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Country Policy and Information Note Bangladesh: Religious minorities and atheists

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Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the basis of claim section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general:**

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information - Training Manual, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a <u>terms of reference</u> which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the <u>bibliography</u>.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

The <u>Independent Advisory Group on Country Information</u> (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

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Assessment

Updated: 10 October 2018

- 1. Introduction
- 1.1 Basis of claim
- 1.1.1 Fear of persecution or serious harm by state or non-state actors owing to the person's religious belief or rejection of a belief in God / gods (atheism).
- 1.2 Points to note
- 1.2.1 This note focuses primarily on the situation for Ahmadiyya Muslims (Ahmadis), Buddhists, Christians, Hindus and atheists/secularists.
- 1.2.2 Definitions: Atheism Disbelief or lack of belief in the existence of God or gods; Secularism The principle of separation of the state from religious institutions.

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- 2. Consideration of issues
- 2.1 Credibility
- 2.1.1 For information on assessing credibility, see the <u>Asylum Instruction on</u> Assessing Credibility and Refugee Status.
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the <u>Asylum Instruction on Visa Matches</u>, Asylum Claims from UK Visa Applicants).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the <u>Asylum Instruction on Language Analysis</u>).

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- 2.2 Exclusion
- 2.2.1 Decision makers must consider whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 For further guidance on the exclusion clauses and restricted leave, see the <u>Asylum Instruction on Exclusion: Article 1F of the Refugee Convention</u> and the <u>Asylum Instruction on Restricted Leave</u>.

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- 2.3 Convention reason
- 2.3.1 Religion and/or, for atheists/secularists, actual or imputed political opinion.
- 2.3.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their actual or imputed convention reason. Each case must be considered on its facts.

2.3.3 For further guidance on Convention grounds, see the <u>Asylum Instruction on Assessing Credibility and Refugee Status.</u>

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2.4 Risk

a. State treatment

- 2.4.1 Bangladesh is a secular (i.e. where state and religious institutions are separate), pluralist parliamentary democracy. The constitution and other laws protect religious freedom and ensure equal status and equal rights in the practice of the Hindu, Buddhist, Christian and other religions. These rights are generally respected by the government, although, at a local level, constitutional provisions, legal norms and political reform agendas lack consistent implementation. The main religious festivals of all religions are celebrated and recognised as public holidays (see Legal rights and State treatment and attitudes: Overview).
- 2.4.2 The Constitution also provides for the guarantee of freedom of thought and conscience and of speech and expression. However, in practice the government sometimes fails to protect these rights especially if they are deemed to criticise religious sentiment (see Legal rights, Atheists/secularists and, on freedom of speech, the Country Policy and Information Note on Bangladesh: Journalists, publishers and internet bloggers).
- 2.4.3 The principle of secularism has been eroded as government representatives have publicly rebuked online bloggers and activists sometimes deemed atheist or secularist who have expressed critical views on religion, particularly Islam. In some cases, blasphemy laws have been used against them, resulting in arrests and detention on the grounds of religious defamation. Personal status laws do not adequately cater for irreligious persons (see Atheists/secularists, Blasphemy/religious defamation and Personal status laws).
- 2.4.4 For further information on online activists, see also the Country Policy and Information Note on <u>Bangladesh: Journalists, publishers and internet bloggers</u>.
- 2.4.5 Religious minorities, particularly Hindus, are disproportionately affected by historical and continuing land appropriation through the Vested Property Act. Despite laws allowing for the return of, or compensation for, seized property, a large percentage of claims remain unresolved or have been denied by government officials, and 'land grabs' are reported to continue due to lack of documentation proving ownership (see Land appropriation).
- 2.4.6 Some Government officials have openly declared Ahmadis as non-Muslims although the Government maintains it does not endorse these views. A ban on Ahmadi publications was lifted by the ruling Awami League and there are no legal restrictions preventing Ahmadis from practising their faith (see Ahmadiyya Muslims (Ahmadis)).
- 2.4.7 There are no legal or other restrictions preventing Buddhists, Christians or Hindus from freely practising their religion, accessing state schools, health or other government services. Hindu personal status laws (which also apply to Buddhists) are discriminatory against women, especially in terms of divorce

- and widowhood (see <u>Buddhists</u>, <u>Christians</u>, <u>Hindus</u> and <u>Personal status</u> <u>laws</u>).
- 2.4.8 There are no laws prohibiting religious conversion, yet it might be seen as apostasy. Interfaith marriages can take place under the Special Marriage Act although, under the Act, couples must declare their disbelief in any traditional religion (see Religious conversions and apostasy, Interfaith marriages and Personal status laws).
- 2.4.9 In general, the level of state discrimination faced by religious minorities is low and is not sufficiently serious by its nature and repetition to amount to a real risk of persecution and/or serious harm.
- 2.4.10 However, people accused of blasphemy or religious defamation (for example, converts from Islam, atheists or secularists) may face legal sanction, including imprisonment.
- 2.4.11 Decision makers must consider whether there are particular factors specific to the person which would place them at real risk. Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk from the state authorities on return.
- 2.4.12 For further guidance on assessing risk, see the <u>Asylum Instruction on Assessing Credibility and Refugee Status</u> and, in regard to women, <u>Gender issues in the asylum claim</u>.

