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2014 Report on International Religious Freedom - Bangladesh

Executive Summary

The constitution designates Islam as the state religion, but states the nation is a secular state that “shall ensure equal status and equal rights in the practice of the Hindu, Buddhist, Christian, and other religions.” It affirms secularism is based on the elimination of: granting any religion political status; abuse of religion for any purpose; and “discrimination against, or persecution of, persons practicing a particular religion.” Government officials, including police, were sometimes slow to protect individuals, including members of minority religious groups, from violence and often reluctant to investigate violent incidents. The National Human Rights Commission (NHRC) stated the government failed to prevent attacks on Hindus after the January 5 election, and the High Court ruled that law enforcement agencies had “seriously fail[ed]” to protect members of vulnerable groups, including religious minority communities, from post-election violence. The government took steps to assist victims and restore religious and private property damaged in the violence. In May police reportedly refused to investigate the case of a 12-year-old Hindu girl who was forcibly converted to Islam. Government officials stated that resource and capacity constraints sometimes limited their ability to take proactive efforts to extend greater religious freedom protections or to counter societal actors.

Minority groups, especially Hindus, were victims of attacks and looting of religious sites and private homes, particularly in the period surrounding the January national election. According to human rights organizations, violence against members of minority religious groups often included additional factors and could not be attributed solely to religious affiliation. According to religious minority leaders, individuals affiliated with political parties, ruling and opposition alike, sometimes instigated violence against members of religious minorities for political purposes. For example, suspects arrested for the gang rape of two Hindu women said they acted in retaliation for how the women’s community voted in the January 5 parliamentary elections. In a separate case, a mob attacked Hindus in Malopara village after Hindus voted despite intimidation. Members of minority religious groups from lower economic strata said they were further disadvantaged due to their inability to afford personal security or to motivate officials to provide security against harassment or violence.

In meetings with officials and in public statements, the U.S. Ambassador and U.S. embassy officials expressed strong concern over acts of religious intolerance and encouraged the government to continue to uphold the rights of minority religious groups. The embassy publicly condemned attacks in January against indigenous Mandi Christians and in April against Hindus in Comilla, and called on the government to act authoritatively against those responsible. The Ambassador and embassy staff met with local government officials, civil society members, nongovernmental organizations (NGOs), and local religious leaders to underscore the importance of religious tolerance and to urge the return to religious minorities of land confiscated decades earlier.

Section I. Religious Demography

The U.S. government estimates the total population at 166.3 million (July 2014 estimate). According to the 2011 census, Sunni Muslims constitute 90 percent and Hindus make up 9.5 percent of the total population (about 95 percent of the religious minority population). The remainder of the population is predominantly Christian (mostly Roman Catholic) and Theravada-Hinayana Buddhist. There also are small numbers of Shia Muslims, Bahais, animists, and Ahmadiyya Muslims. Estimates vary from a few thousand to 100,000 adherents in each group. Ethnic and religious minority groups often overlap, and are concentrated in the Chittagong Hill Tracts (CHT) and northern districts. Buddhists are predominantly found among the indigenous (non-Bengali) populations of the CHT. Bengali and ethnic minority Christians live in communities across the country, with relatively high concentrations in Barisal City, Gournadi in Barisal district, Baniarchar in Gopalganj, Monipuripara and Christianpara in Dhaka, Nagori in Gazipur, and Khulna City.

The largest noncitizen population, the Rohingya, practices Islam. There are approximately 32,000 registered Rohingya refugees from Burma and between 200,000 and 500,000 unregistered Rohingya from Burma practicing Islam in the southeast around Cox's Bazar.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

According to the constitution, "the state religion of the Republic is Islam, but the State shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian and other religions." The constitution also provides for the right to profess, practice, or propagate all religions, subject to law, public order, and morality. While Islam is the state religion, the constitution states that the country is a secular one, and religious communities or denominations have the right to establish, maintain, and manage their religious institutions.

The constitution limits freedom of association in instances where an association is formed for the purposes of destroying religious, social, or communal harmony among the citizens. The law also limits freedom of association for the purposes of creating discrimination among citizens on the ground of religion, race, caste, sex, place of birth, or language; for the purposes of organizing terrorist acts or militant activities against the state or the citizens or any other country; or when the association's formation and objects are inconsistent with the Constitution.

