

## END IMPUNITY, UPHOLD PRESS FREEDOM

MAHFUZ ANAM

The Daily Star joins the freedom-loving world today in observing the International Day to End Impunity for Crimes Against Journalists. We do so because we strongly believe that without a free and independent media, democracy cannot be established, the freedom of individuals and communities cannot be ensured, abuses of human rights will go unreported and unpunished, and we will never have an accountable government. This, in turn, will perpetuate the culture of impunity, for justice itself cannot be established in any society without a free press.

According to UNESCO, over the past 19 years, since 2006, 1,800 journalists have been killed worldwide. Regrettably, "nine out of ten cases of these killings remain judicially unresolved", says the UN body.

Most recently, Israel has deliberately, recklessly, and vindictively killed more than 270 Palestinian journalists covering the genocide in Gaza, according to figures from Reporters Without Borders. They did so with complete impunity -- without the due condemnation such crimes demand from the United Nations, the international community,

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STAR FILE PHOTO

# Journalists trapped in legal maze

## Cases weigh on at least 296 media professionals

ZYMA ISLAM

More than a year since the July uprising, at least 296 journalists and media managers remain entangled in cases linked to the deaths and violence during the protests.

Interviews of journalists across 27 districts show at least 101 of them face murder charges, 22 face attempted murder, and 112 are accused of vandalism and explosive-related offences, among other charges.

The actual numbers may be higher, as The Daily Star could not confirm the legal sections in a number of cases. So far, at least 18 journalists have been arrested at different times since the uprising.

An analysis of the cases reveals how the sacrifice of those killed in July has been folded into battles driven more by politics than justice.

On the evening of July 31, 2024, the uncle of protester Nayeem Howlader fought his way through an embattled city to the office of this newspaper to tell the tale of how his nephew was shot dead in Jatrabari 12 days earlier.

He showed a photo of Nayeem lying cold in a mortuary freezer, a single bullet lodged above his heart.

Nayeem's death was as real and raw as day. The murder case filed with the Jatrabari Police Station over his death, however, is a hefty document accusing up to 500 people.

They include three journalists.

"I have no hope of getting justice from this farcical case," is all that Nayeem's father, Md Kamrul would say on record.

When the body of Md Akkas Ali, a 44-year-old worker at a plastic factory, was brought to Dhaka Medical College Hospital on August 5, 2024, he was logged as unidentified. A bullet had pierced his chest; his left palm smeared with the blood he tried to stop.

"He had gone out to look for his son ... even though there was shooting all around," said his brother Abdur Razzak.

The case over Akkas' killing names 115 accused. Among them are 14 journalists.

"We are ordinary people. I did not know how to file a case. A local ward councillor of BNP approached me and offered help. He and his men wrote everything. I do not know the people they named in the case," said Razzak, a small trader. He still has hopes of justice.

The murder case over the death of Zubair Omar Khan, a law student of Bangladesh University of Professionals, on August 5, 2024, similarly lists a large number of accused, including two journalists.

Filed with the CMM court, the case is far from seeing a charge sheet, as investigators probe the culpability of each.

Khan's family said lawyers aligned with the BNP or the Jamaat-e-Islami assisted them in filing the case and preparing the list of accused.

Contacted for comments yesterday, Supreme Court lawyer Jyotirmoy Barua told The Daily Star that journalists should be arrested under the relevant law if there are

specific allegations against them.

"But being partisan is a moral offence, not a criminal one. We want justice for those who have died. These cases against journalists will never stand in court -- and that, ultimately, will be an injustice to the victims," he said.

"Proving these allegations will be extremely difficult. This is nothing but harassment, an abuse of the criminal justice system. It poses a challenge for the judiciary, as the law is being used as a tool of oppression against the weak."

Around 20 percent of journalists facing cases had identifiable ties with the Awami League regime, including those observed campaigning for the party or holding posts.

They include Narayanganj's Komol Khan and Raju Ahmed, known aides of former lawmaker Shamim Osman; one was seen firing two guns under Osman's armed group. Thirteen others had held AL positions, including Nayeemul Islam Khan, former press secretary to ousted prime minister Sheikh Hasina.

The accused journalists are from 53 media houses, including 30 national newspapers and TV stations. About 74 percent of them are outside Dhaka.

Among them is Gazi Television's Brahmanbaria correspondent Zahir Rayhan, jailed since August 17 in a case filed on July 7 this year over a protester shot in both legs during a celebratory rally in Uttara on August 5, 2024.

