OF EXPRESSION BANGLADESH

Bangladesh's new Digital Security Act is an attack on freedom of expression that is even more repressive than the legislation it has replaced, Amnesty International said in new briefing published today.

[\*Muzzling Dissent Online\*](#) warns that vague and overly broad provisions of the new law could be used to intimidate and imprison journalists and social media users, silence dissent and carry out invasive forms of surveillance. "Instead of breaking with the past, where the Information Technology Act was used to arrest at least 1,200 people in Bangladesh, this draconian new law threatens to be even more repressive," said Dinushika Dissanayake, Deputy South Asia Director at Amnesty International. "The Digital Security Act criminalizes many forms of freedom of expression and imposes heavy fines and prison sentences for legitimate forms of dissent. It is incompatible with international law and standards and should be amended immediately."

Over the past six years the Bangladesh government, under the Information and Communication Technology Act (ICT) - the forerunner to the Digital Security Act, arrested more than a thousand people. Most of them were arrested under section 57 of the ICT Act.

### **Attack on freedom of expression**

Despite the government having pledged to guarantee the right to freedom of expression in Bangladesh, including by accepting specific recommendations to reverse the draconian provisions of the ICT Act, several provisions in the Digital Security Act pose a similarly grave threat to human rights. It is plagued by a lack of clear definitions, explanations and exceptions, including repressive non-bailable penalties for at least 14 offences.

Section 21 authorizes life imprisonment, along with a hefty fine, for engaging in "propaganda" or a "campaign" against the "spirit of the liberation War", "father of the nation", the "national anthem" or "national flag".

Section 25 of the Act provides special protection to the state, and thus may be used to prohibit or punish legitimate political expression. Section 28 states that publication or broadcast of "any information that hurts religious values or sentiments" is a criminal offence.

### **Immense power of the Digital Security Agency**

The Act provides absolute power to the government's Digital Security Agency to initiate investigations into anyone whose activities are deemed harmful or a threat. The agency can also order the Bangladesh Telecommunication Regulatory Commission to remove and block any information or data on the internet. The Act gives the police absolute power to arrest anyone, without a warrant, simply on suspicion that a crime may be committed using digital media. "In the absence of a judicial review process to examine and reverse actions of the State in Bangladesh, the discretion of the Digital Security Agency appears immense and arbitrary," said Dinushika Dissanayake. "The government must have proper safeguards for the public to seek redress if they feel their rights are violated and their opinions censored by the state unfairly."