

Bangladesh (6)



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Bangladesh

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The Constitution establishes Islam as the state religion but also provides for the right—subject to law, public order, and morality—to practice the religion of one's choice, and the Government generally respects this provision in practice. However, although the Government is secular, religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens.

There was no change in the status of respect for religious freedom during the period covered by this report. Citizens generally are free to practice the religion of their choice; however, police, who generally are ineffective in upholding law and order, often are slow to assist members of religious minorities who have been victims of crimes. An increase in crime and violence in the first few months after the October 2001 elections has exacerbated this situation and increased public perceptions of the vulnerability of religious minorities at large.

The generally amicable relationship among religions in society contributed to religious freedom; however, the number of Hindu, Christian, and Buddhist minorities who perceive discrimination from the Muslim majority has increased.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of approximately 53,000 square miles, and its population is approximately 130 million. Sunni Muslims constitute 88 percent of the population. Approximately

10 percent of the population are Hindu. The remainder of the population mainly are Christian (mostly Catholic) and Buddhist. Members of these faiths are found predominantly in the tribal (non-Bengali) populations of the Chittagong Hill Tracts, although many other indigenous groups in various parts of the country are Christian as well. There also are small populations of Shi'a Muslims, Sikhs, Baha'is, animists, and Ahmadis. Estimates of their populations vary widely, from a few hundred up to 100,000 adherents for each faith. Religion is an important part of community identity for citizens, including those who do not participate actively in religious prayers or services; atheism is extremely rare.

There are no reliable estimates of the number of missionaries active in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution establishes Islam as the state religion but provides for the right—subject to law, public order, and morality—to practice the religion of one's choice, and the Government generally respects this provision in practice; however, the number of Hindus, Christians, and Buddhists who perceive discrimination from the Muslim majority has increased.

Religious organizations are not required to register with the Government; however, all nongovernmental organizations (NGO's), including religious organizations, are required to register with the NGO Affairs Bureau if they receive foreign financial assistance for social development projects. The Government has the authority to cancel the registration of an NGO or to take other action against it; however, it rarely has used these powers, and they have not affected NGO's having religious affiliations.

Family laws concerning marriage, divorce, and adoption differ slightly depending on the religion of the person involved. There are no legal restrictions on marriage between members of different faiths.

Religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens. Religion is taught in government schools, and parents have the right to have their children taught in their own religion; however, some claim that many Government-employed religious teachers of minority religions are neither members of the religion they are teaching

nor qualified to teach it. Although transportation may not always be available for children to attend religion classes away from school, in practice schools with few religious minority students often work out arrangements with local churches or temples, which then direct religious studies outside school hours. The country celebrates holy days from the Muslim, Hindu, Buddhist, and Christian faiths as national holidays.

Restrictions on Religious Freedom

In April 2001, the Director General of the Islamic Foundation, a government organization dedicated to promoting Islamic culture and studies, forced Maulana Obaidul Haque, Khatib (chief clergyman) of the Baitul Mukarram National Mosque, to retire. The Director General appointed a new Khatib, but after filed a writ petition to protest his forced retirement, the court stayed the decision. A newly appointed Director General of the Islamic Foundation has come to an understanding with Haque, who withdrew his court case in late 2001; the retirement order also was withdrawn, and Haque remains Khatib of the National Mosque.

In January 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. Fatwas can include the decision as to when a holiday is to begin based upon the sighting of the moon, or an opinion on a religious issue. Fatwas also commonly deal with marriage and divorce, or mete out punishments for perceived moral transgressions. Islam dictates that only those Muftis (religious scholars) who have expertise in Islamic law are authorized to declare a fatwa. However, in practice village religious leaders sometimes make declarations in individual cases, calling the declaration a fatwa. Sometimes this results in extrajudicial punishments, often against women for their perceived moral transgressions. While the court's intention was to end the extrajudicial enforcement of fatwas or other declarations by religious leaders, the ruling declared all fatwas illegal, and resulted in violent public protests (see Section III). Several weeks later, the Appellate Court stayed the High Court's ruling.

Foreign missionaries may work in the country; however, local authorities and communities often object to efforts to convert persons from Islam to other religions. Foreign missionaries often face delays of several months in obtaining or renewing visas. In the past, some missionaries who were perceived to be converting Muslims to other faiths subsequently were unable to renew their visas, which must be renewed annually. In mid-2001 the Department of Immigration and Passports began to issue regularly a new visa category for foreign missionaries working in the country. The processing of the new visas apparently created complications initially; however, there were no recent reports of any current problems with receiving these visas.