"My husband has never been involved in wrongdoing," said his wife, Shahnaz Parvin,

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describing sleepless nights and the burden of raising three children alone.

"Our two daughters are in school, and our eldest son studies in college in Dhaka. Keeping their spirits up and ensuring their education continues, everything has become my sole responsibility," she said, adding, "I can't sleep at night. The children want to see their father. This has been an unbearably difficult time for me."

Veteran broadcast journalist ZI Mamun, named in two murder cases and two ICT



STAR FILE PHOTO

complaints, said he had spoken to the complainants and neither of them knew him.

"The victim had died in Mirpur. I am truly sorry for this loss, but I had nothing to do with it. The brother filed the case with the help of lawyers and the police," said Mamun. He claimed that the other case was filed by a local political leader in Khilgaon, who filed the case a year on.

One father who filed a case after his son's death, implicating journalists, said on the condition of anonymity that the case has now become a "headache".

"People I do not even know now contact me, begging me to remove their names from the case. I left Dhaka because of the calls. After my son died, the local politicians came and started badgering me to file a case. I just went with them, and they wrote down everything and I just signed. I have even heard that they are using my son's case for extortion," said the father.

The Daily Star has obtained copies of two affidavits, each signed by a complainant seeking withdrawal of charges against two journalists over the July uprising. Since the affidavits are yet to be accepted at court, this newspaper is withholding the identities of the accused and the complainants.

One was a murder case, while the other was filed under the Explosive Substances Act

over general violence.

"His name was included as accused number 26 in the case, which did not happen with my knowledge. I neither know him, nor have I ever met him," said one affidavit.

The other stated, "I filed a case against 104 people linked with the ruling party. I was not present at the time of filing the case. I sought help from students involved with the anti-discrimination movement."

More interestingly, not all cases trace to the uprising.

Idris Ali, former publicity secretary of the BNP's Moulvibazar district unit, filed a case in Sreemangal on November 18, 2024. He accused 10 journalists over an alleged bomb blast at the press club in June 2020 during PPE distribution amid the pandemic.

This newspaper's correspondent verified that no such explosion took place at that place on that day.

RTV's local correspondent Chowdhury Bhaskar Home was arrested in the case on November 17, 2024, and later freed on High Court bail in January 2025.

A district correspondent from Kushtia alleged that cases had been filed against him and others in order to get them fired from their jobs, so that others can take their place.

The journalist, who has since then managed another position, requested

anonymity out of fear of losing his current job.

After Dhaka, Sylhet has the highest number of journalists prosecuted in such cases -- 39, including two with Awami League ties, one a former councillor and another a former city mayor.

Most journalists who were implicated in cases filed in the Sylhet division are unwilling to comment on the matter, fearing further harassment.

Speaking on condition of anonymity, several of them said that police have begun dropping their names from the charge sheet of the cases, and they do not want to escalate the situation by making public statements.

The government has repeatedly said little can be done in these cases.

Speaking at a discussion on June 26 this year, Law Adviser Prof Asif Nazrul said the law ministry has limited authority to prevent cases, including those for serious offences like murder, from being filed against journalists, as anyone can initiate a case in Bangladesh.

He explained that his ministry can only intervene to withdraw a case after a charge sheet has been submitted and the trial process has formally begun. "If a case is under police investigation, the law ministry can do nothing about it. It falls under the police's jurisdiction."

On October 7, 2024, the information ministry formed a committee to review harassment cases filed against journalists.

Journalists were asked to submit details and evidence of cases filed against them after July 1, 2024, either personally or through their editors, to the ministry.

However, this review committee found only 72 cases, revealed M Abdullah, former president of a section of the Bangladesh Federal Union of Journalists, who was a part of the committee.

Most of the cases were filed outside Dhaka and arose from personal disputes, not political persecution, he said at a discussion on September 28.

At the same discussion, Information Adviser Mahfuz Alam said, "Even if one journalist is the victim of a retaliatory case, we have to protest against it."

He, however, added, "Our ministry has nothing to do with it, so we submitted the list to the home ministry for further inquiry."

None of the journalists this newspaper spoke to for this story said that their cases have been dismissed.

[Our Sylhet Correspondent Dwaha Chowdhury, Moulvibazar Correspondent Mintu Deshwara, Brahmanbaria Correspondent Masuk Hridoy, Netrakona Correspondent Jaudul Islam, Kushtia Correspondent Anis Mondol, Bogura Correspondent Mostafa Shabui, and Narayanganj Correspondent Saurav Hossain Siam contributed to this report.]