Under the penal code, statements or acts made with a "deliberate and malicious" intent to insult religious sentiments are subject to fines or up to two years in prison. The criminal code allows the government to "confiscate all copies of a newspaper if it publishes anything that creates enmity and hatred among the citizens or denigrates religious beliefs."

Islamic law may play a role in civil matters pertaining to the Muslim community. Alternative dispute resolution is available to individuals for settling family arguments and other civil matters not related to land ownership; with the consent of both parties, arbitrators rely on principles found in Islamic law for their decisions. There is no formal implementation of Islamic law, however, and it may not be imposed on non-Muslims.

A Supreme Court Appellate Division ruling allows the use of fatwas only to settle religious matters; fatwas may not be invoked to justify meting out punishment, nor may they supersede existing secular law.

Family law has separate provisions for Muslims, Hindus, and Christians. Family laws concerning marriage, divorce, and adoption differ depending on the religious beliefs of the people involved. Muslim and Hindu family laws are codified in the legal system. A Muslim man may marry as many as four wives, although he must obtain the written consent of his previous wife or wives before marrying an additional woman. A Christian man may marry only one woman. Under Hindu law, there are limited provisions for divorce, such as impotence, torture, or madness, and Hindu widows can legally remarry. The family law of the religion of the two parties concerned governs their marriage rituals and proceedings. Muslim clerics may register the marriages they officiate; secular authorities handle such matters for interfaith couples. While Muslim marriages must be registered with the state, registration for Hindus is optional, and other faiths may determine their own guidelines. There are no legal restrictions on marriage between members of different religious groups.

Under the Muslim family ordinance, females inherit less than males, and wives have fewer divorce rights than husbands. The law provides some protection for women against arbitrary divorce and polygamy without the consent of the first wife, but the protection generally applies only to registered marriages. Unregistered

marriages are by definition undocumented and difficult to prove. Under the law, a Muslim husband is required to pay his former wife alimony for three months, but authorities do not always enforce this requirement.

The Vested Property Act (VPA), which until 1974 was known as the Enemy Property Act (EPA) since its enactment following the India-Pakistan War prior to Bangladeshi independence, allows the government to deprive a citizen of his/her property by declaring that individual an enemy of the state. Since 2011, the Vested Property Return Act enables the potential return of property seized from the country's Hindu minority under the VPA or EPA.

All NGOs, including religious organizations, must register with the government's NGO Affairs Bureau if they receive foreign financial assistance for social development projects. NGOs that do not receive foreign money must register with the Ministry of Social Welfare.

Religious studies are compulsory and part of the curriculum in all government schools. Students attend classes in which their own religious beliefs are taught. Schools with few students from minority religious groups are generally allowed to make arrangements with local churches or temples to hold religious studies classes outside of school hours.

The jail code makes allowances for the observance of religious festivals by prisoners, including access to extra food for feast days or permission for religious fasting.

Government Practices

Incidents occurred in which the government placed limits on religious speech or failed to prevent or investigate acts of violence against religious minorities. According to religious minority leaders, individuals affiliated with both the ruling and opposition parties instigated violence against religious minorities for political purposes. Government officials stated that resource and capacity constraints sometimes limited the government's ability to make proactive efforts to extend greater religious freedom protections or to counter societal actors. Representatives of religious minorities stated that the government sometimes failed to prevent abuses by non-governmental actors, police in some instances failed to enforce the law appropriately, and the courts failed to administer justice effectively.

Following many incidents of societal violence against religious minorities, particularly Hindus, surrounding the national elections in January, the High Court directed the government "to take immediate steps to protect life, liberty, property and dignity of the citizens, by deploying forces not only to the specified districts and communities, [but] all over the country wherever the citizens of the country, especially those who are either minority, or are identified as a vulnerable group." The court further ordered the inspector general of police to submit a report within seven days outlining measures taken to protect minorities and arrest perpetrators of such violence. In the submitted report, the government detailed 36 criminal cases and 139 arrests of religious minorities. The NHRC also condemned election-related violence against minorities, and urged authorities to arrest those responsible. One newspaper reported that the NHRC chairman called attacks in Kornai village – where at least 150 Hindu homes and shops were burned – "a crime against humanity."

Local inhabitants reported that in May a group of Muslim men in Lalmonirhat abducted, forcibly converted, illegally married, and raped a 12-year-old Hindu girl. A Hindu community leader stated police refused to investigate the incident and pressured the victim's family to drop the case. He stated another girl was abducted from her village in a similar manner in April. A journalist said the girl was being held by her abductors in Dhaka, but police refused to intervene.

