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2019 Report on International Religious Freedom: Bangladesh

Executive Summary

The constitution designates Islam as the state religion but upholds the principle of secularism. It prohibits religious discrimination and provides for equality for all religions. On November 27, a Special Tribunal convicted and sentenced to death seven of eight defendants accused in the 2016 killings of 22 mostly non-Muslim individuals at the Holey Artisan Bakery in Dhaka, while the eighth was acquitted. Defense attorneys indicated they would appeal all verdicts. The government continued to provide guidance to imams throughout the country on the content of their sermons in its stated effort to prevent militancy and monitor mosques for “provocative” messaging. Members of religious minorities, including Hindus, Buddhists, and Christians, who were sometimes also members of ethnic minorities, stated the government remained ineffective in preventing forced evictions and land seizures stemming from land disputes. The government continued to place law enforcement personnel at religious sites, festivals, and events considered possible targets for violence.

In October protesters clashed with police and attacked a Hindu temple in response to the October 20 arrests of two Muslims in Bhola, who were accused of hacking the Facebook account of a Hindu student in an extortion scheme. There were more than 100 injuries in the clash, and police killed four persons in what they stated was self-defense. In August, according to multiple press reports, police found the body of Buddhist monk Amrita Nanda, vice principal of Gyanaratna Buddhist Monastery, under a railway bridge in Comilla, approximately 100 kilometers (62 miles) from Dhaka. According to media accounts, Nanda’s throat was slit. Buddhist community members said Nanda was returning to his hometown from Dhaka. The Christian Welfare Trust and other human rights nongovernmental organizations (NGOs) reported harassment, communal threats of physical violence, and social isolation for Christians who converted to Christianity from Hinduism and Islam. The Bangladesh Hindu Buddhist Christian Unity Council (BHCUC) said “atrocities” against minorities continued, but had slowed.

In meetings with government officials and in public statements, the Ambassador and other U.S. embassy representatives spoke out against acts of violence in the name of religion, and encouraged the government to uphold the rights of minority religious groups and foster a climate of tolerance. The embassy successfully urged government officials not to charge a Hindu activist with sedition. The Ambassador and other embassy staff met with local government officials, civil society members, NGOs, and

religious leaders to continue to underscore the importance of religious tolerance and explore the link among religion, religious freedom, and violent extremism. Since 2017, the U.S. government has provided more than \$669 million in humanitarian assistance to overwhelmingly Muslim ethnic Rohingya who fled, and continued to flee, Burma.

Section I. Religious Demography

The U.S. government estimates the total population at 161.1 million (midyear 2019 estimate). According to the 2013 government census, Sunni Muslims constitute 89 percent of the population and Hindus 10 percent. The remainder of the population is predominantly Christian (mostly Roman Catholic) and Theravada-Hinayana Buddhist. The country also has small numbers of Shia Muslims, Baha'is, animists, Ahmadi Muslims, agnostics, and atheists. Leaders from religious minority communities estimate their respective numbers to be between a few thousand and 100,000 adherents.

Ethnic minorities concentrated in the Chittagong Hill Tracts (CHT) and northern districts generally practice a non-Islamic faith. The Garo in Mymensingh are predominantly Christian, as are some of the Santal in Gaibandha. Most Buddhists are members of the indigenous (non-Bengali) populations of the CHT. Bengali and ethnic minority Christians live in communities across the country, with relatively high concentrations in Barishal City and Gournadi in Barishal District, Baniarchar in Gopalganj District, Monipuripara and Christianpara in Dhaka City, and in the cities of Gazipur and Khulna.

The largest noncitizen population is Rohingya, nearly all Muslim. According to the Office of the UN High Commissioner for Refugees (UNHCR), more than a million Rohingya refugees fled Burma in successive waves since the early 1990s. Most recently, in August 2017, approximately 740,000 Rohingya fleeing violence in Burma took refuge in Bangladesh. Nearly all who arrived during the 2017 influx sought shelter in and around the refugee settlements of Kutupalong and Nayapara in Cox's Bazar District. Approximately 450 Rohingya in the country are Hindu.

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 rights in the practice of the Hindu, Buddhist, Christian, and other religions.” The constitution also stipulates the state should not grant political status in favor of any religion. It provides for the right to profess, practice, or propagate all religions “subject to law, public order, and morality” and states religious communities or denominations have the right to establish, maintain, and manage their religious institutions. The constitution states no one attending any educational institution shall be required to receive instruction in, or participate in ceremonies or worship pertaining to, a religion to which he or she does not belong.