b. Societal treatment and treatment by extremists

- 2.4.13 Bangladesh is religiously diverse and religious minorities live throughout the country. Approximately 15.8 million of the population are Hindu; Ahmadis are estimated to be around 100,000; Christian and Buddhist communities are estimated to range from a few hundred thousand to over a million. Interreligious relations and coexistence are generally positive and peaceful (see Demography and Inter-religious relations). There are reports of communal harmony during religious festivals, for example, at Christmas or during Ramadan (see Christians and Buddhists).
- 2.4.14 However, there are instances of communal violence although because religion and ethnicity are often closely linked, it is not always clear if all incidents are solely based on religious identity. These continue to result in deaths, injuries, violence, assaults, looting and damage to property (see Inter-religious relations).
- 2.4.15 Between January 2013 and mid-2016 several small-scale, localised attacks targeting minority religious groups and high-profile secular activists (considered to have publicly insulted Islam) were carried out by Islamist militant groups. There was no repeat of similar terrorist attacks in 2017/2018 although there have been at least 2 apparently targeted attacks on secular writers, who were open about their views, in 2018 (see Islamic extremism and state response and Atheists/secularists).
- 2.4.16 Extremist groups and many traditional Muslims regard Ahmadis as apostates and have called for the community to be designated as non-Muslims. This has resulted in sporadic societal discrimination, including physical attacks

- and boycotts. Approximately 100 attacks against the Ahmadi community and/or their places of worship resulting in injury and damage to property have been recorded since 2000 (see Ahmadis-phase-phas
- 2.4.17 Some Buddhists face occasional societal violence, the most serious of which occurred in 2012 when several Buddhist temples and homes, in Cox's Bazar, were razed to the ground in arson attacks by thousands of Islamists. Following the Rohingya crisis in Burma, the Buddhist community in Cox's Bazar has voiced strong concerns of a potential violent backlash against local Buddhists; anecdotal information of small-scale harassment of some Buddhists in Dhaka and elsewhere, in relation to the Rohingya issue, have been reported (see <u>Buddhists</u>).
- 2.4.18 Occasional threats against Christians occur, triggered by, for example, rumours that churches are looking to convert Muslims; interfaith relationships; and international events such as US-led attacks on Muslim countries. Sources reported that some churches did not display religious symbols to avoid being recognised (see Christians and Interfaith marriages).
- 2.4.19 Hindus, their property and places of worship, have faced targeted attacks, either committed or incited by Islamists, particularly during heightened political tensions, for example, during the 2014 elections. Instances of societal discrimination, harassment, and occasional violence against Hindus occurs. Hindus are also disproportionately affected by land seizures, which have also been a factor in some attacks (see Hindus, Land appropriation and Inter-religious relations).
- 2.4.20 Interfaith marriages are reported to be increasing, but are still rare, especially in rural areas. Persons in such relationships may face family resistance and/or community disapproval (Interfaith marriages and Personal status laws).
- 2.4.21 Converts may face ostracism, threats and social stigmatisation.
- 2.4.22 In general, the level of societal discrimination faced by religious minorities is low and does not amount to a real risk of persecution and/or serious harm. Although there have outbreaks of communal violence and sporadic attacks by extremists, in general, these are not sufficiently serious by their nature and repetition as to amount to persecution or serious harm. Each case must be considered on its facts, with the onus on the person to demonstrate that they face a real risk.
- 2.4.23 There is limited information available about the treatment of people who do not believe in a religion or who have rejected the existence of God or gods (see Bibliography). People who do not, or who no longer have a faith, are generally not open about their views for social and cultural reasons or to avoid being ostracised by their family or community. However, it is possible that a significant proportion of the population no longer adhere to a faith or are, in effect, non-practicing. For an example, a 2012 survey indicated that 37% (of approximately 2,000 Bangladeshi Muslims) never attended mosque for the obligatory Muslim daily prayers and only 53% attended their local mosque at least once a week. There is no cogent evidence that people who do not regularly attend mosques or other religious institutions are subject to discrimination or violence (see Atheists/secularists, including 'Discretion').

