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2009 Report on International Religious Freedom - Bangladesh

[Covers the period from July 1, 2008, to June 30, 2009]

The Constitution establishes Islam as the state religion. It provides for the right to profess, practice, or propagate all religions, subject to law, public order, and morality. It also states that every religious community or denomination has the right to establish, maintain, and manage its religious institutions. Although the Government publicly supported freedom of religion, attacks on religious and ethnic minorities continued to be a problem during the reporting period. There were no reported demonstrations or attempts to attack institutions of the Ahmadiyya Muslim Community, but there were isolated instances of harassment. Demands that Ahmadis be declared non-Muslims continued sporadically, but the Government generally acted in an effective manner to protect Ahmadis and their property. Religion exerted a significant influence on politics, and the Government was sensitive to the religious sentiments of most citizens.

There was no change in the status of respect for religious freedom by the Government during the reporting period. On December 29, 2008, the Awami League (AL), an avowedly secular party that enjoys broad support from religious minorities, won power in the first parliamentary elections since 2001. These elections were largely free of the violence and intimidation against religious minorities that had characterized earlier ones. The new Government appointed members of minority communities to several senior leadership positions. The Government initiated efforts to reform the curriculum of Islamic religious schools, known as madrassahs, to standardize education. Citizens generally were free to practice the religion of their choice. Government officials, including police, nonetheless often were ineffective in upholding law and order and sometimes were slow to assist religious minority victims of harassment and violence. The Government and many civil society leaders stated that violence against religious minorities normally had political or economic dimensions and could not be attributed solely to religious belief or affiliation.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice during the period covered by this report, although figures suggested such incidents declined significantly in comparison to the previous reporting period. Hindu, Christian, and Buddhist minorities experienced discrimination and sometimes violence from the Muslim majority. Harassment of Ahmadis continued.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. In meetings with officials and in public statements, U.S. Embassy officers encouraged the Government to protect the rights of minorities. Publicly and privately, the Embassy denounced acts of religious intolerance and called on the Government to ensure due process for all citizens. The Ambassador met with minority religious communities around the country, including a visit to the country's most prominent Hindu temple just days before the national election and a visit

to a predominantly Hindu polling station during the election. The U.S. Government sponsored the highly successful visit of a prominent U.S. Muslim cleric who spoke to audiences about Qur'anic interpretations that support tolerance and gender equity.

Section I. Religious Demography

The country has an area of 55,126 square miles and a population of 154 million. According to the 2001 census, Sunni Muslims constitute 90 percent of the population and Hindus 9 percent. The rest of the population is mainly Christian, mostly Roman Catholic, and Theravada-Hinayana Buddhist. Ethnic and religious minority communities often overlap and are concentrated in the Chittagong Hill Tracts and northern regions. Buddhists are predominantly found among the indigenous (non-Bengali) populations of the Chittagong Hill Tracts. Bengali and ethnic minority Christians live in communities across the country, including Barisal City, Gournadi in Barisal District, Baniarchar in Gopalganj, Monipuripara in Dhaka, Christianpara in Mohakhal, Nagori in Gazipur, and Khulna City. There also are small populations of Shi'a Muslims, Sikhs, Baha'is, animists, and Ahmadis. Estimates of their numbers varied from a few thousand to 100,000 adherents per group. There is no indigenous Jewish community and no significant immigrant Jewish population. Religion is an important part of community and cultural identity for citizens, including those who did not participate actively in prayers or services.

Most foreign residents are of Bangladeshi origin and practice Islam. Separately, there are approximately 30,000 registered Rohingya refugees and 200,000 to 500,000 unregistered Rohingyas practicing Islam in the southeast around Cox's Bazar.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Constitution establishes Islam as the state religion but provides for the right to practice, profess, and propagate any religion, subject to law, public order, and morality. There are no laws against blasphemy, although religious political parties have pledged to enact such laws should they gain power. Since coming into power, the new Government has not publicly commented on this issue.

The Government publicly supported freedom of religion; however, attacks and discrimination against religious and ethnic minorities continued during the reporting period. In general, government institutions and the courts protected religious freedom.

On December 29, 2008, the Awami League (AL), led by Sheikh Hasina Wazed, won 230 of 299 parliamentary seats in elections that international and domestic observers considered generally free and fair. The elections and the peaceful transfer of power that followed ended two years of rule by an unelected Caretaker Government.

