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IPI Mission to Bangladesh – Preliminary Report

From 27 November to 2 December 2008, the International Press Institute (IPI) conducted a high-level mission to Dhaka, Bangladesh to assess the country's media environment as it prepares for national elections, scheduled for 29 December, as well as to elicit commitments from the heads of the two main political parties to support the right of journalists to report on the general elections without harassment or interference.

The mission included David Dudge, Director of IPI; Owais Aslam Ali, Secretary General of the Pakistan Press Foundation (PPF) and Chairman of Pakistan Press International (PPI), Karachi; and Padma Singh Karki, Chairman of the IPI Nepal National Committee and editor and publisher of the *Gatibidhi Weekly* in Kathmandu. Bulbul Monjurul Ahsan, Head of News and Current Affairs at ATN Bangla; and Executive Director of Media Watch, Bangladesh, was the local coordinator for the mission.

The members of the IPI mission met with journalists, editors and media owners as well as with the head of the Awami League, leaders of the Bangladesh Nationalist Party (BNP), the Chief Advisor to the Interim Government, the Directorate General of Forces Intelligence, the Attorney General, and the Chief Election Commissioner, among others.

Meetings with Editors and Journalists

One of the main problems highlighted by journalists is that media outlets in Bangladesh are politically polarized, and tend to favour either the Awami League or the BNP, the two main political parties. Some journalists noted that they should attempt to bridge this divide by agreeing on best practices of journalism, rather than focussing on supporting particular political parties.

In rural areas, there are considerable challenges for journalists, who practice their profession for little remuneration and often without adequate training. As a result, many have second jobs. Throughout the profession as a whole, there are individual cases of unethical practices and examples of conflict of interest. The result is that there is a real need to bring journalists together in order to seek solutions for these problems.

The publisher and editor of the *Daily Star*, Mahfuj Anam, stressed the importance of credibility for a newspaper's success, noting that "good journalism is good business". There are problems with the model of financial sustainability adopted by some newspapers in Bangladesh, with the suggestion that a few owners have bought published newspapers to fulfil their own interests.

Editors also expressed the feeling that, while the independent media in Bangladesh enjoys relatively greater freedoms when compared to the media in other Asian countries, some laws and practices continue to represent a source of danger for journalists, and have a chilling effect on their ability to report on issues of public interest. The editor of one of Bangladesh's biggest newspapers said that "criminal defamation is a black law that must be done away with".

Furthermore, journalists in Bangladesh are often ensnared in legal cases and accused of extortion. However, it is widely believed that many of the cases are triggered by reports that offend politicians and the authorities, who do not always tolerate criticism.

Indeed, there are concerns over the independence of the judiciary, as some are political appointees. Particularly in rural areas, there are concerns that lower courts are subject to influence. It was noted that the system for judicial appointments should be changed to reflect international standards.

Impunity is a major problem. Perpetrators of crimes against journalists are generally not prosecuted and the authorities do not seem to take the cases seriously. "Politicians don't want to solve the problem," said a journalist who had to leave the profession due to continued harassment. There are also concerns that the aggressive criticism of journalists by politicians and other groups provides a "green light" to the police and the army to harass the media. As one journalist put it: "Without the green light from politicians neither the police nor the army will act" against the media.

Particularly in rural areas, there are concerns about the Rapid Action Battalion (RAB), the elite anti-crime force consisting of members of the Army, the Navy, the Air Force and the Police, with some journalists complaining they have been harassed and intimidated. In one case, a journalist claimed to have been tortured by the RAB. A journalist who himself had been visited by the RAB noted that the RAB is known for using the expression "caught in the crossfire" to explain the death of some individuals at the hand of the RAB. An editor pointed out that if the perpetrators of the initial murders of journalists were prosecuted, others would have been fearful of copying their actions.

The lack of appreciation of the importance of a free press for democracy was identified as a further problem. "Politicians do not understand the media's role" of holding government to account, said an editor. In the past two years, under the interim government, the media has been less critical than it normally would be towards a future government, mainly because the interim government will not be seeking re-election. This has caused, on the one hand, a vacuum in the media's role of holding the government to account, and on the other, a more liberal attitude towards the media. Journalists who have become used to this freedom might end up clashing with the new government, which may not be so willing to accept criticism.

The need to promote investigative journalism was also highlighted. "The right to information law is a milestone in the country's history but there are only four reasons for providing information, while there are 20 reasons for blocking information," one editor noted.

Regarding the imprisonment of Mohammad Atiqullah Khan Masud, editor and publisher of *Janakantha*, editors and journalists were most concerned that Atiqullah Khan was arrested without warrant under the Emergency Power Rules (EPR) and that he has spent over 20 months in jail. The previous government has also stopped advertising in *Janakantha* and has advised other advertisers to withdraw their advertisements. All of this has greatly affected *Janakantha's* economic viability.