- 2.4.24 The level of societal discrimination faced by a person who does not actively seek to publicly express their lack or rejection of religion or simply no longer actively adhere to a faith, is generally low. Many Bangladeshis do not attend mosque on a regular basis and there are no apparent repercussions. However, high profile atheist/secularist bloggers and activists, deemed to have defamed Islam, face a high risk of discrimination in the form of threats and physical violence by Islamic extremists. For further information on bloggers and activists, see the Country Policy and Information Note on Bangladesh: Journalists, publishers and internet bloggers.
- 2.4.25 Decision makers must consider whether there are particular factors relevant to the person, which might make the treatment serious by its nature and repetition as to amount to persecution or serious harm. Each case must be considered on its facts, with the onus on the person to demonstrate that they face a real risk.
- 2.4.26 In cases where the person will be discreet about their beliefs on return, the reasons for such discretion need to be considered. A person should not be expected to conceal their beliefs if they are not willing to do so. However, if the person would conceal his or her beliefs or activities for reasons other than for a fear of persecution, then the person would have no basis for their claim for international protection. Each case must be considered on its facts.
- 2.4.27 For further guidance on assessing risk, see the <u>Asylum Instruction on Assessing Credibility and Refugee Status</u> and, in regard to women, <u>Gender issues in the asylum claim</u>.

2.5 Protection

- 2.5.1 Where the person's fear is of persecution and/or serious harm by the state, they will not be able to avail themselves of the protection of the authorities.
- 2.5.2 Where the person's fear is of persecution and/or serious harm by non-state actors, including rogue state actors, decision makers must assess whether the state can provide effective protection. Whilst there is a functioning criminal justice system, the effectiveness and conduct of the police varies (see the Country Policy and Information Note on Bangladesh: Background information, including actors of protection and internal relocation).
- 2.5.3 The Bangladeshi authorities conducted extensive counter-terrorism operations in response to the wave of militant attacks against religious minorities and made hundreds of arrests. State-security is provided at religious sites, festivals, and events held by religious minorities, which are considered potential targets for violence (see State treatment and attitudes: Overview).
- 2.5.4 In general, the state appears both willing and able to offer effective protection to religious minorities. A person's reluctance to seek protection does not necessarily mean that effective protection is not available. It should be noted that protection does not need to eliminate the risk of discrimination and violence. Decision makers must consider each case on its facts. The onus is on the person to demonstrate why they would not be able to seek and obtain state protection.

- 2.5.5 For general information and analysis on actors of protection see the Country Policy and Information Note on <u>Bangladesh: Background information</u>, <u>including actors of protection and internal relocation</u>.
- 2.5.6 For further guidance on assessing the availability of state protection, see the instruction on <u>Assessing Credibility and Refugee Status</u> and, in regard to women, <u>Gender issues in the asylum claim</u>.

2.6 Internal relocation

- 2.6.1 Where the person's fear is of persecution and/or serious harm by the state, they will not be able to relocate to escape that risk.
- 2.6.2 Where the person's fear is of ill treatment/persecution at the hands of non-state actors, in general they will be able to relocate to escape that risk.
- 2.6.3 For general information and analysis on internal relocation see the Country Policy and Information Note (CPIN) on <u>Bangladesh: Background information</u>, including actors of protection and internal relocation and, in the case of women, the CPIN on <u>Bangladesh: women fearing gender-based violence</u>.
- 2.6.4 For further guidance on internal relocation see the instruction on <u>Assessing Credibility and Refugee Status</u> and, in regard to women, <u>Gender issues in the asylum claim</u>.

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2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see <u>Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).</u>

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Country information

Section 3 updated: 10 October 2018

- 3. Demography
- 3.1 Overview
- 3.1.1 A World Bank 2017 estimate put the total population of Bangladesh at 164,669,751¹.
- 3.1.2 The Special Rapporteur on freedom of religion or belief undertook a visit to Bangladesh from 31 August to 9 September 2015. In his report, the Special Rapporteur noted 'Muslims, Hindus, Buddhists and Christians are the most commonly found religious communities in Bangladesh, while there are also other religious minorities, such as the Baha'is (about 300,000 followers), animists or indigenous peoples who practise other beliefs or traditional forms of spirituality in combination with one of the four religions mentioned above.'²
- 3.1.3 Around 89% of the total population were reported to be Muslim (Sunni) (2013 estimate)³.
- 3.1.4 The US Department of State International Religious Freedom Report for 2017 (USSD IRF Report 2017), Bangladesh, noted that according to the 2013 census, Hindus constitute 10% of the population. The report continued, 'The remainder of the population is predominantly Christian (mostly Roman Catholic) and Theravada-Hinayana Buddhist. The country also has small numbers of Shia Muslims, Bahais, animists, Ahmadi Muslims, agnostics, and atheists. Many of these communities estimate their respective numbers to be between a few thousand and 100,000 adherents.'4

