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Bangladesh

International Religious Freedom Report 2008

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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. While the Government publicly supported freedom of religion, attacks on religious and ethnic minorities continued to be a problem during the reporting period. As opposed to previous reporting periods, there were no reported demonstrations or attempt to lay siege to Ahmadiyya institutions, but there were 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 Islamic consciousness of most citizens.

There was no change in the status of respect for religious freedom by the Government during the reporting period. Citizens were generally free to practice the religion of their choice. Government officials, including the police, were nonetheless often ineffective in upholding law and order and were sometimes 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 motivations and could not be attributed only to religious belief or affiliation.

There were reports of societal abuses and discrimination based on religious belief or practice during the period covered by this report. Hindu, Christian, and Buddhist minorities experienced discrimination and sometimes violence by the Muslim majority. Harassment of Ahmadis continued along with demands that Ahmadis be declared non-Muslims.

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 and Charge d'Affairs made several visits to minority religious communities around the country. The U.S. Government sponsored the 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 its population is 154 million. According to the 2001 census, Sunni Muslims constitute 89.7 percent of the population and Hindus account for 9.2 percent. The rest of the population is mainly Christian (mostly Roman Catholic) and Theravada-Hinayana Buddhist. Ethnic and religious minority communities often overlapped and were concentrated in the Chittagong Hill Tracts and northern regions. Buddhists are found predominantly among the indigenous (non-Bengali) populations of the Chittagong Hill Tracts. Bengali and ethnic- minority Christians lived in many communities across the country; in cities such as 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 thousand adherents per group. There was no indigenous Jewish community, nor a significant immigrant Jewish population. Religion was an important part of community identity for citizens, including those who did not participate actively in prayers or services.

The majority of individuals classified as foreign residents are returned Bangladeshi émigrés, who practice Islam. There are approximately 30,000 Rohingya refugees practicing Islam in the southeast around Cox's Bazar. There was no reliable estimate of the number of missionaries. Several faith-based

nongovernmental organizations (NGOs) operated 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 to practice, profess, and propagate any religion, subject to law, public order, and morality.

In January 2007 President Iajuddin Ahmed announced a state of emergency and appointed a new caretaker government led by Fakhruddin Ahmed, the former Bangladesh Bank governor. In July Ahmed announced that elections would be held by the end of 2008, after the implementation of electoral and political reforms.

While the Government publicly supported freedom of religion, attacks and discrimination against religious and ethnic minorities continued during the reporting period.

While the right to propagate the religion of one's choice is guaranteed by the Constitution, local authorities and communities often objected to efforts to convert persons from Islam.

In general, government institutions and the courts protected religious freedom. The Government ran imam training academies and proclaimed Islamic festival days but did not dictate sermon content, select or pay clergy, or monitor content of religious education in Islamic religious schools, or madrassahs.

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

Shari'a (Islamic law) was not implemented formally and was not imposed on non-Muslims, but played an influential role in civil matters pertaining to the Muslim community. 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 had not been implemented because of a pending appeal filed by a group of Islamic clerics, which remained unresolved at the end of the reporting period.

On March 8, 2008 the head of the Caretaker Government announced a women's development policy. This announcement triggered violent protests from some Islamist groups that argued the policy sought to give men and women equal inheritance rights, contravening principles laid down in Shari'a and the existing Muslim Family Law. 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. The Government, however, had not acted on the recommendations by the end of the reporting period and the development policy remained unimplemented. Some women's rights activists called for implementation of the policy without any changes and criticized the Government for forming the review committee.

While 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 and issued fatwas. Sometimes this resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

Family laws concerning marriage, divorce, and adoption differed slightly depending on the religious belief of the persons involved. Each religious group had its own family laws. Muslim men may marry up to four wives; however, a Muslim man must get his first wife's signed permission before taking an additional wife. Society strongly discouraged polygamy, and it was rarely practiced. In contrast, Christian men could only marry one woman. Under Hindu law, unlimited polygamy is permitted and while there is no provision for divorce and legal separation, Hindu widows could legally remarry. There are no legal restrictions on marriage between members of different religious groups. Marriage rituals and proceedings are governed by the family law of the religious group of the parties concerned; however, marriages are also registered

with the state.

