

URGENT ACTION

STUDENT DETAINED FOR A YEAR FOR HOSTING WEBINAR

Khadijatul Kubra was a 17-year-old meritorious student at Jagannath University in Dhaka, Bangladesh, when she hosted a webinar from an online talk show called "Humanity for Bangladesh". A guest speaker, formerly a Bangladeshi army official now based in Canada, criticised the government during the webinar. As a result, Khadija and the guest speaker were prosecuted under the Digital Security Act (DSA). Khadija was arrested on 27 August 2022 and has been held without charges, despite her medical conditions. Khadija must be released immediately.

TAKE ACTION:

1. Write a letter in your own words or using the sample below as a guide to one or both government officials listed. You can also email, fax, call or Tweet them.
2. [Click here](#) to let us know the actions you took on **Urgent Action 83.23**. It's important to report because we share the total number with the officials we are trying to persuade and the people we are trying to help.

Prime Minister Sheikh Hasina

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Honorable Prime Minister Sheikh Hasina,

I am writing about the egregious situation of Khadijatul Kubra, a second-year student at Jagannath University in Dhaka, who has been in custody for a year without charges. Two cases were filed against her in 2020, under the Digital Security Act (DSA), over a webinar she hosted where a Canada-based panelist made some critical comments about the government. Though 17 years old at the time, she was prosecuted as an adult, under Section 25(2), 29(2), 31(2) and 35(2) of the DSA. She was arrested on 27 August 2022.

I am further troubled by reports that earlier this year, while in jail, she was put in a cell with death row convicts for almost a week. She has also been suffering from kidney issues and other medical problems.

Her bail applications were rejected by Dhaka courts several times. On 16 Feb 2023, the High Court granted bail for Khadija, but the bail was stayed due to an appeal by the state. On 10 July, the Appellate Division of the Supreme Court adjourned her bail hearing for four months, stating she should be able to take responsibility for the views expressed on her talk show.

Khadija simply exercised her right to freedom of speech. She should be in university, studying for her degree, not in jail waiting for her fate to be decided under a draconian law.

Despite your government's decision to repeal the draconian Digital Security Act, cases filed under it, such as Khadija's, continue to violate human rights.

I therefore urge your government to:

- Drop the case against Khadijatul Kubra and immediately and unconditionally release her;
- Release all those charged and detained under the DSA solely for exercising their right to freedom of expression;
- Ensure that Khadija receives compensation for the harm caused to her by the arbitrary deprivation of her liberty for one year;
- Pending her release, ensure that she has regular access to adequate healthcare and is held in conditions that meet international standards;

Yours sincerely,

ADDITIONAL INFORMATION

The two cases that were filed against Khadijatul Kubra were almost identical in language, and filed days apart, on 11 and 19 October 2020, by two different police officers at separate police stations, who watched her webinar being live-streamed on Youtube. They accused Khadija of "trying to [cloud](#) the existing political situation", "involve the general public in anti-government activities", "impact the reputation of Bangladesh in the international world", "bring down the legitimate government of Bangladesh" and were "insulting the Prime Minister, government agencies, and important people of the state".

According to Khadija's family, she was aware of the cases against her for several months after they were filed, but did not share that information with the family. Her father working as a household staff member in Kuwait and being debt-ridden since the Covid-19 pandemic, Khadija knew her family cannot afford the high expenses and fines those accused under the DSA have to incur. Her parents only learnt of the cases filed against her when the police turned up at their doorstep to arrest their daughter.

Khadija is not the only minor subjected to the Digital Security Act and charged as adult. [Dipti Rani Das](#), a 17-year-old girl from the Hindu minority in Bangladesh, who was arrested on 28 October 2020, was held at a correctional facility for more than a year for "hurting religious sentiment" and "advancing to deteriorate law and order". She was granted bail on 17 February 2022 and released from detention on 15 March 2022. [Poritosh Sarkar](#), a Hindu boy, was accused of "hurting the religious sentiments" of Muslims through a derogatory social media post, when he was a 10th grader. Poritosh was arrested and kept in solitary confinement for eight months, before he was eventually sentenced to five years in prison, despite a lack of conclusive [evidence](#) following his investigation. [Mohammed Emon](#), a 15-year-old high school student, charged under the DSA, spent 16 days in juvenile correctional facility in Gazipur, Bangladesh, prior to being released on bail and consequently had to appear at the court almost every month to register his attendance, after he shared a Facebook post critical of one of Bangladesh's political leaders.

On 7 August 2023, the government of Bangladesh announced that the Digital Security Act will be [repealed](#) and an alternate Act, Cyber Security Act, will be introduced in its stead. However, cases filed under the Digital Security Act are to continue, despite rights organisations' repeated demands for years to release all those detained under the Act solely for exercising their right to freedom of expression. While it is important to ensure that any new laws enacted, such as the Cyber Security Act, are in line with the international standards, the cases filed under the DSA solely for exercising their right to freedom of expression such as [Shahnewaz Chowdhury](#), pending in courts continue to violate fundamental rights of the people.

The UN Human Rights Committee has stated that the right to freedom of expression protects the expression of every form of idea and opinion including political discourse, commentary on public affairs and discussion of human rights under the International Covenant on Civil and Political Rights, to which Bangladesh is a state party. The UN Special Rapporteurs on freedom of expression are concerned that some sections in the Digital Security Act, including those used against Khadijatul Kubra, criminalize large categories of expression in vague and broad terms, affording Bangladesh's government "broad discretion to unduly penalize individuals for holding or sharing personal opinions, creating a chilling effect on the exercise of the right to freedom of expression."

With the Act being repealed, the government must release those who have been detained under the Act solely for exercising their right to freedom of expression.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Bangla, or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 10 November 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: [Khadijatul Kubra] (she/her)