Meeting with Sheikh Hasina, Head of the Awami League

Sheikh Hasina stressed her commitment to press freedom during the elections. She also said that the Awami League was prepared to review the cases of murdered journalists as well as the case of imprisoned journalist Atiqullah Khan whom she noted "is a victim."

Sheikh Hasina acknowledged that freedom of expression is necessary if journalists are to play a vital role in supporting democracy and secularism, and said that journalists in Bangladesh enjoy

full freedom of expression. She recognized, however, that the murder of journalists is a problem that affects the whole society. Finally, Sheikh Hasina also highlighted the importance of professional training for journalists.

Meeting with representatives of the Bangladesh National Party (BNP)

Unfortunately, BNP Chairperson Begum Khaleda Zia was unable to attend the meeting with IPI delegates; however the IPI mission met with BNP Media Adviser Safik Rehman, BNP's Foreign Affairs Advisory Committee ambassador Shamsheer Mobin Chowdhury, former ambassador Sabihuddin Ahmed and Maj Gen (retd) Fazle Akbar, who is Chairperson Zia's security adviser.

While stating their support for press freedom, BNP representatives expressed concern about the media's ability to report on the elections, given the Election Commission's efforts to ensure that the commission is the only body allowed to report the results after they are communicated by the returning officers in the districts. By contrast, journalists argue they should be able to obtain the results directly from the individual districts.

BNP representatives condemned the use of torture by the army. They also noted that they not only want investigations into the murders of journalists, but for "all murders to be properly investigated". IPI offered to provide the BNP with information it has about cases of murdered journalists, and the BNP representatives committed themselves to reviewing such cases. They also said they will review the case of Atiqullah Khan, as they "will do for all the arrests made under the Emergency Power Rules".

BNP representatives also noted that the politicization of the media was a cause for concern, and emphasized the importance of codes of practice.

Meeting with Dr, Fakhruddin Ahmad, Chief Advisor of the Interim Administration

Responding to IPI's concerns about the EPR, the Chief Adviser said that, while these include regulations that might affect the media, these laws have not been applied to limit media freedom. (This view was actually shared by some of the editors and journalists with whom the IPI delegation met). The Interim Administration has received no complaints from representatives of the media in this regard. He also indicated that the EPR will be lifted within a reasonable time.

With regard to Atiqullah Khan, Dr, Fakhruddin Ahmad said that he did not believe the editor and publisher was convicted for his journalistic activities. However, there is a judicial process in place and Atiqullah Khan has to go through this process.

Dr, Fakhruddin Ahmad emphasized the importance of the press council, media credibility and codes of conduct. He said the media should highlight the problems connected with having individuals buying media outlets and becoming editors for the sole purpose of expressing certain opinions.

However, he noted that he believed development comes gradually, and that institutions supporting democracy also have to be strengthened.

Meeting with Major General Golam Kader, Director General of the Directorate General of Forces Intelligence. Kurshid Alam, Brigadier General, was also present.**

The IPI delegation pointed out its concerns with regard to attacks against journalists at the hands of the RAB and army. Major General Golam Kader responded that he could not vouch for the entire army, but stated that where cases of journalists tortured by the army have “surfaced”, the responsible individuals have been punished. He also stated that he believed attacks on journalists were largely perpetrated in the past by criminal gangs, and that the RAB was established to counter such attacks.

Major General Golam Kader further emphasized that journalists must be responsible, objective and work without a personal agenda. He added that in Bangladesh it appeared that journalists were sometimes guided by personal or political agendas, and alluded to the problem of corrupt journalists. Major General Golam Kader noted that accountability was particularly important because “information has become an important and powerful weapon”.

Recommendations:

For the authorities:

- The investigative authorities to openly and transparently investigate all attacks on journalists and to continue investigations into all cases of murdered journalists
- The legal authorities to ensure all Bangladeshi laws meet international standards on press freedom and are in line with the spirit and intent of Article 39 of the Bangladeshi Constitution.
- The enactment of a broadcasting law in line with international standards and containing provisions supporting freedom of the press, as well as a suitable commitment to public service.
- The immediate release of *Janakantha* editor and publisher, Mohammad Atiqullah Khan Masud, from jail.
- Politicians, government and other institutions in Bangladesh to allow the media to report free of all attempts to influence this reporting.

For the media:

- All media to express solidarity and unity in condemning press freedom violations.
- The creation of a Bangladesh Free Media Centre that will work to:
 1. Offer a common ground for journalists to develop independent and voluntary codes of conduct affirming fair, balanced and accurate journalism.
 2. Encourage dialogue among publishers, editors, journalists to limit the effects of political polarisation on media reports
 3. Develop the first countrywide network of journalists to support in particular journalists in rural areas
 4. Monitor, through the network, media freedom violations and attacks against journalists in Bangladesh.

*** This is a corrected version of the Preliminary Mission Report. The initial version erroneously identified the Director General of the Directorate General of Forces Intelligence and the exact position of Mahfuj Anam. IPI regrets the errors.*