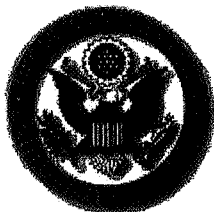


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U.S. Department of State Annual Report on International Religious Freedom for 2003 – Bangladesh – December 2003

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

There was no change in the status of respect for religious freedom during the period covered by this report. Citizens generally are free to practice the religion of their choice; however, police, who generally are ineffective in upholding law and order, often are slow to assist members of religious minorities who have been victims of crimes. Although the Government claims that acts of violence against members of religious minority groups are politically motivated and cannot be solely attributed to religion, human rights activists claim that there has been a continued increase in religiously-motivated violence.

The generally amicable relationship among religions in society contributed to religious freedom; however, the number of Hindu, Christian, and Buddhist minorities who experienced discrimination by the Muslim majority has increased. During the period covered by this report, the Government was led by the centrist Bangladesh Nationalist Party (BNP), which heads a four-party coalition that includes two Islamic parties. The majority of Hindus traditionally vote for the opposition Awami League (AL). In 2002 the newly-elected BNP Government arrested and intimidated AL leaders and repealed key legislation passed by the previous AL administration. The animosity between the parties often leads to politically motivated violence and heightens societal tensions between Muslims and Hindus.

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

Section I. Religious Demography

The country has a total area of approximately 53,000 square miles, and its population is approximately 130 million. Sunni Muslims constitute 88 percent of the population. Approximately 10 percent of the population is Hindu. The remainder of the population mainly is Christian (mostly Catholic) and Buddhist. Members of these faiths are found predominantly in the tribal (non-Bengali) populations of the Chittagong Hill Tracts, although many other indigenous groups in various parts of the country are Christian as well. There also are small populations of Shi'a Muslims, Sikhs, Baha'is, animists, and Ahmadis. Estimates of their populations vary widely, from a few hundred up to 100,000 adherents for

each faith. Religion is an important part of community identity for citizens, including those who do not participate actively in religious prayers or services; atheism is extremely rare.

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

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution establishes Islam as the state religion but provides for the right – subject to law, public order, and morality – to practice the religion of one's choice, and the Government generally respects this provision in practice; however, some members of the Hindu, Christian, and Buddhist minorities experienced discrimination.

Religious organizations are not required to register with the Government; however, all nongovernmental organizations (NGOs), including religious organizations, are required to register with the NGO Affairs Bureau if they receive foreign financial assistance for social development projects. The Government has the legal ability to cancel the registration of an NGO or to take other actions against it. However, such powers rarely were used and did not affect NGOs with religious affiliations.

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

Religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens.

The Government provides some monetary support for the development of Muslim mosques, Hindu and Buddhist temples, and Christian churches.

Religion is taught in government schools, and parents have the right to have their children taught in their own religion; however, some claim that many government-employed religious teachers of minority religions are neither members of the religion they are teaching nor qualified to teach it. Although transportation may not always be available for children to attend religion classes away from school, in practice schools with few religious minority students often work out arrangements with local churches or temples, which then direct religious studies outside school hours.

Major religious festivals and holy days of the Muslim, Hindu, Buddhist, and Christian faiths are celebrated as national holidays. In April Christians staged a demonstration on Holy Thursday at the Parliament to demand a public holiday for Easter.

Restrictions on Religious Freedom

In January 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. Fatwas include decisions as to when holidays begin based upon the sightings of the moon; matters of marriage and divorce; the meting out of punishments for perceived moral transgressions; and other religious issues. Islamic tradition dictates that only those Muftis (religious scholars) who have expertise in Islamic law are authorized to declare a fatwa. However, in practice, village religious leaders sometimes make declarations in individual cases and call the declaration a fatwa. Sometimes this results in extrajudicial punishments, often against women for their perceived moral transgressions. In deeming all fatwas illegal, the High Court's intention was to end the extrajudicial enforcement of fatwas or other declarations by religious leaders. The pronouncement resulted in violent public protests (see Section III). Several weeks later, the Appellate Court stayed the High Court's ruling. No date has been set for rehearing the issue.

Foreign missionaries were allowed to work in the country; however, their right to proselytize is not protected by the Constitution, and local authorities and communities often objected to efforts to convert persons from Islam to other religions. Foreign missionaries often face delays of several months in obtaining or renewing visas. In the past, some missionaries who were perceived to be converting Muslims to other faiths subsequently were unable to renew their visas, which must be renewed annually. In mid-2001 the Department of Immigration and Passports began to issue regularly a new visa category for foreign missionaries working in the country. The processing of the new visas apparently created complications initially; however, there were no recent reports of any current problems with receiving these visas. Some foreign missionaries reported that internal security forces and others closely monitored their activities. In addition, the Government pressured some missionaries who advocated human rights by filing false allegations against them.