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Section 4 updated: 10 October 2018

- 4. Legal rights
- 4.1 Constitution
- 4.1.1 The Constitution of Bangladesh prohibits religious discrimination (Article 28). It holds that Islam is the state religion but ensures equal status and equal rights in the practice of the Hindu, Buddhist, Christian and other religions (Article 2A). The Constitution also commits the state to upholding secularism and religious freedom by not granting political status in favour of any religion, by prohibiting the abuse of religion for political purposes, and by prohibiting discrimination or persecution of persons protecting any religion (Article 12). It provides for the right to profess, practise, 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 stipulates no one attending any educational institution shall be required to receive instruction in or participate

¹ The World Bank, 'Bangladesh', (Population, total), nd, url.

² HRC, 'Report of the Special Rapporteur', (paragraph 13), 22 January 2016, url.

³ CIA World Factbook, 'Bangladesh', (people and society), updated 12 July 2018, url.

⁴ USSD, 'IRF Report 2017', (Section I), 29 May 2018, url.

in ceremonies or worship relating to a religion other than their own (Article 41). The Constitution also provides for the guarantee of freedom of thought and conscience and of speech and expression (Article 39)⁵.

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4.2 National legislation

4.2.1 In his report, the Special Rapporteur noted:

'Besides the guarantees provided by the Constitution, the Government has also enacted laws and acts to uphold and protect religious values. It has taken different initiatives through the 2006 National Cultural Policy, the 2010 National Education Policy, the 2011 National Women Development Policy and other social welfare policies in promoting religious harmony. The Government provides basic education on religion for children and adults as well as budgetary allocations for the development of religious minority groups through separate religious welfare trusts for Hindus, Buddhists and Christians to establish and repair religious institutions, for example. The state makes the main festivals of all religions public holidays for a nationwide celebration.'6

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4.3 Personal status laws

4.3.1 The Australian Government's Department of Foreign Affairs and Trade (DFAT), noted in its February 2018 Bangladesh Report:

'Family law (concerning marriage, divorce, inheritance and adoption) contains specific provisions for Muslims, Hindus and Christians, but the same secular courts hear cases for all religious communities. There is a separate civil family law for mixed faith families or those of other faiths or no faith [see Interfaith marriages]. All citizens have access to alternative dispute resolution for settling family arguments and other civil matters not related to land ownership.'⁷

4.3.2 The Special Rapporteur noted:

'Whereas most aspects of the law in Bangladesh are secular, personal status issues – such as marriage, family life, divorce, custody of children, maintenance and inheritance – remain governed by religious laws. Depending on the religious backgrounds of the concerned individuals, provisions of Islamic law, Hindu law, Canon law, etc. apply. Buddhists do not have their own personal status law in Bangladesh, but fall under the Hindu law. Projects supported by the Government to design a specific personal status law for the Buddhist community so far seem to have failed. Representatives of the Baha'i community reported that it applies its own family laws, which are recognized by the Government.'8

4.3.3 The International Humanist and Ethical Union (IHEU) noted, in its 2017 report on Freedom of Thought, 'Islamic Sharia law plays some role in civil

⁵ Constitution, (Articles 2A, 12, 28, 39 and 41), 4 November 1972, url.

⁶ HRC, 'Report of the Special Rapporteur', (paragraph 8), 22 January 2016, url.

⁷ DFAT, 'Country Information Report Bangladesh', (paragraph 3.18), 2 February 2018, url.

⁸ HRC, 'Report of the Special Rapporteur', (paragraph 73), 22 January 2016, url.

matters pertaining to the Muslim community. There is no formal implementation of Sharia, and it is theoretically not imposed on non-Muslims, however this is very high likelihood that some non-religious individuals would be presumed religious and socially pressured to conform to religious arbitration in family matters.'9

4.3.4 The DFAT report indicated that:

'The family law of the religion of the two parties concerned governs marriage rituals and proceedings. [...] A Christian man may marry only one wife. Hindu men may have multiple wives, but cannot officially divorce. Buddhists are covered under Hindu law, and divorced [separated – divorce is not allowed under Hindu law¹⁰] Hindus and Buddhists may not legally remarry. Divorced men and women of other religions and widowed individuals of any religion may remarry. [...] Registration [of marriage] for Hindus and other faiths is optional.'11

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4.4 Blasphemy/religious defamation

4.4.1 The Special Rapporteur noted 'The <u>Criminal Code of Bangladesh</u> contains blasphemy laws that originate from the era of British colonial rule, including sanctions against "outraging religious feelings", as provided for in section 295A of the Criminal Code.'12

4.4.2 The USSD IRF Report 2017 stated that 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 not a stated blasphemy law, authorities use the penal code as well as Section 57 of the Information and Communication Technology Act to charge offenders.'¹³

4.4.3 The Special Rapporteur noted:

'Section 57 of the <u>Information and Communication Technology Act 2006</u> [ICT Act] was called by some the "online version" of section 295A of the Criminal Code. At the same time, the application of section 57 of the Act is even wider and the punishments threatened are by far more draconian.