On October 13, under intense public pressure, the government dismissed Information Technology and Communications Minister Latifur Siddique for his public remarks in New York criticizing the Hajj and the Bishwa Ijtema (an annual Bangladeshi Muslim event, which is the world's second-largest religious gathering). The ruling party expelled Siddique for his comments. Following a legal petition by a Bangladeshi citizen, a court issued warrants for his arrest. Islamist political parties called a nationwide strike over the failure to arrest Siddique by the parties' deadline. After he returned and surrendered himself to the court in late November, Siddique was held without bail while awaiting trial on charges of hurting religious sentiment.

Human rights organizations report isolated incidents where authorities arrested religious minorities at the urging of societal actors. In November police in Lalmonirhat district arrested about 30 people, including two pastors, who met with Muslims for what some believed was a conversion. A group of about 200 Muslims gathered in a fashion the Christians perceived as threatening. Police intervened before a conflict developed, and everyone arrested was later released.

Despite the Supreme Court ruling limiting fatwas to religious matters, and contrary to Islamic tradition limiting declaration authority to religious scholars with expertise in Islamic law, village religious leaders sometimes made declarations they described as fatwas. The media reported instances where such declarations resulted in

extrajudicial punishments, sometimes against women, such as lashings, ostracizing, and hair-cutting for perceived moral transgressions.

Minority communities – including ones associated with minority religions – reported many land ownership disputes that disproportionately displaced minorities, especially Hindus. Religious associations said such disputes often occurred in areas near new roads or industrial development zones, where land prices had recently increased. They also stated local police, civil authorities, and political leaders were occasionally involved or shielded politically influential property appropriators (land grabbers) from prosecution. Human rights groups attributed a lack of resolution of these disputes to the ineffectiveness of the judicial and land registry systems, and not to government policy or pattern disfavoring religious or ethnic minorities.

Local authorities and communities often objected to efforts, real or rumored, to convert persons from Islam. In February the NGO Affairs Bureau ordered the closure of 64 offices of international NGO Compassion International after local leaders reported the child sponsorship centers were converting Muslim children to Christianity. The government allowed the centers to reopen in July.

One conservative Muslim charity said government suspicion of a political agenda resulted in surveillance of its attempts to build schools in slums, and that the government barred some individuals from praying in “mainstream” mosques.

In June some 200 individuals, including Christians, Muslims, Hindus, and Buddhists, held a rally in Dhaka to express solidarity with victims of the 2001 bomb attack at the Catholic Church of Baniarchar, which killed 10 people and injured more than 20. Participants in the rally appealed to authorities to investigate the attacks and bring the perpetrators to trial. The Christian Religious Welfare Trust (CRWT) reported that the anniversary of the attack was observed annually, and that protestors did not face any restrictions holding rallies. CRWT stated that the investigation officer of the case had changed several times. There were no reports of progress in this case at year's end. Observers said court cases in the country often took more than a decade to resolve irrespective of subject matter or religious identity.

The government operated training academies for imams, but generally did not dictate sermon content or select or pay clergy in most mosques. In state-approved mosques, including the national mosque, the government had the authority to appoint or remove imams, and therefore had indirect influence over sermon content. Imams generally focused on religious issues like prayers, fasting, alms, and the Hajj, and according to sources avoided sermons that contradicted government policy.

The government continued to post law enforcement personnel to maintain peace at religious festivals and events considered at risk of being targeted by extremists. The Hindu festival of Durga Puja, Christmas, Easter, the Buddhist festival of Buddha Purnima, and the Bengali New Year or Pohela Boishakh all received additional government security deployments of this kind.

The government did not adjudicate any of the more than one million cases pending from its decades-old seizure of approximately 2.6 million acres of land from Hindus under the VPA. Despite the passage of the Vested Property Return Act in 2011, no property has been returned to date.

The government continued to censor media content it deemed offensive for religious reasons. Authorities banned the June issue of the journal *Anannya* because of an article by a teacher at the Sylhet Government Women's College, which some officials considered insulting to a Hindu goddess.

The president hosted receptions to commemorate each of the principal Muslim, Hindu, Buddhist, and Christian holidays. The Ministry of Religious Affairs administered four funds for religious and cultural activities: the Islamic Foundation, the Hindu Welfare Trust, the Christian Religious Welfare Trust, and the Buddhist Welfare Trust. These religious trusts funded literacy and religious programs, festivals, religious building repair, and aid to destitute families.