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

Many Hindus have been unable to recover landholdings lost because of discrimination in the application of the law, especially under the now-defunct Vested Property Act. The Act was a Pakistan-era law that allowed "enemy" (in practice Hindu) lands to be expropriated by the Government. Approximately 2.5 million acres of land were seized from Hindus, and almost all of the 10 million Hindus in the country were affected. Property ownership, particularly among Hindus, has been a contentious issue since partition in 1947. However, in April 2001, Parliament passed the Vested Property Return Act. This law stipulated that land remaining under government control that was seized under the Vested Property Act be returned to its original owners, provided that the original owners or their heirs remain resident citizens. Hindus who fled to India and resettled there are not eligible to have their land returned, and the Act does not provide for compensation for or return of properties that the Government has sold. By law, the Government was required to prepare a list of vested property holdings by October 2001, and claims were to have been filed within 90 days of the publication date. No further claims were to be accepted after that period expired. As of the end of the reporting period, the Government had yet to publish the list of vested properties.

On November 26, 2002, the Parliament passed an amendment to the Vested Property Act, allowing the Government unlimited time to return the vested properties. The properties are to remain under the control of Deputy Commissioners until a tribunal settles ownership. The amendment also gives the Deputy Commissioners the right to lease such properties until they are returned to their owners. The Government claimed that this provision would prevent the properties from being stolen.

In 2001 the Forestry Department inaugurated an eco-park on the lands inhabited by the predominantly Christian Khasi tribals in Mouluvibazar. Although indigenous Khasis had lived on these lands for generations, the Government did not recognize their ownership. The Government claimed ownership and stated that the Khasis were occupying the land illegally. The Government did not undertake any activities to implement the eco-park project during the reporting period, but the project has not been officially cancelled. In July 2002, Forest Department guards killed a Khasi member, Abinash, and injured 10 others in

an attempt to evict the Khasis. Police had not arrested anyone in connection with the killing by the end of the reporting period.

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

Abuses of Religious Freedom

Reports of harassment by BNP supporters of Hindus, who traditionally vote for the AL, preceded and followed the October 2001 election. Reported incidents included killings, rape, looting, and torture. The BNP acknowledged reports of atrocities committed between Muslims and Hindus; however, the BNP claimed that they were exaggerated.

The Home Minister was unable to confirm reports that Hindus had fled the country and insisted that there was no link between religion and the violence. He also dismissed allegations that the BNP was linked to the perpetrators. In late November 2001, the High Court ordered the Government to look into and report on attacks on religious minorities, and to demonstrate that it is taking adequate steps to protect minorities. The Government submitted its report to the High Court on August 5, 2002. The report claimed that some of the incidents of post-election violence were not connected to communal relations. It also alleged that some of the reports of violence were fabricated or exaggerated.

Since the October 2001 elections, religious minorities reportedly have continued to be targeted for attacks. However, many such reports have not been verified independently. The Government sometimes has failed to investigate the crimes and prosecute the perpetrators, who are often local gang leaders.

On May 12, 2002, 12 unidentified persons broke the lock and opened the main gate of Dabua Benubon Bihar Buddhist Monastery at Beltoli before inmates and local residents chased them away. Using a compilation of newspaper reports, Ain-O-Shalish Kendra (The Law and Arbitration Center), a human rights NGO, filed a writ petition with the High Court asking that the Government be ordered to investigate the incidents reported in the newspapers and to submit its findings to the court. The Government submitted its report to the court in August stating that it had taken action against perpetrators of violence against members of the minority communities wherever such incidents took place. The Government report said investigations revealed that many of the reports were false or exaggerated.

On April 28, 2002, Madan Gopal, a Hindu priest, was stabbed to death by a criminal gang at Radha Madan Asram in Khagrachhari. The criminals also looted gold statues from the temple. Newspaper reports quoted temple authorities as saying that the killing of the priest was a result of the assailants' failed attempt at extortion.

On April 22, 2002, a Buddhist monk, Ganojyoti Mohasthobir, was killed at a Buddhist temple and orphanage at Rauzan in Chittagong. According to media reports, his killing was related to a land dispute. Home Minister Altaf Hossain Chowdhury and Foreign Minister Morshed Khan visited the temple after the killing. They assured the public that the incident would be properly investigated and that those involved would be brought to trial. On December 22, 2002, police arrested a suspect in connection with the case, which remained under investigation at the end of the reporting period.