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 Religious Welfare Trust received a total of \$1.45 million (98 million taka) from the Government for the year ending June 2008, much of which was dedicated to temple-based literacy and religious programs. Trust money also was used to repair temples, improve cremation pyres, and help destitute Hindu families afford medical treatment. Approximately \$36,000 (2.5 million taka) in government funds was spent on annual Puja worship celebrations.

The Buddhist Welfare Trust, founded in the 1980s, received \$42,500 (3 million taka) from the Government in the year ending June 2008. 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 proportioned or distributed.

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

Non-Muslim religious bodies were not required to register with the Government; however, all 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 NGOs suspected to be in breach of their legal or fiduciary obligations and to take other actions, such as blocking foreign fund transfers, to limit their operation.

Religious Studies were part of the curriculum in government schools. Children attended classes in which their own religious beliefs were taught. Some parents claimed that government-employed religious teachers, especially those leading classes on minority religious beliefs, were neither members of the religious group they taught nor qualified to teach it. Although transportation was not always available for children to attend religious study classes away from school, in practice schools with few religious minority students often worked out arrangements with local churches or temples, which then conducted religious studies outside school hours. There were at least 25,000 madrassahs, some of which were funded by the Government and others privately funded. There were no known government-run Christian, Hindu, or Buddhist schools, although private religious schools were permitted and existed throughout the country.

Restrictions on Religious Freedom

The Constitution provides for the right to profess, practice, or propagate any religion; however societal pressures discouraged proselytism. Foreign missionaries were allowed to work, but like other foreign residents, they often faced delays of several months in obtaining or renewing visas. In the past, some missionaries who were perceived to be converting Muslims to other religious groups were unable to renew their 1-year religious worker visas. Some foreign missionaries reported that internal security forces and military intelligence closely monitored their activities.

There were no financial penalties imposed on the basis of religious beliefs; however, religious minorities were disadvantaged in access to military and government jobs, including elected office. Four advisers, including the only non-Muslim adviser, resigned in a caretaker government shake-up in January 2008. The Chief Adviser subsequently appointed Raja Devashish Roy the head of the Chakma people of Chittagong Hill Tracts, as a Special Assistant with the rank status of a State Minister. Roy, a Buddhist, was responsible for the Chittagong Hill Tracts Ministry and the Forest and Environment Ministry. The Chief Adviser also appointed a Hindu, Manik Lal Samaddar, as Special Assistant with responsibility for the Fisheries and Livestock Ministry and the Science, Information and Communication Technology Ministry. Minority communities in general, though, remained underrepresented in the higher ranks of government. One notable exception was the government-owned Bangladesh Bank, which employed approximately 10 percent non-Muslims in its upper ranks. Selection boards for government services often lacked minority representation. Employees were not required to disclose their religious affiliation, but it generally could be determined by a person's name.

Many Hindus have been unable to recover landholdings lost because of discrimination under the now-defunct Vested Property Act. The act was an East Pakistan-era law that allowed the Government to expropriate "enemy" (in practice Hindu) lands. The Government seized approximately 2.5 million acres of

land, affecting almost all of the Hindus in the country. 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 Government was required to prepare a list of vested property holdings by October 2001, and claims were to have been filed within 90 days of the publication date. In 2002 Parliament passed an amendment to the Vested Property Return Act, which 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.

According to a study conducted by a Dhaka University professor, nearly 200,000 Hindu families have lost approximately 40,667 acres of land since 2001, despite the annulment of the Vested Property Act the same year.

Under the Muslim Family Ordinance, female heirs inherit less than male relatives, and wives have fewer divorce rights than husbands. 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. In rural areas, marriages often were not registered because of ignorance of the law. Under the law, a Muslim husband is required to pay his former wife alimony for 3 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

Feminist author Taslima Nasreen remained abroad during the period covered by this report, while criminal charges were pending against her on allegations of insulting the religious beliefs of the country's Muslims. In October 2002 a court sentenced Nasreen in absentia to a year in jail for her "derogatory remarks about Islam." Her books remained banned but were openly sold by street hawkers.

