

## Bangladesh

Although Internet access in Bangladesh is not restricted by a national-level filtering regime, the state has twice intervened to block Web sites for hosting anti-Islamic content and content deemed subversive. Internet content is regulated by existing legal frameworks that restrict material deemed defamatory or offensive, as well as content that might challenge law and order.



### RESULTS AT A GLANCE

Filtering	No Evidence of Filtering	Suspected Filtering	Selective Filtering	Substantial Filtering	Pervasive Filtering
Political	•				
Social	•				
Conflict and security	•				
Internet tools	•				

### OTHER FACTORS

	Low	Medium	High	Not Applicable
Transparency				•
Consistency				•

KEY INDICATORS	
GDP per capita, PPP (constant 2005 international dollars)	1,288
Life expectancy at birth, total (years)	66
Literacy rate, adult total (percent of people age 15+)	55.0
Human Development Index (out of 169)	129
Rule of Law (out of 5)	1.8
Voice and Accountability (out of 5)	2.1
Democracy Index (out of 167)	83 (Hybrid regime)
Digital Opportunity Index (out of 181)	134
Internet penetration rate (percentage of population)	0.4

*Source by indicator:* World Bank 2009, World Bank 2008a, World Bank 2008b, UNDP 2010, World Bank Worldwide Governance Indicators 2009, Economist Intelligence Unit 2010, ITU 2007, ITU 2009. See Introduction to the Country Profiles, pp. 222–223.

## Background

The modern Bangladesh state (formerly East Pakistan) was created after the 1971 Bangladesh Liberation War when East Pakistan separated from West Pakistan. Following the independence movement, the new Bangladesh state was governed under military rule. In 1990 it reverted back to a democracy, but remained a volatile state.

In October 2006 a military-backed interim caretaker government was established in Bangladesh and remained in power until December 2008. On January 11, 2007, the military government declared a state of emergency and enacted the Special Powers Act, banning all political activism. Law-enforcement agencies, including the armed forces and the intelligence agencies, were given the right to preemptively detain anybody who they felt was going to violate the law. The political situation on the ground was tense, confrontational, and chaotic. Fundamental human rights were curtailed during the state of emergency, and at least 319 people died at the hands of legally constituted forces.<sup>1</sup>

The country returned to democratic rule after an alliance led by the Awami League gained a majority of seats in the December 29, 2008, national election. Since then the situation in Bangladesh has improved, although there was a brief return to instability in February 2009 when the Bangladesh Rifles (BDR), a paramilitary law-enforcement agency, staged a two-day mutiny over pay and work conditions and killed more than 70 people—primarily officers.<sup>2</sup> The BDR surrendered after Prime Minister Sheikh Hasina sent tanks to surround the force's headquarters in Dhaka.<sup>3</sup>

Today, Bangladesh is a secular democracy, with Islam as its largest religion. With two-thirds of its population working in the agricultural sector, the country is attempting to diversify its economy with industrial development as a priority. Although obstacles to growth exist (widespread poverty, corruption, etc.), Bangladesh's economy has been on an upward growth trajectory. In 2005, Goldman Sachs included Bangladesh in a list of promising destinations for investment—mentioning its high potential for future growth and for becoming one of the world's largest economies by 2025.<sup>4</sup>

Although concerns regarding Bangladesh's human rights situation have waned since the end of the state of emergency, harassment and intimidation continue. In 2010, a violent crackdown on labor activists, union leaders, and workers who were fighting for the right to organize unions and increase minimum wage became a cause for concern.<sup>5</sup> While Prime Minister Hasina has declared a commitment to human rights, including freedom of expression and access to information,<sup>6</sup> the government's commitment to this goal is unclear.

For the moment, the media and Internet appear to be free; however, government actions and existing legal frameworks suggest that opposition media are not always tolerated. In April 2010 the government shut down operations of Channel 1, the country's only privately owned pro-opposition television station, because of an illegal loan arrangement that the channel had made after it had defaulted on a loan.<sup>7</sup> Some believe that the government's decision to pull the plug on Channel 1 was politically motivated. In June 2010, 200 riot police raided the offices of *Amar Desh*, a critical and pro-opposition newspaper based in Dhaka. Police arrested Mahmudur Rahman, the editor of *Amar Desh*, who had written on extrajudicial killings in Bangladesh as well as corruption among state officials.<sup>8</sup> Rahman was charged and jailed under a number of counts, including sedition, and staff members were charged with a total of 20 counts of defamation for articles related to the ruling government.<sup>9</sup> The newspaper was canceled on the grounds that it was being published without an authorized publisher as per the 1973 Printing Presses and Publications Act. However, the Bangladeshi High Court removed the ban ten days later.