There are no financial penalties imposed on the basis of religious beliefs; however, religious minorities are disadvantaged in practice in such areas as access to jobs in government or the military, and in political office. The Government has appointed some Hindus to senior civil service positions, and some recent promotion lists from the Ministry of the Establishment included from 3 to 7 percent Hindus and other minorities. However, religious minorities remain underrepresented in government jobs, especially at the higher levels of the civil and foreign services. The government-owned Bangladesh Bank employs approximately 10 percent non-Muslims in its upper ranks. Hindus dominate the teaching profession, particularly at the high school and university levels. Some Hindus report that Muslims tend to favor Hindus in some professions, for example, doctors, lawyers, and accountants. They attribute this to the education that the British offered during the 19th century, which Muslims boycotted but Hindus embraced. Employees are not required to disclose their religion, but religion generally can be determined by a person's name.

Many Hindus have been unable to recover landholdings lost because of discrimination in the application of the law, especially under the now-defunct Vested Property Act. The Act was a Pakistan-era law that allowed "enemy" (in practice Hindu) lands to be expropriated by the Government. Approximately 2.5 million acres of land were seized from Hindus, and almost all of the 10 million Hindus in the country were affected. Property ownership, particularly among Hindus, has been a contentious issue since partition in 1947. However, in April 2001, Parliament passed the Vested Property Return Bill. This law stipulated that land remaining under government control that was seized under the Vested Property Act be returned to its original owners, provided that the original owners or their heirs remain resident citizens. Hindus who fled to India and resettled there are not eligible to have their land returned, and the Act does not provide for compensation for or return of properties that the Government has sold. By law, the Government was required to publish a list of vested property holdings by October 11, 2001; however, by it had not published the list in the official Gazette by the end of the period covered by this report. In early 2002, the Ministry of Land forwarded a proposal to amend Section 9 of the law to extend the time for Gazette notification. The Government has not taken any further action regarding the law.

Under the 1961 Muslim Family Ordinance, female heirs inherit less than male relatives do, and wives have fewer divorce rights than husbands. Men are permitted to have up to four wives, although society strongly discourages polygamy and it rarely is practiced. Laws provide some protection for women against arbitrary divorce and the taking of additional wives by husbands without the first wife's consent, but the protections generally apply only to registered marriages. Marriages in rural areas sometimes are not registered because of ignorance of the law. Under the law, a Muslim husband is required to pay his ex-wife alimony for 3 months, but this not always is enforced.

Abuses of Religious Freedom

Local gang leaders sometimes attack religious minorities, perceiving them to be weak and vulnerable. The law and order situation has deteriorated after the October 2001 national elections, and reports from

the media, the main opposition party, and some NGOs have alleged that religious minorities have been targeted for attacks. In December 2001, Amnesty International issued a report claiming that Hindus and other religious minorities were attacked since the general election, allegedly by supporters of the Bangladesh Nationalist Party (BNP) led coalition, and the Government had done little to investigate these reports. However, many such reports have not been verified independently. The BNP acknowledged reports of atrocities committed between Muslims and Hindus during the period covered by this report; however, the BNP claimed that they were exaggerated. The Home Minister was unable to confirm reports that Hindus had fled the country and insisted that there was no link between religion and the violence. He also dismissed allegations that the BNP was linked to the perpetrators. The Government decided to set up a special Secretaries' committee to investigate the harassment of Hindus.

On November 16, 2001, Principal Gopal Krishna Muhuri of Nazirhat College in Chittagong was killed by unidentified assailants. Following the killing, Hindus staged a violent demonstration, protesting that Muhuri was killed because he was a Hindu. Muhuri's family stated that he was unpopular with the Jammāt-i-Islami party as he refused it and other political parties access to the college's campus. It is unclear whether the killing was connected to the attacks against Hindus after the October 2001 elections. Two professors at the same college were arrested in connection with the killing and since have been released on bail. In July 2002 the police also arrested three known criminals for involvement in the killing. On April 22, 2002, a monk, Ganojyoti Mohasthobir, was killed at a Buddhist temple and orphanage at Rauzan in Chittagong. According to media reports, his killing was related to a land dispute. Home Minister Altaf Hossain Chowdhury and Foreign Minister Morshed Khan visited the temple after the killing. On April 28, 2002, Madan Gopal, a Hindu priest, was stabbed to death by a criminal gang at Radha Madan Asram in Khagrachhari. The criminals also looted gold statues from the temple. Newspaper reports quoted temple authorities as saying that the killing of the priest was a result of the assailants' failed attempt at extortion. On May 12, 2002, 12 unidentified persons broke the lock and opened the main gate of Dabua Benubon Bihar Buddhist Monastery at Beltoli before inmates and local residents chased them away. Using a compilation of newspaper reports, Ain-O-Shalish Kendra (The Law and Arbitration Center), a human rights NGO, filed a writ petition with the High Court asking that the Government be ordered to investigate the incidents reported in the newspapers and to submit its findings to the court. The Government reportedly has completed its investigations, but has yet to submit its report.