On March 15, 2008, the Special Branch of police in Brahmanbaria prevented the Ahmadiyya from holding a religious convention. The convention ultimately was held peacefully after the Special Branch lifted its objections following intervention by higher authorities. A similar incident occurred at Shalshiri in Panchagarh district on March 21, 2008.

On September 17, 2007, *Alpin*, the satirical weekly magazine of the newspaper *Prothom Alo*, published a cartoon that some considered blasphemous against Islam. After demonstrations in several cities, the Government banned the sale of the edition, ordered copies to be seized and destroyed, and detained the cartoonist, Arifur Rahman, who was eventually released by the court. The Government provided protection to the *Prothom Alo* offices to prevent demonstrators from approaching and urged imams to calm the public. The editor of *Prothom Alo* apologized for the cartoon's publication and fired the editor in charge of *Alpin*. Protests and demands for the firing and arrest of Rahman and *Prothom Alo* publisher Mahfuz Anam continued the following week, although the Government took no action against them.

Following the incident with *Alpin*, *Shaptahik 2000* published an article by Daud Haider, an author who fled the country in 1974 after publishing a poem that some considered blasphemous. The Government confiscated all copies of *Shaptahik 2000*, and the editor apologized.

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.

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 action would be taken against those attempting to disrupt the celebrations. Through additional security deployments and public statements, the Government promoted the peaceful celebration of Christian and Hindu festivals, including

Durga Puja, Christmas, and Easter.

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

Section III. Societal Abuses and Discrimination

There were reports of societal abuses and discrimination based on religious belief or practice during the period covered by this report. Clashes between religious groups occasionally occurred. Violence directed against religious minority communities continued to result in the loss of lives and property, but the motives--religious animosity, criminal intent, or property disputes--often were unclear. Religious minorities were vulnerable due to their relatively limited influence with political elites. Like many citizens, they were often reluctant to seek recourse from a criminal justice system perceived to be corrupt and ineffective. Police were often ineffective in upholding law and order and were sometimes slow to assist religious minorities. This promoted an atmosphere of impunity for acts of violence against such 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. Many of these reports could not be verified independently. 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. According to the Bangladesh Buddhist-Hindu-Christian Unity Council, during the period from July 2007 to April 2008 there were a total of 58 killings, 52 attacks on or occupation of temples, 39 incidents of land grabbing, and 13 cases of rape.

Ain-O-Shalish Kendro (ASK), a domestic human rights organization, in one of its investigation reports stated that Advocate Biman Chandra Bosak, Vice-President of Joypurhat District Bar Association, was severely beaten up by a group of eight or nine persons (two of whom wore Rapid Action Battalion (RAB) uniforms) at his village in Joypurhat district on the night of April 2, 2008. According to the report, the attack on Bosak occurred after he filed a case against a Muslim neighbor who tried to seize some land that was dedicated to a Hindu deity. The local RAB commander denied involvement of his personnel.

According to another ASK investigation report, three Muslim neighbors tried to grab part of the homestead of non-Muslim Harolal Coch in Kaliakoir of Gazipur district on February 7, 2008. The report claimed that the local police refused to file his official complaint.

In contrast to the previous reporting period, there were no reports of the military conducting widespread evictions of Hindus from their land. During the previous reporting period, the military attempted to evict 120 families, 85 percent of them Hindu, from land in the Mirpur area of Dhaka abutting the military cantonment. A temple is also located on the property. The eviction was being carried out on the basis of a 1961 land purchase agreement by the military. The land owners challenged the land acquisition and eviction in court. At the end of the reporting period the case was still pending.

According to the national daily *Janakantha*, on March 20, 2008, a religious icon representing the Hindu Goddess Murthi of the Siddeswari temple in the Village of Shekhor Nagar was demolished during a Puja worship celebration. Police arrested one individual in connection with the incident.

According to a local media outlet, two Hindu temples and nine religious icons were destroyed in Faridpur District.

In April 2007 leaders of the Catholic Khasia community in Moulvibazar complained to the local government about harassment by local Forestry Department officials, who oversee the Monchhara Forest where many

Khasia live. They stated several forest officials had filed false cases against members of their community, including the head of the local Catholic mission, in order to intimidate them. A meeting between Khasia community leaders, Forest Department officials, and Kulaura subdistrict officials in early 2008 resulted in a government promise that the Khasia would not be harassed if they lived on their own land and refrained from occupying Forest Department land. The conflict, however, continued as the Forest Department filed fresh cases against some Khasia alleging they had occupied government land.