'The latest amendment to the Information and Communication Technology Act was made on 6 October 2013. Section 57 of the 2013 Act states that the publishing or transmitting on a website in electronic form of any defamatory or false information is considered to be a cognizable and non-bailable

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⁹ IHEU, 'The Freedom of Thought Report 2017', (page 29), 10 December 2017, url.

¹⁰ Farhad, S. A., 'Reform of laws on Hindu marriage', (page 4), n.d., <u>url</u>.

¹¹ DFAT, 'Country Information Report Bangladesh', (paragraph 3.19), 2 February 2018, url.

¹² HRC, 'Report of the Special Rapporteur', (paragraph 84), 22 January 2016, url.

¹³ USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

offence. Moreover, punishment for committing this offence has been amended from a maximum of 10 years of imprisonment, with no minimum, to a minimum of 7 years of imprisonment and maximum of 14 years.'14

4.4.4 On 8 October 2018 the Bangladesh President Md Abdul Hamid signed the Digital Security Bill 2018 into law amid objections from several media and rights organisations, reported bdnews24. Amongst some of the concerns raised were that section 32 of the new Bill will 'hinder investigative reporting on corruption' and it also 'empowers the police to search, confiscate or make arrests without a warrant' whilst elements of Section 57 of the ICT Act remain within the new Digital Security Act 16 17.

See also Atheists/secularists.

For further information on legislation affecting freedom of expression, see the Country Policy and Information Note on <u>Bangladesh: Journalists</u>, <u>publishers and internet bloggers</u>.

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Section 5 updated: 10 October 2018

5. State treatment and attitudes

5.1 Overview

5.1.1 In his 2016 report, the Special Rapporteur on freedom of religion or belief stated that he:

'... repeatedly came across assessments that constitutional provisions, legal norms and political reform agendas lack consistent implementation, in particular at the local level. This problem seems to affect various societal sectors, such as education, public welfare, religious affairs, property issues and even guarantees of physical safety by law enforcement agencies. Some members of religious minorities attributed this problem to the mindset of certain people working in the administration who allegedly do not accept minorities and thus tend to obstruct the implementation of laws favourable to them. Others pointed to widespread corruption, which leaves economically impoverished strata of society without sufficient influence. Moreover, some referred to a lack of systematic monitoring, resulting in much arbitrariness exercised by local authorities, in particular in remote areas. ... People living in the intersection of different vulnerabilities – religious minority status, gender, low economic income etc. – may suffer even more.'18

5.1.2 The Special Rapporteur noted:

'Some interlocutors expressed concerns that Government agencies partially compromise the principle of secularism by increasingly employing religious concepts in their political rhetoric, possibly with the intention to appease Islamists militants. In order to combat the "politicization of religion", measures may be put in place that lead to the "religionization of politics" —

¹⁴ HRC, 'Report of the Special Rapporteur', (paragraphs 84-85), 22 January 2016, <u>url</u>.

¹⁵ Bdnews24, 'Bangladesh president approves Digital Security Act', 8 October 2018, url.

¹⁶ Amnesty International, 'Bangladesh: New Digital Security Act', 20 September 2018, url.

¹⁷ Bdnews24, 'Bangladesh passes Digital Security Act', 19 September 2018, url.

¹⁸ HRC, 'Report of the Special Rapporteur', (paragraphs 40 and 42), 22 January 2016, url.

- 5.1.3 The USSD IRF Report 2017 stated 'The government continued to provide law enforcement personnel at religious sites, festivals, and events considered potential targets for violence, including the Hindu festival of Durga Puja, Christmas, Easter, and the Buddhist festival of Buddha Purnima...'²⁰ However, the Special Rapporteur noted that some religious minorities '... expressed frustration about inadequate reactions of the police and the judiciary, which they said created a climate of impunity.'²¹
- 5.1.4 The USSD IRF Report 2017 observed 'President Abdul Hamid continued to host receptions to commemorate each of the principal Muslim, Hindu, Buddhist, and Christian holidays.'22
- 5.1.5 With regards to women, the USSD IRF Report 2017 noted that 'Despite government orders to the contrary, village community leaders, often together with local religious leaders, used fatwas to punish individuals, mostly women, for perceived "moral transgressions," such as adultery and other illicit sexual relations.' Furthermore, 'Although most mosques were independent of the state, the government maintained significant influence to appoint and remove imams and continued to provide guidance to imams throughout the country on some aspects of the content of their sermons. Religious community leaders said imams in all mosques usually avoided sermons that contradicted government policy.'²³
- 5.1.6 Sources consulted during the UK Home Office Fact Finding Mission (FFM) to Bangladesh in May 2017 noted, with regards to state protection, that:

'Sources disagreed over the extent to which minorities could obtain protection from the authorities. One source said that they cannot do so, although it helps if a person has connections. However, two sources said that Hindus could get such protection while the General Secretary of the Bangladesh Church Sangha said that there is sometimes protection. Members of the press said that, in Sylhet, minorities are taken seriously by the police, more so than in other areas of the country.'24

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5.2 Land appropriation

5.2.1 As noted in the DFAT report 'Like other minorities, the Hindu community is disproportionately affected by historical and continuing land appropriation. During the 1965 war between Pakistan and India, the then-Pakistani

¹⁹ HRC, 'Report of the Special Rapporteur', (paragraph 35), 22 January 2016, url.

²⁰ USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

²¹ HRC, 'Report of the Special Rapporteur', (paragraph 50), 22 January 2016, url.

²² USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

²³ USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

²⁴ UK Home Office, 'FFM to Bangladesh', (paragraph 8.9.1), September 2017, url.

government designated Hindus as "enemies" and many had their property seized under the Enemy Property Act (1965).²⁵

5.2.2 Regarding land ownership and disputes, affecting Hindus in particular, the Special Rapporteur noted:

'After achieving independence from Pakistan in 1971, the newly formed Bangladesh retained the inequitable provisions of the Enemy Property Act through the 1974 Vested Property Act. Hindus remained the main target, and the Vested Property Act caused many Hindu families to emigrate to India and other countries. As in many instances, when a person left the country for any reason, whether temporarily or permanently, they were designated as an "enemy" under the Vested Property Act and their property was "vested" or seized by the State. Frequently, when one Hindu member of a family left the country, the family's entire property was confiscated.

'In reality, much of the confiscations carried out amounted to sheer land grabbing. The Government has tried to combat this phenomenon through the 2001 Restoration of Vested Property Act, under which Hindus should be given back their lost properties. However, the implementation of the Act seems to be problematic and the returning of lost properties has reportedly been inadequate in most cases. At the same time, incidents of land grabbing at the expense of Hindus continue even today, sometimes also affecting people who had converted away from Hinduism to another religion, for instance, the Baha'i faith.'²⁶

5.2.3 The DFAT report noted:

The Vested Properties Return (Amendment) Act (2011) allowed Hindus to apply for the return of, or compensation for, property seized under the 1965 Act. Hindu communities and advocacy organisations have complained that the Act is too narrowly defined, and the application process cumbersome and convoluted. In June 2016, an NGO representing organisations with claims for property returns alleged that government officials tasked with reviewing claims had denied them even when required documentation was in order. In other cases, officials had classified properties as governmental and therefore not eligible for return. The NGO reported that 70 per cent of all claims remained unresolved four years after the enactment of the 2011 Act.'27

5.2.4 The USSD IRF Report 2017 stated:

'Hindus, Christians, and members of other religious minority communities, who are also sometimes members of ethnic minority groups, reported several property and land ownership disputes and forced evictions, including by the government, remained unresolved. According to religious minority 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 sometimes enabled property appropriation for financial gain or shielded politically influential property appropriators from prosecution. Some human rights groups,

²⁵ DFAT, 'Country Information Report Bangladesh', (paragraph 3.33), 2 February 2018, url.

²⁶ HRC, 'Report of the Special Rapporteur', (paragraphs 45-46), 22 January 2016, url.

²⁷ DFAT, 'Country Information Report Bangladesh', (paragraph 3.33), 2 February 2018, <u>url</u>.

including Odhikar, attributed the 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 government policy disfavoring religious or ethnic minorities.²⁸

- 5.2.5 The USSD IRF Report 2017 further reported 'Religious minority communities such as Hindus and Christians, who also are sometimes ethnic minorities, reported the government failed to effectively prevent forced evictions and land seizures. In these instances, the minorities said law enforcement was sometimes slow to respond'.29
- The Special Rapporteur also noted the effect of land insecurity for 5.2.6 indigenous persons living in the Chittagong Hill Tracts (CHT):

'The lack of proper documentation proving ownership (land titles) has led to many disputes and to allegations of land grabbing. Legal insecurity also affects the land on which religious infrastructure has been built, such as temples, pagodas, churches, graveyards or cremation grounds. Obviously, this gives rise to concerns from the perspective of freedom of religion or belief, since religious community life, especially in a minority situation, cannot prosper without an adequate infrastructure, which itself presupposes legal clarity and security.