The Government ran training academies for imams (Islamic clergy) and proclaimed Islamic festival days but generally did not dictate sermon content or select or pay clergy. However, the Government has the authority to appoint or remove imams and exercises a degree of indirect influence over sermon content in government mosques, including the national mosque, Baitul Mukarram. The Government monitored the content of religious education in Islamic religious schools, or madrassahs, and announced its intention to make changes to the curriculum, including modernizing and mainstreaming the content of religious education.

Shari'a played an influential role in civil matters pertaining to the Muslim community; however, there is no formal implementation of Shari'a and it is not imposed on non-Muslims. For instance, alternative dispute resolution was available to individuals for settling family arguments and other civil matters not related to land ownership. With the consent of both parties, arbitrators relied on principles found in Shari'a for settling disputes. In addition, Muslim family law was loosely based on Shari'a.

In 2001 the High Court ruled all legal rulings based on Shari'a known as fatwas, to be illegal. However, the ban was not implemented because a group of Islamic clerics filed an appeal, which remained unresolved at the end of the reporting period.

Although Islamic tradition dictates that only muftis (religious scholars) who have expertise in Islamic law are authorized to declare a fatwa, village religious leaders at times made declarations in individual cases. Sometimes this resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

The Constitution guarantees the right to propagate the religion of one's choice; however, local authorities and communities often objected to efforts to convert persons from Islam.

Family laws concerning marriage, divorce, and adoption differed slightly depending on the religious beliefs of the persons involved. Each religious group has its own family laws. For example, Muslim men may marry as many as four wives; however, a Muslim man must get his first wife's signed permission before marrying an additional woman. Society strongly discourages polygamy, and it is rarely practiced. In contrast, a Christian man could marry only one woman. Under Hindu law unlimited polygamy is permitted, and although there is no provision for divorce and legal separation, Hindu widows could legally remarry. The family law of the religion of the two parties concerned governs marriage rituals and proceedings; however, marriages also are registered with the state. There are no legal restrictions on marriage between members of different religious groups.

On March 8, 2008, the head of the Caretaker Government announced a women's development policy, triggering violent protests from some Islamist groups that argued the policy sought to give men and women equal inheritance rights that would contravene principles in Shari'a and Muslim family law. Key features of the policy included reserving one-third of parliamentary seats for women and their direct election, as well as new laws to ensure equal opportunity of women in terms of control of their earned property. Although government advisers (ministers) publicly refuted the claim, the Government formed a committee of Islamic scholars to review the policy. The committee, headed by the top religious leader at the national mosque, recommended a set of changes to the policy. Although the Caretaker Government thereafter was silent on the issue, government officials privately reported that implementation of elements of the women's development policy had occurred through other mechanisms, such as the poverty reduction policy. The new Government has its own policy, formulated when it was last in power, but it had not announced its intention to restore that policy by the end of the reporting period.

The Ministry of Religious Affairs administered three funds for religious and cultural activities: the Islamic Foundation, the Hindu Welfare Trust, and the Buddhist Welfare Trust. The Christian community consistently rejected government involvement in its religious affairs. The Hindu Welfare Trust received a total of \$882,400 (60 million taka) from the Government for the fiscal year ending June 2009, much of it dedicated to temple-based literacy and religious programs. In addition, the trust money aided in repairing temples, improving cremation pyres, and helping destitute Hindu families afford medical treatment. The Trust spent approximately \$43,478 (3 million taka) in government funds on annual Puja religious worship and festivals.

The Buddhist Welfare Trust, founded in the 1980s, received \$33,333 (2.3 million taka) from the Government in the fiscal year ending June 2009. The trust used funds to repair monasteries, organize training programs for Buddhist monks, and celebrate the Buddhist festival Purnima. There was no public criticism of how the money was apportioned or distributed.

The Government observes most major religious festivals and holy days of Muslims, Hindus, Buddhists, and Christians as national holidays. The Bangladesh Christian Association lobbied unsuccessfully for the inclusion of Easter as a national holiday.

Since 2001 the Government routinely has posted law enforcement personnel at religious festivals and events that may be targets for extremists.

Non-Muslim religious bodies were not required to register with the Government; however, all nongovernmental organizations (NGOs), including religious ones, were required to register with the Government's NGO Affairs Bureau if they received foreign financial assistance for social development projects. The Government could cancel the registration of an NGO suspected to be in breach of its legal or fiduciary obligations and could take other actions, such as blocking foreign fund transfers, to limit its operation.

