

16 May 2019

Bangladesh: Abdul Kaium held in judicial custody on fabricated charges

On 14 May 2019, human rights defender **Abdul Kaium** was sent to the Mymensingh Central Jail and is due to be held there until his next court hearing, for which no date has been fixed.

[Abdul Kaium](#) is a journalist and member of human rights organisation Odhikar's Human Rights Defenders' Network. He has provided professional legal advice and representation for victims of judicial harassment. He has also organised rallies to protest against and raise awareness of human rights violations, especially enforced disappearances.

On the afternoon of 11 May 2019, Abdul Kaium was arrested by the Detective Branch of the Bangladesh Police on charges of 'committing fraud by means of [a] digital or electronic medium' under section 23 of the Digital Security Act 2018. Earlier the same day, the human rights defender had provided IT support to an acquaintance who works as a teacher in a madrassah (religious educational institution). The police arrested Abdul Kaium after he had been paid for his services. They alleged that the human rights defender had committed identity theft against the teacher and that he received the payment as a result of blackmail.

Abdul Kaium was held in custody for three days before being produced before the Mymensingh Judge Court on 14 May 2019. The delay violated the constitutional provision that a person who has been arrested must be produced before a court within 24 hours of their arrest.

On 14 May 2019, when Abdul Kaium was produced in court, the police requested to have him remanded for five days, while his lawyer submitted an application for bail. The Mymensingh Judge Court rejected both the remand and bail requests and sent the human rights defender to the Mymensingh Central Jail. He is to be held in judicial custody until his next court hearing, for which no date has been set.

This is not the first time Odhikar's Human Rights Defenders' Network and human rights defenders affiliated to it have faced judicial harassment. The organisation's secretary, Adilur Rahman Khan, was judicially harassed on [multiple occasions](#) between August 2013 and January 2017, while a [smear campaign](#) was launched against Odhikar in November 2018.

Front Line Defenders condemns the detention of Abdul Kaium and the charges lodged against him, which it believes are solely motivated by his peaceful and legitimate work in defence of human rights in Bangladesh.

Front Line Defenders urges the authorities in Bangladesh to:

1. Immediately release Abdul Kaium and drop the charges against him;
2. Ensure that the treatment of Abdul Kaium, while in detention, adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Take all necessary measures to guarantee the physical and psychological integrity and security of Abdul Kaium;
4. Guarantee in all circumstances that all human rights defenders in Bangladesh are able to carry out their legitimate human rights activities without fear of reprisals and free of all

restrictions, including judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 9 (3)(c): *“everyone has the right, individually and in association with others, inter alia: (c) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms”*, and to Article 12 (2): *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.”*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,

A handwritten signature in blue ink that reads "Andrew Anderson".

Andrew Anderson

Executive Director