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. Although the code does not further define this prohibited intent, the courts have interpreted it to include insulting the Prophet Muhammad. The criminal code allows the government to confiscate all copies of any newspaper, magazine, or other publication containing language that “creates enmity and hatred among the citizens or denigrates religious beliefs.” The law applies similar restrictions to online publications. While there is no specific blasphemy law, authorities use the penal code, as well as a section of the Information and Communication Technology Act, to charge individuals. The Digital Security Act criminalizes publication or broadcast of “any information that hurts religious values or sentiments,” with penalties of up to 10 years in prison.

The constitution prohibits freedom of association if an association is formed for the purpose of destroying religious harmony or creating discrimination on religious grounds.

Individual houses of worship are not required to register with the government. Religious groups seeking to form associations with multiple houses of worship, however, must register as NGOs with either the NGO Affairs Bureau (NGOAB) if they receive foreign assistance for development projects or with the Ministry of Social Welfare if they do not. The law requires the NGOAB approve and monitor all foreign-funded projects. The NGOAB director general has the authority to impose sanctions on NGOs for violating the law, including fines of up to three times the amount of the foreign donation or closure of the NGO. NGOs are also subject to penalties for “derogatory” comments about the constitution or constitutional institutions (i.e., the government). Expatriate staff must receive a security clearance from the National Security Intelligence (NSI), Special Branch of Police, and Directorate General of Forces Intelligence, although the standards for this clearance are not transparent.

Registration requirements and procedures for religious groups are the same as for secular associations. Registration requirements with the Ministry of Social Welfare include certifying the name being registered is not taken; providing the bylaws/constitution of the organization; a security clearance for leaders of the organization from the NSI; minutes of the meeting appointing the executive committee; a list of all executive committee and general members and photographs of principal officers; work plan; copy of the deed or lease of the organization’s office and a list of property owned; a budget; and a recommendation by a local government representative.

Requirements to register with the NGOAB are similar.

Family law concerning marriage, divorce, and adoption contains separate provisions for Muslims, Hindus, and Christians. These laws are enforced in the same secular courts. A separate civil family law applies to mixed-faith families or those of other faiths or no faith. The family law of the religion of the two parties concerned governs their marriage rituals and proceedings. A Muslim man may have as many as four wives, although he must obtain the written consent of his existing wife or wives before marrying again. A Christian man may marry only one woman.

Hindu men may have multiple wives. Officially, Hindus have no options for divorce, although informal divorces do occur. Hindu women may inherit property under the law. Buddhists are subject to the same laws as Hindus. Divorced Hindus and Buddhists may not legally remarry. Divorced men and women of other religions and widowed individuals of any religion may remarry. Marriage between members of different religious groups is allowed and occurs under civil law. To be legally recognized, Muslim marriages must be registered with the state by either the couple or the cleric performing the marriage; however, some marriages are not. Registration of marriages for Hindus and Christians is optional, and other faiths may determine their own guidelines.

Under the Muslim family ordinance, a Muslim man may marry women of any Abrahamic faith; however, a Muslim woman may not marry a non-Muslim. Under the ordinance, a widow receives one-eighth of her husband's estate if she is his only wife, and the remainder is divided among the children; each female child receives half the share of each male child. Wives have fewer divorce rights than husbands. Civil courts must approve divorces. The law requires a Muslim man to pay a former wife three months of alimony, but these protections generally apply only to registered marriages; unregistered marriages are by definition undocumented and difficult to substantiate. Authorities do not always enforce the alimony requirement even in cases involving registered marriages.

Alternative dispute resolution is available to all citizens, including Muslims, for settling out of court family arguments and other civil matters not related to land ownership. With the consent of both parties, lawyers may be identified to facilitate the arbitration, the results of which may be used in court.

Fatwas may be issued only by Muslim religious scholars, and not by local religious leaders, to settle matters of religious practice. Fatwas may neither be invoked to justify meting out punishment, nor may they supersede existing secular law.

Religious studies are compulsory and part of the curriculum for grades three through 10 in all public government-accredited schools. Private schools do not have this requirement. Muslim, Hindu, Buddhist, and Christian students receive instruction in their own religious beliefs, although the teachers are not always adherents of the students' faith.

The code regulating prisons allows for observance of religious commemorations by prisoners, including access to extra food on feast days or permission to fast for religious reasons. The law does not guarantee prisoners regular access to clergy or regular religious services, but prison authorities may arrange special religious programs for them. Prison authorities are required to provide prisoners facing the death penalty access to a religious figure from a faith of their choice before execution.

