

**Mandates of the Special Rapporteur in the field of cultural rights; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on freedom of religion or belief; and the Working Group on the issue of discrimination against women in law and in practice**

REFERENCE:  
UA BGD 1/2019

29 May 2019

Excellency,

We have the honour to address you in our capacity as Special Rapporteur in the field of cultural rights; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on freedom of religion or belief; and Working Group on the issue of discrimination against women in law and in practice, pursuant to Human Rights Council resolutions 37/12, 35/15, 34/18, 34/5, 40/L.17 and 32/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning death threats and incitement to violence by a militant Islamist group against women **human rights defender Ms. Sultana Kamal**.

Ms. Sultana Kamal is a lawyer and human rights defender, working on issues related to gender equality and civil and political rights. She is the chairperson of several human rights organisations, including Transparency International Bangladesh, South Asians for Human Rights, and We Can Bangladesh. She has been the subject of one previous joint communication by Special Procedures mandate holders sent on 28 June 2017, case no. BGD 3/2017, addressing alleged threats of arrest, exile, and violence by a fundamentalist group called Hefazat-e-Islam Dhaka City Committee against her. We regret that no response has been received from your Excellency's government. We remain gravely concerned in light of the continued threats against Ms. Kamal.

According to the current information received:

The militant Islamist group Jamaat-ul-Mujahideen Bangladesh included Ms. Sultana Kamal's name on a list of targets for assassination in the March 2019 issue of its online publication 'Lone Wolf'. It was widely circulated on the messaging application Telegram and social media. It also included suggestions of possible ways to kill the individuals listed. Along with two other prominent figures, Ms. Sultana Kamal was labelled "Murtad" (or "apostate") in the

publication. Following this, death threats against her from anonymous sources were posted online.

On 4 May 2019, Ms. Sultana Kamal filed a complaint about the threats against her life at the Dhanmondi Police Station in Dhaka, requesting protection from state authorities. The Police informed her that the cyber-crime unit of Dhaka Metropolitan Police had been notified and an investigation initiated.

We wish to express our deep concern with regards to the allegations of the death threats and incitement to violence against Ms. Sultana Kamal, which seem to be directly related to her legitimate work defending human rights in Bangladesh. We equally express concern about the physical and psychological integrity of Ms. Sultana Kamal and the other individuals targeted by the Islamist group in question and urge your Excellency's Government to ensure their safety, to investigate the threats and to bring the perpetrators to justice.

We would also like to reiterate our concerns about the increase in extremist violence and violent discourse in the name of religion, particularly targeting human rights defenders, secular writers and media and minorities. We reiterate the observations made by the Special Rapporteur on freedom of religion or belief after his country visit to Bangladesh in 2015 that religion is at times used by various actors to achieve political goals to undermine the rights of others. We are deeply concerned that crimes by militant Islamist groups are met with lack of investigation and alleged lack of protection for individuals who have received death threats as well as the impact that this violence has on the exercise of all their human rights, including their right to take part in the conduct of public affairs, their right to participate in cultural life, their freedom of expression and opinion, and their freedom of religion or belief. Finally, we reiterate our concerns at reports that several political parties in Bangladesh may be increasingly seeking to appease or cooperate with these extremist groups.

The above allegations appear to be in contravention of international law, in particular with articles 6 (1), 18, 19 and 22, relating to the right to life and physical integrity, the right to freedom of religion or belief, freedom of opinion and expression and the right to freedom of association of the International Covenant on Civil and Political Rights (ICCPR), to which Bangladesh acceded on 6 September 2000, as well as Article 15, guaranteeing the right to take part in cultural life, of the International Covenant on Economic, Social and Cultural Rights acceded to by Bangladesh on 5 October 1998.

With respect to the death threats against Ms. Sultana Kamal, we remind your Excellency that state parties have a positive obligation to exercise due diligence and ensure the protection of individuals against violations of rights, which may be committed not only by its agents, but also by private persons or entities (CCPR /C/103/D/1862/2009)

and that “States parties must respond urgently and effectively in order to protect individuals who find themselves under a specific threat, by adopting special measures such as the assignment of around-the-clock police protection, the issuance of protection and restraining orders against potential aggressors and, in exceptional cases, and only with the free and informed consent of the threatened individual, protective custody,” (CCPR/C/GC/36).

We would also like to refer to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular articles 1, 2, 6 and 12.

Furthermore, reference is made to article 7(c) of the Convention on the Elimination of all Forms of Discrimination against Women in which States agreed to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, to ensure to women, on equal terms with men, the right to participate in non-governmental organizations and associations. The Working Group on Discrimination against Women in Law and Practice has pointed out that women’s human rights defenders are often the target of gender-specific violence, such as intimidation, attacks and death threats, sometimes condoned or perpetrated by State actors. States should eliminate all forms of violence against women in order to fulfil women’s human rights and to improve the enabling conditions for women’s participation in political and public life ((A/HRC/23/50, paras. 65 and 97(i)).

General Assembly Resolution 68/181 also urges States to acknowledge publicly the important and legitimate role of women’s human rights defenders in the promotion and protection of human rights, democracy, the rule of law and development as an essential component of ensuring their protection, including by publicly condemning violence and discrimination against them (OP7).

The Special Rapporteur in the field of cultural rights has called on states to “In consultation with women human rights defenders and affected groups, develop plans of action to protect women... from extremism and fundamentalism; and implement urgent action policies when such groups are targets of fundamentalist and extremist threats or violence” (para. 98(j)); to “Take all necessary measures to respect and ensure the human rights of women human rights defenders who challenge fundamentalism and extremism, including by investigating threats and attacks against them, bringing perpetrators to justice and providing protection in agreement with those affected” (para 98(l)) (A/72/155); as well as to “Condemn all acts of extremist or fundamentalist violence” (para. 97(i)) and “Act in accordance with due diligence standards to ensure that non-State actors engaging in fundamentalist and extremist abuses of cultural rights are prosecuted and punished according to international norms” (para. 97(g)) (A/HRC/34/56).

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with international standards.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide the details, and where available the results, of the investigation carried out in relation to the allegations about the death threats and incitement to violence against Ms. Sultana Kamal. If no inquiries have taken place, or if they have been inconclusive, please explain why.
3. Please indicate what effective measures have been taken by your Excellency's government to ensure the physical and psychological safety and integrity of Ms. Sultana Kamal.
4. Please provide information concerning any national legislation or policy providing protection to victims of online violence.
5. Please indicate what measures have been taken to ensure that human rights defenders in Bangladesh are able to carry out their peaceful and legitimate work in an enabling environment.
6. Please provide information about steps and measures your Excellency's government has taken to counter fundamentalist ideology and violent extremism of fundamentalist groups in Bangladesh in the name of religion, including by prohibiting the funding of fundamentalist and extremist groups and through education, in accordance with international standards.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We are considering expressing concerns publicly in the near future as, in our view, the information available is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to their human rights implications. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting website within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Karima Bennoune  
Special Rapporteur in the field of cultural rights

Agnes Callamard  
Special Rapporteur on extrajudicial, summary or arbitrary executions

David Kaye  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression

Michel Forst  
Special Rapporteur on the situation of human rights defenders

Ahmed Shaheed  
Special Rapporteur on freedom of religion or belief

Ivana Radačić  
Chair-Rapporteur of the Working Group on the issue of discrimination against women in  
law and in practice