The Forestry Department continued to be involved in other allegations of abuse against minority communities living in national forest areas during the reporting period. In 2007 the Government arrested several high-level Forestry Department officials and charged them with corruption. Since these arrests, no new charges have been filed against indigenous groups living in the forests, and harassment has been curtailed considerably.

Reports of harassment and violence against the Christian community were recorded during the reporting period. According to Christian Life Bangladesh (CLB), members of a Muslim fundamentalist group attacked two Christian men at Rangunia in Chittagong on April 12, 2008, as they were showing a film to build social awareness about arsenic pollution, child marriage, and other social ills.

Members of a banned insurgent group called Shanti Bahini in Chittagong Hill Tracts (CHT) attacked Chengko Marma, a member of CLB's community awareness team in Khagrachhari Hill District on September 6, 2007. According to CLB, the Buddhist-dominated Shanti Bahini targeted the Christian man because of his religious beliefs. In another incident, the CLB reported the daughter of a Christian evangelist who converted some local Hindus was raped by Muslim men in Mymensingh in April 2008.

In the northern district of Nilphamari, police on July 26, 2007, arrested Sanjoy Roy, a church pastor, after a mob pressured the police to take action against him for converting 25 Muslims to Christianity, CLB stated. Roy was released after 2 days in custody and most of the converts returned to Islam.

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 2007 religious leaders issued 35 fatwas, demanding punishment ranging from lashings and other physical assaults to shunning by family and community members, according to ASK.

There were approximately 100,000 Ahmadiis concentrated in Dhaka and several other locales. While mainstream Muslims rejected some of the Ahmadiyya teachings, the majority supported Ahmadiis' right to practice without fear or persecution. However, Ahmadiis continued to be subject to harassment from those who denounced their teachings.

Since 2004 anti-Ahmadiyya extremists such as the International Khatme Nabuwat Movement Bangladesh and a splinter group, the Khatme Nabuwat Andolon Bangladesh (KNAB), have publicly demanded that the Government pass legislation declaring Ahmadiis to be non-Muslims. The Government rejected the ultimatums and successfully kept protesters a safe distance from all Ahmadiyya buildings. Since the proclamation of a state of emergency in January 2007, the anti-Ahmadiyya groups have not held demonstrations. However, discrimination against Ahmadiis continued. On August 24, 2007, local authorities in Kushtia stopped religious classes organized by the Ahmadiyya community inside their mosque.

In December 2006 the Awami League upset many of its minority and liberal supporters when it signed an electoral pact with the Bangladesh Khelafat Majlish, a splinter Islamist group tied to violent Islamist militants. The agreement committed a future Awami League-led government to recognizing some fatwas and an official declaration that the Prophet Mohammad is the last prophet, a direct challenge to the Ahmadiyya community. Ahmadiis and liberal citizens criticized the agreement as politically expedient and inconsistent with core party principles. Following this criticism and open rebellion among senior party leaders, the Awami League quietly allowed the agreement to lapse after imposition of the state of emergency.

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 period covered by this report, the Embassy emphasized the importance of free, fair, and credible national

parliamentary elections by the end of 2008 with full participation of all ethnic and religious communities. 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 violence during the next election. They also encouraged law enforcement to take proactive measures to protect the rights of religious minorities.

Embassy and visiting U.S. government officials regularly visited members of minority communities to hear their concerns and demonstrate support.

The Embassy assisted U.S. faith-based relief organizations in guiding paperwork 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 an initial pilot program, the U.S. Government provided, among other topics, orientation sessions for religious leaders on human rights and gender equality. For the third year in a row, the U.S. Government sponsored the visit of a prominent U.S. Muslim cleric to tour the country and speak. He visited the northwestern city of Rajshahi and also addressed groups in Dhaka about Qur'anic interpretations that support religious tolerance and freedom and that 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 visited the Hill Tracts over the course of the reporting period and met with senior government officials to relay concerns over the treatment of minorities.

Democracy and governance projects supported by the United States included tolerance and minority rights components.

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