The Bangladesh National Women Lawyers' Association reported 21 fatwas, including four for extra-marital affairs, four for other sexual relationships, and two due to rapes.

Section III. Status of Societal Respect for Religious Freedom

Violence directed against members of minority religious groups continued to result in the loss of lives and property. Religious freedom organizations said it was often difficult to determine to what extent the attacks were motivated by religious animosity or by criminal intent, personal conflict, property disputes, political concerns, or a combination of these factors. Members of minority religious groups often had the lowest socio-economic status and the least recourse to political means to redress wrongs done to them. The most common type of

abuse was destruction and looting of religious sites and homes. Attacks against Hindus, in particular, continued throughout the year. According to the human rights organization Ain o Salish Kendra (ASK), one person was killed; 255 persons were injured; 247 statues, monasteries, or temples were destroyed; and 761 homes and 193 businesses were vandalized in violence targeting Hindus.

In November a sociology professor at Rajshahi University was hacked to death near his home on campus. There were conflicting reports regarding the professor's attackers. Initial reports highlighted the professor's efforts to ban students wearing full-face veils. An Islamist group, Ansar al Islam Bangladesh, claimed responsibility for the killing on Facebook. After more than a week of investigations, authorities reported that a group of men confessed to killing the professor for allegedly insulting the wife of one of the men, but they declined to share the religious and political affiliations of the 20 people initially arrested for questioning. Authorities later stated that 11 people were involved in the crime, six were arrested, and they were looking for the other suspects. Professors and students protested the killing.

In July Catholic media reported that a mob of 50 to 60 armed men broke into the Catholic convent in Boldipukur in the Dinajpur district. According to the reports, the attack, which lasted for approximately an hour and a half, included the attempted rape of nuns and robbery. Some reports said the attackers sought deeds to the land on which the convent was located. The attackers dispersed when police arrived. Thousands of Catholics, including more than 100 nuns and priests, joined demonstrations for justice in Rangpur and in Dhaka. Authorities arrested 12 people in connection with the attack. A Christian organization said that the police brought the situation under control immediately.

According to human rights groups, some political parties sought to reduce the influence of religious minorities in elections, in particular by preventing members of minority communities from voting. Two Hindu women were gang raped on January 8 at Monirampur in Jessore; suspects arrested in the case told police the rapes were retaliation for the Hindu community's voting in the January 5 parliamentary elections.

On January 5, after election polls had closed, Muslim youths attacked the village of Malopara after low-caste Hindus voted following warnings that morning from inhabitants of neighboring Muslim villages not to do so. Young Malopara men defended the village and several attackers were injured. The attackers used cell phones to spread a rumor that at least one young Muslim man had died in the fighting. This rumor sparked a larger attack later that evening by roughly 200 people. Hundreds of villagers fled across the river to a neighboring village, where Muslim residents sheltered and fed them. Attackers looted or torched 100 of the village's 107 homes, smashed icons, and burned fishing nets. Villagers reported missing jewelry and cash.

Several human rights organizations reported intimidation and violence against Christians and Hindus surrounding the national elections. According to press reports of election-related violence, cadres of Jamaat-e-Islami and Islami Chhatra Shibir burned at least 150 Hindu homes across three localities in Chittagong district on January 5, and burned at least as many homes and shops in Hindu communities in the Kornai village of Dinajpur district. According to the same reports, activists of the Bangladesh Nationalist Party (BNP) and the Jamaat-e-Islami destroyed two Hindu homes and five Hindu shops in Gaibandha district on January 7. Five persons were injured in the attack.

On April 27, Muslim community members attacked the homes of Hindus in Baghsitarampur village in the Homma sub-district of Comilla. The incident started when a Muslim teacher allegedly offered to set up a Facebook account for a Hindu teacher with whom local people said he had a 12-year grudge. Once the Muslim teacher set up the account, he then allegedly posted a derogatory comment about the Prophet Mohammed on the Hindu teacher's homepage. Senior village members organized a community meeting to defray tensions, but before the event was held, the Muslim teacher mobilized approximately 1,000 persons, including approximately 600 youth from neighboring madrassahs, to attack the Hindu teacher. Some Muslim community members warned Hindus about the pending attack, providing sufficient time for them to flee. Members of the Muslim community also sheltered Hindus in their homes. Nonetheless, 10 Hindus were injured, and 32 homes were damaged and looted. The district deputy commissioner deployed police to the area immediately after the attack and coordinated the donation of money, food, and corrugated tin for house repairs. Sixteen people were arrested, including the original perpetrator. Some Hindu community members who fled the attacks said they were happy with the government response, but fearful of possible future attacks.