Religious studies were part of the curriculum in government schools. Children attended classes in which their own religious beliefs were taught. In the past, parents complained about the quality of education, claiming teachers employed by the Government, especially those leading classes on minority religions, were not members of that religion nor qualified to teach it. Schools with few students from religious minority groups often made arrangements with local churches or temples to hold religious studies classes outside school hours, although ensuring transportation to these sites was often a problem. There were at least 25,000 madrassahs, some of which were funded by the Government. Some observers suggested there might be more than twice that number; the think tank Bangladesh Enterprise Institute puts the figure at nearly 33,000. There were no known government-run Christian, Hindu, or Buddhist schools, although private religious schools exist throughout the country.

Restrictions on Religious Freedom

The Constitution provides for the right to profess, practice, or propagate any religion; however, societal pressures discouraged proselytizing. Foreign missionaries, like other foreign residents, often faced delays of several months in obtaining or renewing visas. In contrast to previous reporting periods, there were no instances of missionaries reporting monitoring of their activities by intelligence agencies.

There were no financial penalties imposed based on religious beliefs; however, religious minorities were disadvantaged in access to military and government jobs, including elected office. However, anecdotal evidence suggested that the new Government appointed more religious minorities at all levels of government. In the new cabinet, three of 38 Ministers are non-Muslim. Prime Minister Sheikh Hasina appointed two Buddhists: Industries Minister Dilip Barua and State Minister for Chittagong Hill Tracts Affairs Dipankar Talukder. She also appointed Ramesh Chandra Sen, a Hindu, as Minister of Water Resources. Minority communities in general remained underrepresented in the higher ranks of government. One notable exception was the government-owned Bangladesh Bank, which had approximately 10 percent non-Muslims in its upper ranks. Selection boards for government services often lacked minority representation. Even though employees were not required to disclose their religious affiliation, it could generally be determined by a person's name.

Many Hindus have been unable to recover landholdings lost because of discrimination under the defunct Vested Property Act. Although an Awami League Government repealed the Act in 2001, the new Government did not take any concrete action to reverse the property seizures that occurred under the act. The Vested Property Act was an East Pakistan-era law that allowed the Government to expropriate "enemy" (in practice Hindu) lands. Under the law, the Government seized approximately 2.6 million acres of land, affecting almost all Hindus in the country. According to a study conducted by a Dhaka University professor, nearly 200,000 Hindu families lost approximately 40,667 acres of land since 2001, despite the annulment of the Act the same year.

In April 2001 Parliament passed the Vested Property Return Act, stipulating 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 remained resident citizens. The law required the Government to prepare a list of vested property holdings by October 2001. Claimants were to file claims within 90 days of the publication date. In 2002 Parliament passed an amendment to the Vested Property

Return Act that allowed the Government unlimited time to return the vested properties and gave control of the properties, including the right to lease them, to local government employees. By the end of the period covered by this report, the Government had not prepared a list of such properties.

Under the Muslim family ordinance, females inherit less than males, and wives have fewer divorce rights than husbands. Laws provide some protection for women against arbitrary divorce and polygamy without the consent of the first wife, but the protections generally apply only to registered marriages. Due to ignorance of the law in rural areas, couples occasionally did not register their marriages. Under the law, a Muslim husband is required to pay his former wife alimony for three months, but this was not always enforced. There was little societal pressure to enforce it, and case backlogs made it difficult, if not impossible, to get redress through the courts.

Abuses of Religious Freedom

On March 15, 2008, the Special Branch of police in Brahmanbaria prevented the Ahmadiyya community from holding a religious convention. Following an intervention by higher authorities, the Special Branch lifted its objections and the event was held peacefully. A similar incident occurred at Shalshiri in Panchagarh district on March 21, 2008. There were no further developments in either of these cases or similar incidents during the reporting period.

Former *Prothom Alo* cartoonist Arifur Rahman, who in 2007 sparked national outrage after drawing a cartoon considered blasphemous against Islam, is now employed with another publication. The editor of *Prothom Alo*, the leading Bangla language newspaper, apologized for the cartoon's publication and fired Rahman. There were no further developments in his situation.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There was one reported incident of forced religious conversion. According to the human rights NGO Ain O Shalish Kendro (ASK), on July 4, 2008, a religious leader in a madrassah near Shahbag in Dhaka forcibly abducted and converted to Islam a 13-year-old Hindu named Poresh Chandra Sarker. After his family informed police of his absence, police found him and placed him in custody, along with his abductor. At the end of the reporting period, the child's case was pending, and the judge had not delivered a verdict on whether the boy could return to his parents or would have to go to the madrassah.