### Internet in Bangladesh

The rapid growth of information and communication technologies (ICTs) in Bangladesh is providing new opportunities for the country's development. The government sees ICTs as enabling development and intends to use such technologies as a key driver of socioeconomic development.<sup>10</sup> This view is reflected in the government of Bangladesh's "Digital Bangladesh" plan to build a knowledge-based society and transform Bangladesh into a middle-income country by 2021.<sup>11</sup> It is also reflected in the National Information and Communication Technology Policy, which outlines issues of human

resource development, development of ICT infrastructure, facilitation of research and development of ICTs, and development of ICT industries on a priority basis. The policy also highlights the importance of hardware industries, e-commerce, e-governance, and legal issues relating to ICTs, as well as the application of ICTs in areas such as health care, agriculture, social welfare, and transportation.<sup>12</sup> Ongoing initiatives are being taken to meet the goal of digitizing the country: special free Wi-Fi zones have been created for students at Shahjalal University and Dhaka University; textbooks have been published online; computer labs have been set up in 128 schools in 64 districts; and equal access has been ensured through the creation of community e-centers across the country.<sup>13</sup>

The number of Internet users in Bangladesh in 2009 was 617,300, representing a penetration rate of 0.38 percent. Fixed broadband subscriptions reached 50,000 users, representing a penetration rate of 0.03 percent.<sup>14</sup> Although 99 percent of homes lack a telephone line, the country's mobile market is undergoing rapid growth, and penetration is expected to continue to grow rapidly as a result of the large amount of private investment in the sector, lower handset and usage prices, and increasingly more affordable packages for low-income users.<sup>15</sup> As of June 2010, there were 60 million mobile subscribers in the country, representing a penetration rate of 37 percent.<sup>16</sup> In 2009, according to Bangladeshi Internet service providers (ISPs), there were around 4.5 million customers who used the Internet, with 90 percent of them connecting through mobile phone operators' wireless modems.<sup>17</sup>

Since the deregulation of very small aperture terminals (VSATs) by the government in February 2000, the number of ISPs has grown dramatically. As of November 2010, there were approximately 105 nationwide ISPs operating in Bangladesh.<sup>18</sup> In 2009 the market leaders for Internet service providers were Citycell and GrameenPhone.<sup>19</sup>

Mango and the Bangladesh Telecommunications Company Limited (BTCL) are the two international Internet gateway providers in the country. As of April 2008, all ISPs were required by regulation to route their international traffic to either provider, who would then send the traffic via the submarine cable or VSATs.<sup>20</sup>

In 2006, Bangladesh connected to the South East Asia–Middle East–Western Europe 4 (SEA-ME-WE 4) optical fiber submarine communications cable system—the primary Internet backbone between Southeast Asia, the Indian subcontinent, the Middle East, and Europe.<sup>21</sup> Since connecting to the SEA-ME-WE 4, the country has seen Internet bandwidth prices drop significantly. In 2008, the Bangladesh Telecommunication Regulatory Commission (BTRC)<sup>22</sup> slashed wholesale Internet bandwidth prices drastically, from BDT 80,000 (approximately USD 1,125) per Mbps to BDT 18,000 (approximately USD 250) per Mbps.<sup>23</sup> In 2009, after complaints that retail prices were still too high for slow, unreliable connections, the BTRC indicated that they were going to begin monitoring ISPs to ensure that retail prices reflected the reduced wholesale prices.<sup>24</sup> The Internet's speed in Bangladesh remains one of the slowest in the world. The average upload speed is 0.77 Mbps, and the average download speed is 0.87 Mbps.<sup>25</sup>

Although the government does not proactively filter Internet content, it has blocked Web sites on two occasions. On March 6, 2009, the government blocked access to YouTube for hosting a recording of a conversation between Prime Minister Hasina and Bangladeshi army officers in the aftermath of the BDR mutiny. In the conversation, army officials yelled angrily while the prime minister defended her decision to negotiate with the BDR during the course of the mutiny—a move that many believed gave border guards time to kill army officers and rape their wives.<sup>26</sup> Users reported that other file-hosting Web sites such as eSnips and Mediafire were also inaccessible. It was suspected that the Web sites were blocked by the firewalls at the international Internet gateway, since the sites were still available through proxy.<sup>27</sup> According to one senior government official, “The government can block any site that contains anti-state or subversive contents, which may cause unrest. We took the measure temporarily. It will be lifted soon.”<sup>28</sup> The ban was lifted on March 12, 2009.

On May 29, 2010, the BTRC placed a temporary block on Facebook (which has close to one million Bangladeshi users)<sup>29</sup> because of content deemed offensive—in particular, caricatures of the Prophet Mohammed and Bangladeshi political leaders. On the day before the ban, thousands of Bangladeshis took to the streets of Dhaka to protest Facebook and the “Everyone Draw Mohammed Day” campaign being spread across the site. One of these protest organizers explained that “drawing caricatures of the Prophet Mohammed, peace be upon him, is an attack on Islam and is extremely humiliating for Islam.”<sup>30</sup> That same day, three Islamic political parties demanded an immediate ban.<sup>31</sup> According to BTRC acting chairman Hasan Mahmud Delwar, the ban was imposed because the Web site “hurt the religious sentiments of the country’s majority Muslim population.”<sup>32</sup> The move to block the entire Web site as opposed to just the offending content was undertaken because the BTCL and Mango Telecom had not yet found a way to target the specific content.<sup>33</sup> An official explained that the ban would be lifted once a way to block offensive content was discovered. The decision to block the Web site angered many, including a group of Dhaka University students who subsequently took to the streets to protest.<sup>34</sup> On June 5, access was restored to Facebook after the company agreed to remove satirical cartoons of Mohammed and Bangladeshi politicians.<sup>35</sup>