The Restoration of Vested Property Act allows the government to return property confiscated from individuals, mostly Hindus, whom it formerly declared enemies of the state. In the past, authorities used the act to seize property abandoned by minority religious groups, especially Hindus, who fled the country, particularly following the Indo-Pakistani War of 1965.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On November 27, a Bangladesh Special Tribunal convicted and sentenced seven defendants to death for their role in the July 2016 killing of 22 mostly non-Muslim individuals at the Holey Artisan Bakery in Dhaka. An eighth defendant was acquitted. Both defense attorneys and prosecutors said they would appeal the verdicts, the government appealing only the one acquittal. According to numerous reports, the attackers, who claimed loyalty to ISIS, singled out non-Muslims and killed the victims with machetes and firearms. According to media, a police investigation found 22 persons were involved in the attack: the eight whose trial just concluded, including two who had fled the country; five who were killed during the security response to the attack; and nine who died in a series of security actions in the country following the incident.

Legal proceedings against suspects allegedly involved in the 2015 killing of atheist blogger Avijit Roy continued at year's end. In March a Dhaka court transferred the murder case to the Anti-Terrorism Tribunal for trial proceedings. The trial of six men accused in the killing began in April. Machete-wielding assailants hacked to death Roy, a U.S. citizen of Bangladeshi origin, while he accompanied his wife, who was also injured in the attack, as they returned home from a Dhaka book fair. The press reported police suspected the Ansarullah Bangla Team, a militant Islamic organization claiming association with Al Qaeda in the Indian Subcontinent– accused of other acts of violence and banned by the government – was involved in Roy's killing. Four of the accused appeared before the court during the year; the other two remained at large.

Law enforcement concluded one of eight investigations into a 2016 attack on Hindu individuals, homes, and temples in Brahmanbaria District. In December 2017, 228 were charged with the attacks on the Hindu community, pending prosecution. However, according to media reports, all accused persons were since released on bail. According to media reports, in the three years since the attack, there was no further progress in this case following the completion of one of eight investigations, and no timeline was given for completing the other seven investigations or for scheduling hearings for the 228 charged. The courts held no hearings before the end of the year. The attackers injured more than 100 individuals and vandalized 52 Hindu homes and 15 temples following a Hindu resident's Facebook post showing a Hindu deity pasted over the Kaaba in Mecca. The National Human Rights Commission stated the attack was orchestrated to drive Hindus from the area and obtain their land.

According to media reports in November, the government filed charges against members of the Santal Christian community, which was the target of a violent attack in 2016 that allegedly involved local authorities and law enforcement personnel. These charges necessitate these members paying legal and administrative fees, even if the cases fail to progress. Among those charged was the brother of a man killed in the attack. At the same time, authorities dropped charges against police officers videotaped in the attack for lack of sufficient evidence. On July 28, the UN Committee Against Torture reported the Police Bureau of Investigation submitted a report stating no police officers were involved in the burning of homes and schools and looting of property, despite the visual evidence suggesting their involvement.

Human rights organizations did not report the use of extrajudicial fatwas by village community leaders and local religious leaders to punish individuals for perceived “moral transgressions” during the year, in contrast with previous years.

Although most mosques were independent of the state, the government continued to influence the appointment and removal of imams and to provide guidance to imams throughout the country through the Islamic Foundation on the content of their sermons. This included issuing written instructions highlighting certain Quranic verses and quotations of the Prophet Muhammad. Religious community leaders said imams in all mosques usually continued the practice of avoiding sermons that contradicted government policy. In April the government instructed mosques to denounce extremism.

The government continued to prohibit transmission of India-based Islamic televangelist Zakir Naik’s *Peace TV Bangla*, stating the program spread extremist ideologies, and closed “peace schools,” which the government said reflected his teachings.

In May police arrested Catholic poet Henry Sawpon for “offending the religious sentiments of Catholics” in his many social media posts criticizing and insulting members of the clergy. The arrest followed a complaint filed by Father Larence Gomes, a local priest in the town of Barisal, also the home of Sawpon. According to Gomes, Sawpon said young priests organized a seminar for youth where girls were raped. At year’s end, Sawpon remained in jail.

According to the Ministry of Land, authorities adjudicated 15,224 of 118,173 property-restitution cases filed under the Restoration of Vested Property Act as of 2018, the most recent year figures were published. Of these judgments, the owners, primarily Hindus, won 7,733 of the cases, recovering 8,187.5 acres of land, while the government won the remaining 7,491 cases. Media reports, rights activists, and the Bangladesh Hindu Buddhist Christian Unity Council attributed the slow return of land seized under relevant legislation from Hindus who had left for India to judicial inefficiency and general government indifference.