Improvements and Positive Developments in Respect for Religious Freedom

The Government took steps to promote interfaith understanding. For example, government leaders issued statements on the eve of religious holidays calling for peace and warned that they would take action against those who attempted to disrupt the celebrations.

Through additional security deployments and public statements, the Government promoted the peaceful celebration of Christian, Hindu and secular Bengali festivals, including Durga Puja, Christmas, Easter, and Pohela Boisakh (Bengali New Year). The Government deployed extra security forces in areas with high minority voter turnout during the national parliamentary elections in 2008.

The Government helped support the Council for Interfaith Harmony-Bangladesh, an organization created in 2005 with a mandate to promote understanding and peaceful coexistence among different communities. This initiative came in response to a bombing campaign in the fall of 2005 by an Islamist extremist group that sought the imposition of Shari'a. The organization has facilitated dialogue and panel discussions on religious matters; local media have covered some of these activities.

Section III. Societal Abuses and Discrimination

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice during the reporting period. Clashes between religious groups occasionally occurred. Violence directed against religious minority communities continued to result in the loss of lives and property, but the true motives – whether religious animosity, criminal intent, personal disputes, or property disputes – were often unclear. Religious minorities were vulnerable due to their relatively limited influence with political elites. Like many citizens, they usually were reluctant to seek recourse from a criminal justice system they perceived as corrupt and ineffective. Police frequently were ineffective in upholding law and order and sometimes were slow to assist religious minorities. This promoted a greater atmosphere of impunity for acts of violence against minorities. However, persons who practiced different religious beliefs often joined each other's festivals and celebrations such as weddings. Shi'a Muslims practiced their religious beliefs without interference from Sunnis.

Religious minorities were not underrepresented in the private sector.

Reported incidents against religious minorities during the reporting period included killings, rape, torture, attacks on places of worship, destruction of homes, forced evictions, and desecration of items of worship. Most of these reports could not be independently verified. There also were reported incidents of members of the Muslim community attacking each other on holidays due to a perception that some events were un-Islamic. The Government sometimes failed to investigate the crimes and prosecute the perpetrators, who were often local gang leaders.

Attacks against the Hindu community continued, although numbers dropped significantly from the previous year. According to the Bangladesh Buddhist-Hindu-Christian Unity Council (BHBCOP), during the period from April 2008 to March 2009, there were three killings, 10 attacks on or occupation of temples, 12 incidents of land grabbing, two cases of rape, and three kidnappings.

According to *Shamokal*, the daily newspaper in Bangla, on March 30, 2009, 50 police officers and 100 others evicted approximately 400 individuals, mostly Hindus, from Sutrapur in old Dhaka and destroyed their ancestral homes with hammers. The mob, allegedly led by the brother of a local Awami League politician, also destroyed the oldest Shiva temple in Kalirghat. The individuals evicted claimed that the land was registered in their name in 1945 and that they had been paying municipal taxes and utility bills. After the passage of the Vested Property Act, the area was registered as "vested property." The Hindu residents alleged that several powerful local leaders had filed a case claiming the property. Police sided against the Hindu occupants, claiming they had been illegally occupying the land.

According to the BHBCOP and *Shamokal*, on January 28, 2009, in Faridpur, a group led by a former local politician vandalized idols in a local Shmashan Kali (Hindu) temple and then burned down the temple.

The newspaper *Prothom Alo* and the BHBCOP reported on January 10, 2009, that more than 150 armed individuals attacked a mostly Hindu village near Gazipur, outside Dhaka, after several of the village's residents claimed that young girls were being sexually harassed. The mob beat many of the individuals, damaged several houses, and physically assaulted a few of the women. They also damaged the image of the goddess at the lone Kali temple.

Two days after the December 29 parliamentary elections, an estimated 15 persons armed with knives and sticks stormed into the house of Nityalal Das, a Hindu leader of the opposition Bangladesh Nationalist Party (BNP), at Kuliarchar in Kishoreganj District, beating and stabbing him. His family refused to divulge the identity of the attackers or comment on their motive to ASK investigators, who learned from his neighbors that they believed he had come under attack because of his position as a prominent local Hindu affiliated with the BNP. According to press accounts, the leader of the attack was Abul

Mansur Rubel, brother of a local AL leader, and his nephew Jishan. Shariful Alam, the four-party alliance candidate who lost the parliamentary election from Kishoreganj 6 (Bhairab-Kulyarchar) constituency, said the victim failed to press charges out of fear that pursuing the case might attract unwanted attention.