According to the Bangladesh Hindu Buddhist and Christian Unity Council (HBCU), vandals damaged at least 23 *pandals* (religious structures), including five in Batrish area of Kishoreganj town, in the 14 days leading up to the Hindu Durga Puja festival in October. HBCU also reported that the central government coordinated with religious organizations to increase security and awareness in Hindu areas to attempt to protect the more than 28,000 remaining *pandals*. According to media reports, people from diverse political and religious backgrounds held rallies against the vandalism, and police arrested suspects. Damaged religious structures were repaired and Hindus worshipped and celebrated the Puja peacefully.

On January 7, a group of people from the Muslim majority community attacked local indigenous Mandi Catholic farmers in a potato field and burned a home in Jamalpur district in northern Bangladesh in an apparent land

dispute. Victims reported that Muslim neighbors rushing to defend their Mandi neighbors were also injured. Mandis said that they generally enjoyed respectful relations with their longstanding Muslim neighbors, but faced some difficulties with recent Muslim settlers seeking to seize indigenous properties.

In the CHT, tensions over issues that were not originally religious in nature sometimes acquired religious overtones because many of the inhabitants were Buddhist, Hindu, or Christian members of tribal groups. According to rights groups, anti-minority sentiment was especially high in the CHT. Some stated Bengali Muslim settlers spread false rumors that indigenous communities were seeking to form an autonomous Christian state, resulting in routine police and military monitoring of Christian workers' activities.

Leaders of minority Muslim religious communities raised concerns about social pressures they were facing. An Ahmadiyya Muslim Community leader stated that conservative elements occasionally targeted Ahmadi mosques, but also expressed appreciation for the government's protection of the Ahmadiya Muslim community.

Some members of religious minorities reported private discrimination in employment and housing; for example, Christians reported some Muslim landlords refused to rent apartments to them.

Observers said that the large number of unregistered marriages created social vulnerability for women and children, especially in Muslim households, where registration was required. In particular, unregistered marriages made it difficult for women to obtain protection from arbitrary divorce and polygamy. At the same time, observers said, plural marriage was socially stigmatized and rarely practiced.

Section IV. U.S. Government Policy

The U.S. Ambassador and other embassy officials expressed concern about the rights of members of religious minorities in discussions with government officials, leaders of the opposition, and the media. The Ambassador highlighted the government's responsibility to protect members of minority religious groups, and to bring to justice those responsible for attacks against them. He and embassy staff also met with local government officials civil society members, NGOs, and local religious leaders to discuss specific cases. Through community policing training, the embassy encouraged law enforcement officials to protect the rights of members of minority religious groups.

Embassy officials continued to express strong concern about the problems facing the minority Hindu population to the government. The Ambassador and senior visiting State Department officials regularly emphasized U.S. policy on religious freedom and tolerance and the protection of religious minorities.

The Ambassador and embassy staff spoke at a variety of religious festivals and institutions. During a May visit to a Christian seminary in Banani, an October Katina Chibara Dana celebration at a Buddhist monastery in Dhaka, and several other engagements, the Ambassador urged the Bangladeshi people and the government to uphold the constitution's guarantees of equal status and rights for all religions.

The U.S. embassy publicly condemned attacks in January against indigenous Mandi Christians and in April against Hindus, and called on the government to act authoritatively against those responsible. The Ambassador and embassy staff met with local government officials, civil society members, NGOs, and local religious leaders to push for the full and expeditious implementation of laws and agreements intended to address past injustices such as seizures of land from religious minorities.

The Deputy Assistant Secretary of State for South Asia visited Dhaka in February and met with the Bangladesh Hindu, Buddhist and Christian Unity Council at the Dhakeshwari Temple. During the visit, he reiterated publicly the U.S. commitment to religious freedom.

The Ambassador held frequent engagements with interfaith groups to underscore the importance of religious tolerance and to encourage the people of Bangladesh to sustain and strengthen the nation's traditions of religious harmony. The Ambassador also regularly visited temples, churches, and other places of minority worship to signal U.S. commitment and support for protection of minorities.