When visiting Bandarban and Rangamati, the Special Rapporteur met with members of various religious communities, most of whom were also indigenous. While acknowledging that their situation had improved in recent years, they were very aware of cases — including some recent cases — in which land previously utilized for religious purposes had been taken away, sometimes in connection with false documentation of land ownership, acts of vandalism and physical attacks. Legal insecurity of religious property, in combination with other factors, is a major reason underneath the feelings of vulnerability and insecurity still existing among indigenous peoples in the Chittagong Hill Tracts region, which also affects their freedom of religion or belief. It should be noted that, from the perspective indigenous peoples, land is not just a commodity but also intimately interlinked with their identity and may even carry a direct religious or spiritual significance.'30

Several sources consulted during the Home Office FFM to Bangladesh in 5.2.7 May 2017 described religious minorities as victims of 'land grabs' by the authorities. The General Secretary of the Bangladesh Indigenous People's Forum noted that, despite protections such as the 1900 Chittagong Hill Tracts Regulation Act, indigenous people's land was 'grabbed', and no compensation was provided³¹.

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- 5.3 Islamic extremism and state response
- 5.3.1 The Special Rapporteur's report noted:

 $^{^{28}}$ USSD, 'IRF Report 2017', (Section II), 29 May 2018, $\underline{\text{url}}.$ 29 USSD, 'IRF Report 2017', (Section II), 29 May 2018, $\underline{\text{url}}.$

³⁰ HRC, 'Report of the Special Rapporteur', (paragraphs 48-49), 22 January 2016, url.

³¹ UK Home Office, 'FFM to Bangladesh', (paragraph 8.5.1), September 2017, url.

'Although militant interpretations of Islam may not resonate widely in a society generally characterized by a long tradition of interreligious coexistence, the influence of extremists has become a matter of much concern, not only for the Government, but also for civil society organizations and religious communities.'

'Some interlocutors expressed concerns that Government agencies partially compromise the principle of secularism by increasingly employing religious concepts in their political rhetoric, possibly with the intention to appease Islamists militants.'32

5.3.2 MRGI noted in its 2016 report on religious minorities in Bangladesh:

'Since 2013, Bangladesh has experienced a series of violent attacks by extremists. The victims have included – besides atheists, secular bloggers. liberals and foreigners – many Buddhists, Christians and Hindus as well as Ahmadis and Shi'a Muslims. A large number of the attacks targeting religious minorities in particular have subsequently been claimed by the organization Islamic State (IS) - a claim vigorously denied by the Bangladeshi government, which has attributed the attacks to domestic militant groups. Regardless of their authorship, since the beginning of this new outbreak of violence, the authorities have visibly failed to ensure the protection of those targeted. Besides the rising death toll, including civilians killed indiscriminately in bombings or individually selected by armed assailants with machetes in premeditated attacks, the insecurity has diminished the ability of civil society to operate freely. Furthermore. communal violence – long a problem for religious minorities – continues to take place on a regular basis, driven by political rivalries, expropriation and the apparent impunity enjoyed by perpetrators.'33

5.3.3 In February 2018, the International Crisis Group (ICG) reported:

'Two groups, Jamaat-ul Mujahideen Bangladesh (JMB) and Ansarul Islam, dominate today's jihadist landscape; a faction of the former appears to have consolidated links to the Islamic State (ISIS) while the latter is affiliated with al-Qaeda's South Asian branch. Both have perpetrated a string of attacks over the past few years, some targeting secular activists, others Bangladeshi minorities. [...] The Bangladesh police allege that JMB operatives have played a part in attacks claimed by ISIS on prominent members of minority communities and religious facilities and events, including Ahmadi mosques, Sufi shrines, Buddhist and Hindu temples, and Shia festivals.'34

5.3.4 The DFAT report noted:

'Islamist militant groups, including some claiming links with the Islamic State terrorist organisation, conducted a number of small-scale localised attacks against minority religious and social groups across the country between January 2013 and mid-2016. These attacks killed or seriously injured several Hindus. Police were despatched to protect temples and clergy in response to the attacks and to death threats made by militants. Bangladeshi authorities

³² HRC, 'Report of the Special Rapporteur', (paragraphs 33 and 35), 22 January 2016, url.

³³ MRGI, 'Under threat', (page 3), 17 November 2016, url.

³⁴ ICG, 'Countering Jihadist Militancy in Bangladesh', (page i), 28 February 2018, url.