On December 5, 2008, several persons destroyed part of a Hindu temple on disputed land in Keraniganj on the outskirts of Dhaka and put signs on the structure claiming they owned the land. Rekha Bhatyachariya, a resident of the temple compound, filed a criminal case accusing more than five individuals of vandalizing the temple. Rekha claimed the original owner of the land had donated it to be used to build a religious structure; the accused claimed to have purchased the land from the original owner. According to ASK, the attack left Hindus in the area in a heightened state of fear.

Reports of harassment and violence against the Christian community were recorded during the reporting period.

According to the BHBCOP and *Prothom Alo*, on January 28, 2009, in Tangail, a gang of unidentified attackers killed Basanti Mangsa, a Christian headmistress of Gaira Missionary Primary School, as she was returning home from a meeting. Two teachers were also injured in what was apparently a well-planned attack. The motive was unclear and the case remained unsolved.

Human rights groups and press reports indicated that vigilantism against women accused of moral transgressions occurred in rural areas, often under a fatwa, and included punishments such as whipping. During 2008 and until the end of the reporting period, religious leaders issued 37 fatwas, demanding punishments that ranged from lashings and other physical assaults to shunning by family and community members, according to the Bangladesh Mahila Parishad, a human rights organization focused on women's rights.

There were approximately 100,000 Ahmadis concentrated in Dhaka and several other locales. Although mainstream Muslims rejected some of the Ahmadiyya teachings, most of them supported Ahmadis' right to practice without fear or persecution. As compared to the previous reporting period, harassment of Ahmadis by those who denounced their teachings declined.

Prothom Alo reported that on July 27, 2008, the Muslim religious extremist group Amra Dhakabashi resumed its campaign to declare the Ahmadiyya non-Muslim. The organization filed civil cases against the religious leaders of the Ahmadiyya in all 64 districts and launched a cell phone text message-based defamation campaign against Ahmadiyya leadership. By the end of the reporting period, these campaigns had been unsuccessful in provoking a widespread backlash against the Ahmadiyya community.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with officials at all levels of the Government as well as with political party leaders and representatives of religious and minority communities. During the reporting period, the Embassy emphasized the importance of free, fair, and credible national parliamentary elections in 2008 with full participation of all ethnic and religious communities. Following the election, the Embassy reiterated the need for an inclusive political process for all citizens regardless of religion. The Embassy continued to express concern about human rights, including the rights of religious and ethnic minorities. Embassy staff traveled to various regions investigating human rights cases, including some involving religious minorities, and met with civil society members, NGOs, local religious leaders, and other citizens to discuss concerns about pre- and post-election violence. They also encouraged law enforcement to take proactive measures to protect the rights of religious minorities.

U.S. Embassy and visiting U.S. Government officials regularly visited members of minority communities to hear their concerns and demonstrate support. Prior to the elections, the Ambassador visited a prominent Hindu temple in Dhaka and met with leaders from the community to demonstrate the U.S. Government's support for an

electoral process that was inclusive and free of violence. On election day he observed voters in a predominantly Hindu polling center.

The Embassy assisted U.S. faith-based relief organizations in filing documents for approval of schools and other projects. The Government has been willing to discuss such subjects and has been helpful in resolving problems. The Embassy also has acted as an advocate in the Home Ministry for these organizations in resolving problems with visas.

The Embassy encouraged the Government, through the Ministry for Religious Affairs, to develop and expand its training program for Islamic religious leaders. After a pilot program, the U.S. Government provided orientation sessions for religious leaders on human rights and gender equality, among other topics. For the fourth year in a row, the U.S. Government sponsored the visit of a prominent U.S. Muslim cleric to tour the country and speak. The cleric visited the southeastern city of Chittagong and addressed several audiences in Dhaka about Qur'anic interpretations that support religious tolerance and freedom and promote gender equality.

During the reporting period, the U.S. Government continued to make religious freedom, especially the problems facing the population in the Chittagong Hill Tracts, a topic of discussion in meetings with government officials. Embassy officers, including the Ambassador, visited the Hill Tracts over the course of the reporting period and met with senior government officials to relay concerns about the treatment of minorities.

Democracy and governance projects supported by the U.S. Government included tolerance and minority rights components.