Coincidentally, the ban was imposed on the same day that the Rapid Action Battalion<sup>36</sup> arrested Mahbub Alam Rodin for posting satirical images of Bangladeshi politicians (including Prime Minister Hasina) on Facebook. Rodin was charged with “spreading malice and insulting the country’s leaders.”<sup>37</sup>

## Legal and Regulatory Framework

The right to freedom of expression was severely curtailed during the state of emergency when the military-backed government imposed harsh restrictions on already-weakened media. Editors and journalists were told to exercise caution and were

prohibited from publishing news critical of the government.<sup>38</sup> Under Section 5 of the Emergency Power Rules, citizens were prohibited from using the Internet and other print media to publish content deemed “provocative.”<sup>39</sup> The government was given the power to censor “provocative” news content, seize publications, and confiscate media equipment.<sup>40</sup> The fear of detainment, harassment, and defamation charges under the Bangladesh Penal Code and Code of Criminal Procedure resulted in self-imposed censorship.<sup>41</sup>

Since the end of the state of emergency, the Bangladesh government has initiated some positive steps to reassert citizens’ right to information and loosen the state’s grip on media.<sup>42</sup> Examples of measures that facilitate access to information include the Right to Information Act, which enhances transparency and provides people with the right to access public information.<sup>43</sup> Nonetheless, Article 57 of the Information and Communication and Technologies Act still allows the state to regulate content, including Internet content. Under the act, offenders can face up to ten years imprisonment or a maximum fine of BDT 1 crore (approximately USD 140,500) for publishing content (including content in electronic form) that is “falsified or vulgar.” This includes defamatory content, content that may harm law and order, and content that attacks religious beliefs.<sup>44</sup>

In general, there is a lack of a comprehensive cyber law in the country; however, it appears that authorities are working toward implementing one.<sup>45</sup> Cybercrime and online pornography have become an increasing concern for the Bangladesh state and the authorities who have been working on curbing such crimes. Authorities have voiced concerns about the need to acquire equipment to detect and identify people involved in cybercrime, the need to train law enforcement on how to curb cybercrimes and pornography, and the need to tighten regulation on Internet cafés. In 2010 a Pornography Control Bill was drafted and is currently pending cabinet approval. The draft bill proposes that offenders who commit cybercrime or a crime related to pornography could face five years imprisonment, a fine of BDT 50,000 (approximately USD 700), or both.<sup>46</sup>

## Surveillance

In 2007, during the state of emergency, the Rapid Action Battalion conducted house-to-house searches in Dhaka, Chittagong, and Sylhet, and profiled more than 450,000 Internet subscribers to seek out Internet users with a fast connection.<sup>47</sup> ISPs reported that they had been instructed to provide a list of subscribers and details about them as well as the administrative passwords for all Internet gateway servers, and to assist in installing “traffic scanners” on gateway routers.<sup>48</sup> In another memo, ISPs were instructed to provide information about bandwidth lease and usage, details about clients, and copies of technical agreements with connectivity providers.<sup>49</sup> A BTRC

official stated that the purpose of the crackdown was to track illegal Voice over Internet Protocol (VoIP) operators—however, he was unable to explain why house-to-house searches were being conducted.<sup>50</sup>

There have not been reports of surveillance since the end of the state of emergency. A notable exception is a 2009 Freedom House report that suggested that journalists' e-mails were being monitored and that some journalists had been required to submit their personal online passwords to intelligence officers during questioning.<sup>51</sup>

### ONI Testing Results

In October 2009, testing was conducted on two Bangladeshi ISPs, BDCOM Online and GrameenPhone. BDCOM Online is a publicly owned company and provides Internet services to consumers and the majority of solutions for small- to large-scale ISPs in Bangladesh. GrameenPhone is a leading mobile operator and the largest ISP in Bangladesh with more than 23 million subscribers in urban and rural areas nationwide.<sup>52</sup> The tests revealed no evidence of filtering in any of the categories tested.

### Conclusion

The Bangladeshi state sees ICTs as positive enablers of socioeconomic development and has been working toward digitizing the country. This effort has been reflected in state initiatives to strengthen equal access to ICTs across the country, including the installation of computer labs in schools and community e-centers, as well as developing Internet infrastructure for the country and making the Internet more affordable to citizens.

The current Bangladeshi government has reversed many of the rules that were in place during the state of emergency. The press has gained back much of the freedom it lost during that period. However, the government appears to maintain a distrust of opposition media, which is consistent with existing laws that regulate content, including Internet content. On two occasions, the state has blocked Web sites for “subversive” and anti-Islamic content. Nonetheless, ONI testing revealed no evidence of filtering on BDCOM Online and GrameenPhone, and there have been no reports of ongoing Web site filtering in Bangladesh.

### Notes

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