In June 2001, in Baniachar, Gopalganj district, a bomb exploded inside a Catholic church during Sunday Mass, killing 10 persons and injuring 20 others. The army arrived to investigate approximately 10 hours after the blast. The bomb, which the army concluded was produced outside of the country, had been placed just inside a side door in a jute bag. Police detained various persons for questioning, but by the end of the period covered by this report, the police reported no progress on the case. However, a judicial commission was formed in December 2001 to investigate the Baniachar bombing. This commission is comprised of three members, including a retired Supreme Court justice and two high ranking government officials. The commission's report on the bombing had not been released by the end of the period covered by this report. However, in prior years, the Government sometimes has failed to criticize, investigate, and prosecute the perpetrators of attacks on members of religious minorities.

The latest book by Taslima Nasrean, a feminist author who has received death threats and had a bounty issued for her death, was banned in 1999. She remained abroad during the period covered by this report, after receiving bail, while criminal and civil cases against her for insulting religious beliefs remained pending. There were no new developments in these cases during the period covered by this report.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

Relations between the religious communities generally are amicable. Persons who practice different religions often join each other's festivals and celebrations, such as weddings. Shi'a Muslims practice their faith without interference from Sunnis. Nevertheless, clashes between religious groups occasionally occur. In recent years, there have been cases of violence directed against religious minority communities that have resulted in the loss of lives and property. Police, who generally are ineffective in upholding law and order, often are slow to assist in such cases, thereby perpetuating an atmosphere of impunity for acts of violence (see Section II). In the past, intercommunal violence caused many Hindus to emigrate to India, but recent emigration of Hindus has decreased significantly and generally can be attributed to economic or family reasons. Nevertheless, incidents of communal violence continue to occur.

Newspapers reported attacks on Hindu homes and rapes of Hindu women at several places in the country soon after the October 2001 election. According to a human rights organization, at least 10 Hindu women were raped and a number of Hindu homes were looted by low-level BNP workers a few days before the BNP took power from the non-partisan caretaker government that supervised the election. Some incidents of rape and looting also took place in the southwestern district of Bagerhat. The situation improved after the new government members visited the areas and deployed additional police

to troubled locations.

On October 6, 2000, in Gazipur, two boys and one woman were injured in an altercation between Hindus and Muslims. Muslims conducting Friday prayers asked Hindus to lower the music volume at a nearby Hindu festival. When the Hindus refused, Muslims from the mosque damaged a Hindu deity, leading to the violence and injuries. This altercation was resolved through dialog between community leaders. On October 8, 2000, in Dinajpur, four Muslims set fire to a Hindu temple over a land dispute with the Hindu temple's manager.

In the past, members of the Ahmadi sect, whom many mainstream Muslims consider heretical, were the target of attacks and harassment. In 1999 several mosques belonging to the sect were attacked. In October 1999, a bomb killed six Ahmadis who were attending Friday prayers at their mosque in Khulna. The only suspect questioned by police was a fellow Ahmadi who later was released. No other suspects have been questioned, and the case remains unresolved. In November 1999, Sunni Muslims ransacked an Ahmadi mosque near Natore, in the western part of the country. In subsequent clashes between Ahmadis and Sunnis, 35 persons were injured.

Ahmadis regained control of their mosque and filed a criminal case against 30 persons allegedly responsible for the conflict. That case remains pending. After a January 1999 attack on an Ahmadi mosque in Kushtia, two police officials were disciplined for failing to discharge their duties in controlling the incident. Ahmadi leaders report that their mosque remains under the control of local police, and that Ahmadis have been unable to worship since the January 1999 attack. As of the end of the period covered by this report, Ahmadis remained unable to worship at the mosque in Kushtia.

Public reaction to the High Court's January 2001 ruling that declared fatwas to be illegal resulted in violence. Following the court's decision, a number of NGO's organized a rally in Dhaka and transported busloads of persons, mostly women, from all parts of the country to express support for the ruling, which they said was a victory for women and for all who suffered abuses in the name of fatwa. However, Muslim groups contended that fatwa was an integral part of a Muslim's daily life and called the ruling an attack on their religious freedom. Islamic groups organized blockades to prevent buses from entering Dhaka for the rally, and protested the ruling and the NGO rally. In the ensuing violence, a police officer was killed inside a mosque, and an NGO office was ransacked.

Some members of the Hindu, Christian, and Buddhist minorities continue to perceive and experience discrimination from the Muslim majority.

The law permits citizens to proselytize; however, local authorities and communities often object to efforts to convert persons from Islam to other religions. Moreover, strong social resistance to conversion from Islam means that most missionary efforts by Christian groups are aimed at serving communities that have been Christian for several generations or longer.

Section IV. U.S. Government Policy

The U.S. Embassy maintains a dialog with government, religious, and minority community representatives to promote religious freedom and to discuss problems. On an informal basis, the Embassy also has assisted some U.S. Christian-affiliated relief organizations in guiding paperwork for schools and other projects through government channels. The Government has been receptive to discussion of such subjects and generally helpful in resolving problems. The Embassy is encouraging the Government through the Ministry for Religious Affairs to develop and expand its training program for Islamic religious leaders, which provides course work for religious leaders on human rights, HIV/AIDS, and gender equality issues.

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