Religious minorities continued to state that religious minority students sometimes were unable to enroll in religion classes because of an insufficient number of religious minority teachers for mandatory religious education classes. In these cases, school

officials generally allowed local religious institutions, parents, or others to hold religious studies classes for such students outside school hours and sometimes exempted students from the religious education requirement.

The Ministry of Religious Affairs had a budget of 11.68 billion taka (\$137.4 million) for the 2018-19 fiscal year, which covers June 2018-July 2019, the most recent year for which figures were available. The budget included 9.21 billion taka (\$108.4 million) allocated for development through various autonomous religious bodies. The government provided the Islamic Foundation, administered by the Ministry of Religious Affairs, 8.24 billion taka (\$96.9 million). The Hindu Welfare Trust received 780.8 million taka (\$9.2 million), and the Buddhist Welfare Trust received 37.5 million taka (\$441,000) of the total development allocation. While the Christian Welfare Trust did not receive development funding from the 2018-19 budget, it received 2.8 million taka (\$32,900) to run its office.

Hindus, Buddhists, Christians, and members of other minority religious communities, who are also sometimes members of ethnic minority groups, continued to report property and land ownership disputes and forced evictions, including by the government, which remained unresolved at year's end. The government continued construction projects on land traditionally owned by indigenous communities in the Moulvibazar and Modhupur forest areas. In July three CHT villages filed a report with the deputy commissioner accusing Jashim Uddin Montu, a businessman, of land grabbing. In an investigative report, *The Daily Star* discovered Montu falsified residency documents in Bandarban for the right to purchase CHT land to build a tourist property. Villagers said Montu donated money and some of the purchased land in CHT to build a two-story police camp in Bandarban. According to minority religious associations, such disputes 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 enabled property appropriation for financial gain or shielded politically influential property appropriators from prosecution. Some human rights groups continued to attribute lack of resolution of some of these disputes to ineffective judicial and land registry systems and the targeted communities' insufficient political and financial clout, rather than to government policy disfavoring religious or ethnic minorities.

The government continued to place law enforcement personnel at religious sites, festivals, and events considered potential targets for violence, including the Hindu festival of Durga Puja, celebrations during the Christian holidays of Christmas and Easter, and the Buddhist festival of Buddha Purnima.

President Abdul Hamid continued to host receptions to commemorate each of the principal Muslim, Hindu, Buddhist, and Christian holidays and emphasized the importance of religious freedom, tolerance, and respect for religious minorities. In October the prime minister's foreign policy advisor, Gowher Rizvi, said at an interreligious event the majority faith (Islam) had the responsibility to protect minority religious groups and urged all to work under a common umbrella and address common problems together.

Section III. Status of Societal Respect for Religious Freedom

In September according to press reports, unidentified individuals killed four members of a Buddhist family living in Cox's Bazar. The victims included two children under the age of 10. The family lived in a predominantly Buddhist village in Cox's Bazar, and the precise motive of the murder remained unclear at year's end.

In August, according to multiple press reports, police found the body of Buddhist monk Amrita Nanda, Vice Principal of Gyanaratna Buddhist Monastery, under a railway bridge in Comilla, approximately 100 kilometers (62 miles) from Dhaka. According to media accounts, Nanda's throat was slit, and Buddhist community members said he may have been killed and his body dumped from the train while returning to his hometown from Dhaka. Buddhists and human rights activists formed human chains and protest rallies throughout the country following Nanda's death. At year's end, however, no arrests were made.

In its Brief Yearly Report on the Minority Situation, the Bangladesh Hindu Buddhist Christian Unity Council (BHBCUC) said atrocities against minorities continued, but slowed. Communal acts against religious minorities, including land grabbing, rapes, and arson, remained a “day to day affair” but BHBCUC did not provide specific numbers or give examples. In contrast with 2018, when BHBCUC documented 806 cases of religious persecution against minorities, the organization did not release any statistical data during the year.

The Christian Welfare Trust and other human rights NGOs reported harassment, communal threats of physical violence, and social isolation for converts to Christianity from Islam and Hinduism. The NGOs said individuals commonly associated a person's faith with his or her surname. In spite of constitutional guarantees protecting an individual's right to change faiths, according to the Christian Welfare Trust, when someone's professed faith deviated from the faith tradition commonly tied with his or her surname, particularly if the professed faith was Christianity, harassment, threats and social isolation could ensue.