One human rights activist claimed that, especially after the October 2001 elections, religious minority groups have been targeted for acts of violence, which has led to the

necessity of guards being present at church and temple ceremonies.

In November 2001, Principal Gopal Krishna Muhuri of Nazirhat College in Chittagong was killed by unidentified assailants. Following the killing, Hindus staged a violent demonstration, claiming that Muhuri was killed because he was a Hindu. Muhuri's family stated that he was unpopular with the Jammāt-i-Islami party because he refused it and other political parties access to the college's campus. It was unclear whether the killing was connected to the attacks against Hindus after the October 2001 elections. In November 2002, police filed a case against 12 persons, including 3 teachers and an accountant at the college. On February 6, a Chittagong court sentenced four of the accused to death and four to life in prison for their involvement in the murder.

In June 2001, in Baniachar, Gopalganj District, a bomb exploded inside a Catholic church during Sunday Mass, killing 10 persons and injuring 20 others. The army arrived to investigate approximately 10 hours after the blast. Police detained various persons for questioning, but by the end of the period covered by this report, the police reported no progress on the case. A judicial commission was formed in December 2001 to investigate the Baniachar bombing. In September 2002, the commission submitted its report to the Government. The commission's final report blamed Sheikh Hasina and other AL party members for six of the seven bomb attacks that occurred in 1999, 2000, and 2001, including the June 2001 attack. However, two of the three commission members dissented, alleging that the head of the commission, Judge Abdul Bari Sarkar, had inserted his personal views in the final report.

Feminist author Taslima Nasreen remained abroad during the period covered by this report, while criminal charges were still pending against her for insulting the religious beliefs of the country's Muslims. On May 26, 2002, the Government banned her latest book, a sequel to an earlier novel that was also banned for being "anti-Islamic." On October 13, 2002, a court sentenced Nasreen, in absentia, to 1 year in jail for her "derogatory remarks about Islam," in a case filed by a local Jamaat-e-Islami leader in 1999.

In April a grade 12 Board of Education English test asked students to write a paragraph on how they and their families celebrated the Muslim feast, Eid-ul-Fitr, alienating non-Muslim students.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

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

Section III. Societal Attitudes

Relations between the religious communities generally are amicable. Persons who practice different religions often join each other's festivals and celebrations, such as weddings. Shi'a Muslims practice their faith without interference from Sunnis. Nevertheless, clashes between religious groups occasionally occur. In recent years, there have been cases of violence directed against religious minority communities that have resulted in the loss of lives and property. Police, who generally are ineffective in upholding law and order, often are slow to assist in such cases, thereby perpetuating an atmosphere of impunity for acts of violence (see Section II).

Intercommunal violence caused many Hindus to emigrate to India between 1947 and 1971 and continued on a smaller scale throughout the 1980s. Since the 1991 return to democracy, emigration of Hindus has decreased significantly, which generally can be attributed to the significant reduction in the Hindu population over the last 30 years. In

recent years, emigration has been primarily motivated by economic and family reasons. Nevertheless, incidents of communal violence continue to occur.

Newspapers reported attacks on Hindu homes and rapes of Hindu women at several places in the country soon after the October 2001 election. According to a human rights organization, at least 10 Hindu women were raped and a number of Hindu homes were looted by low-level BNP workers a few days before the BNP took power from the non-partisan caretaker government that supervised the election. Some incidents of rape and looting also took place in the southwestern district of Bagerhat. The situation improved after the new government members visited the areas and deployed additional police to troubled locations. In February 2002, an AL-backed Convention on Crimes Against Humanity alleged "systematic persecution" of religious minorities and called for the perpetrators to be brought to trial under local and international laws.

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. One human rights organization recorded 32 such fatwa cases in 2002. In these cases, 19 persons were lashed and others faced punishments ranging from physical assault to shunning of families by their communities.

In the past, members of the Ahmadi sect, whom many mainstream Muslims consider heretical, were the target of attacks and harassment. An Ahmadiya mosque in Kushtia was captured by mainstream Muslims in 1999 and remained under police control for approximately 3 years, preventing Ahmadiyas from worshipping. In August 2002, the Ahmadiyas regained control of their mosque.

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

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

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government, as well as religious and minority community representatives, in the context of its overall dialog and policy of promoting human rights.

On an informal basis, the Embassy also has assisted some U.S. Christian-affiliated relief organizations in guiding paperwork for schools and other projects through government channels. The Government has been receptive to discussion of such subjects and generally helpful in resolving problems.

The Embassy is encouraging the Government through the Ministry for Religious Affairs to develop and expand its training program for Islamic religious leaders, which provides course work for religious leaders on human rights, HIV/AIDS, and gender equality issues.