In October rioters clad in Islamic garb and brandishing Islamist banners protested the arrest of two Muslims in Bhola accused of hacking a Hindu student's Facebook account to plant disparaging comments on Islam for extortion. The rioters demanded the incarceration of the Hindu student, ransacked a local Hindu temple, and incited local residents to join them. Police responded to the rioters, who they stated were armed with shotguns, and used lethal force in what they stated was self-defense, which resulted in four deaths. More than 100 people were injured in the riots. The two Muslims accused of the hacking remained under arrest, as did the Hindu student who reported to police the hacking and subsequent extortion attempt.

In November according to several media reports, unidentified persons broke into a Hindu Kali temple in Tangail and vandalized five idols. A local Hindu leader said the perpetrators acted in this manner to damage communal harmony between Hindus and Muslims in the area. Local authorities and law enforcement said they opened an investigation into the incident.

Actress Saba Kabir, according to media reports, was pressured to apologize after making remarks taken by some to be admitting to atheism. After heavy social media criticism, she apologized on her Facebook page for offending the religious beliefs of others.

The human rights organization Ain o Salish Kendra said at least 101 people were injured in violence against religious minorities in the first 10 months of 2019. Apart from this figure, said the group, at least 65 temples/monasteries or statues were attacked and 53 homes of religious minorities were attacked and set on fire. Some Buddhists continued to say they feared local Muslims would commit acts of vengeance against them in reaction to Buddhist mistreatment of the Muslim Rohingya in Burma.

NGOs continued to report tensions in the CHT between the predominantly Muslim Bengali settlers and members of indigenous groups, primarily Buddhist, Hindu, and Christian, largely over land ownership. The government continued its efforts to resolve land ownership disputes affecting indigenous non-Muslims, using a 2017 amendment to the law providing for more inclusive decision making and a harmonization of the law with the 1997 Chittagong Hill Tracts Peace Accord. According to some members of the indigenous community, procedural issues had delayed resolution of many of their property disputes.

Section IV. U.S. Government Policy and Engagement

The Ambassador and other embassy officials met with officials from the Office of the Prime Minister, Ministry of Religious Affairs, Ministry of Foreign Affairs, Ministry of Home Affairs, Ministry of Social Welfare, and local government representatives to underscore the importance of religious freedom and tolerance. They discussed the interface among religions, religious freedom, and violent extremism, and the importance of integrating religious freedom and other human rights in security policy. Embassy officials stressed the importance of respecting religious minorities' viewpoints, minority religious inclusion within society, and protecting religious minorities from extremist attacks. The Ambassador's visits and remarks were broadly covered in the country's major national television networks and print media.

The embassy successfully urged government officials not to charge a Hindu activist with sedition.

The U.S. government has provided more than \$669 million in humanitarian assistance to overwhelmingly Muslim ethnic Rohingya who fled Burma since August 2017. More than \$553 million of that total has gone to assist Rohingya refugees and host communities in the country.

As part of U.S.-funded community policing training, the embassy encouraged law enforcement officials to protect the rights of religious minorities.

Public outreach programs encouraging interfaith tolerance among religious groups continued during the year, including one held on August 25. Embassy officials attended several religious festivals celebrated by the Buddhist, Hindu, and Muslim communities and emphasized in these events the importance of tolerance and respect for religious minorities. In October the Ambassador attended festivals and events for all three major religious communities. At these events, the Ambassador and other embassy officials emphasized the importance of religious tolerance and respect for diversity.

The embassy conducted a social media campaign throughout the year to promote religious freedom and tolerance. In July the embassy posted photographs on its social media platform of religious and civil society leaders at a meeting with the Ambassador before they left to attend the second Ministerial to Advance Religious Freedom in Washington, DC. On August 23, the embassy released a public statement on Facebook and Twitter recognizing the UN’s first International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief. In October the embassy published two Facebook posts highlighting the Ambassador’s participation in Christian, Hindu, and Buddhist events, with text and photographs.

Embassy and other U.S. government officials expressed support for the rights of religious minorities and emphasized the importance of their protection. Embassy officials met regularly with a wide range of religious organizations and representatives, including the Islamic Foundation Bangladesh, Bangladesh Hindu Buddhist Christian Unity Council, Bangladesh Christian Association, Buddhist Religious Welfare Trust, Christian Religious Welfare Trust, World Buddhist Association Bangladesh, Bangladesh Buddhist Federation, International Buddhist Monastery of Dhaka, and the Aga Khan Foundation. In these meetings, embassy and other U.S. government officials and representatives from the various groups discussed the state of religious freedom in the country, identified challenges religious minorities encountered, and discussed the importance of religious tolerance.

Embassy officials met regularly with a working group of 11 foreign missions to discuss a broad range of human rights concerns, including religious freedom.

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