- subsequently conducted extensive counter-terrorism operations.'35 (see Hindus).
- 5.3.5 Similarly, DFAT noted the attacks between January 2013 and mid-2016 killed or seriously injured a number of Christians, prompting the authorities to despatch police to protect churches and clergy, and to respond to death threats made by militants³⁶. (see Christians).
- 5.3.6 Regarding the attacks against persons – primarily bloggers – who were deemed to have publicly criticised Islam, the DFAT report noted:
 - [...] Bangladeshi authorities conducted extensive counter-terrorism operations in response to the wave of militant attacks, including arresting a number of militants connected with the attacks. While condemning the threats and acts of violence, however, the government has tended to attribute blame for militant attacks upon the victims for criticising religion. Following the 2015 attacks, for example, the Home Minister stated that bloggers should be careful not to write anything that might hurt any religion, beliefs and religious leaders, while the Prime Minister stated it was unacceptable for anyone to write against the Prophet or other religions.'37 (see also Atheists/secularists).
- 5.3.7 The 2017 FCO report noted 'no repetition of the terrorist attacks of 2015-16 against religious minorities, atheist bloggers or LGBT rights activists.'38
- 5.3.8 Reporting on 2017 events, the Heidelberg Institute for International Conflict Research (HIIK) noted in its Conflict Barometer:

While attacks by Islamist militants decreased significantly by comparison to 2016, security forces continued their intensified countrywide operations against alleged Islamist groups and arrested many members linked to last year's attacks. In total, 905 people were arrested, among them alleged members of the Jamaat-ul-Mujahideen (JMB) or its "Neo-JMB" faction, but also militants of Ansar al-Islam (AAI), Ansurallah Bangla Team (ABT), Hizb ut-Tahrir (HuT), and Harkat-ul-Jihad al-Islami Bangladesh (HuJI-B).'39

See also the Country Policy and Information Note on Bangladesh: Journalists, publishers and internet bloggers.

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5.4 Education

5.4.1 The Special Rapporteur's report noted:

> 'In government schools, "religion" constitutes a mandatory subject, which seems to combine elements of neutral information with elements of religious instruction. The idea is that students receive education in their own respective religions, which is to be taught by teachers who themselves profess the same religions. Obviously, this presupposes a sufficient number of available teachers trained to give religious education, which is not always

DFAT, 'Country Information Report Bangladesh', (paragraph 3.35), 2 February 2018, <u>url.</u>
 DFAT, 'Country Information Report Bangladesh', (paragraph 3.46), 2 February 2018, <u>url.</u>
 DFAT, 'Country Information Report Bangladesh', (paragraph 3.28), 2 February 2018, <u>url.</u>

³⁸ FCO, 'Human Rights and Democracy 2017', (page 30), 16 July 2017, url.

³⁹ HIIK, 'Conflict Barometer 2017', (page 141), 28 February 2018, url.

the case. Moreover, the current threshold for setting up a separate class of religious education seems to be very high.

'Despite the Government's efforts to increase the number of teachers who profess minority religions, as laid out in the 2010 National Education Policy. the Special Rapporteur heard a number of examples that revealed technical problems in the implementation of that policy. In the absence of adequately skilled teachers from minorities, it may happen that Buddhist, Christian or Hindu children receive religious education from teachers who have not had any specific training on the subject. This appears to affect children mainly from religious minorities, such as Buddhists or Christians, who might have to opt for another religion class in order to obtain the necessary academic points to further their studies. This somehow nourishes fears among the communities that their children might be alienated from their own religions. In a particularly disturbing case, students were reportedly requested in an exam to state the reasons why Ahmadis should be declared "non-Muslims".'40

5.4.2 The report continued:

'In the Chittagong Hill Tracts region, the Special Rapporteur visited a school operated by the Buddhist community, in which students from Hindu. Buddhist and Christian backgrounds – mostly from indigenous families – learn together. The Christian community also runs guite a number of schools, usually called "missionary schools", all of which follow the national curriculum. The vast majority of students in the Christian schools come from non-Christian religious backgrounds. Some interlocutors complained that the Christian communities face increasing problems in preserving their internal autonomy, as local administration reportedly interferes arbitrarily in the selection of principals or other governing positions concerning those schools.'41

The DFAT report noted 'The Christian education system, which operates 5.4.3 throughout the country from primary to tertiary levels and is open to all faiths, is held in high regard by the communities in which Christian schools and universities operate. This provides Christians with some degree of protection against harassment at the local level.'42

5.4.4 The Special Rapporteur also added:

'... educational projects involving issues of religion also exist outside of schools, for instance, in temples or churches. Some local religious communities show a strong commitment in this regard. This includes communities characterized by the overlap of ethnic, linguistic and religious minority situations, which attach importance to familiarizing the younger generations with their traditions, which they fear they might otherwise lose in the long term.'43

The USSD IRF Report 2017 stated 'Religious minorities continued to state 5.4.5 minority students sometimes were unable to enroll in religion classes of their

 $^{^{40}}$ HRC, 'Report of the Special Rapporteur', (paragraphs 65-66), 22 January 2016, $\underline{\text{url}}.$ 41 HRC, 'Report of the Special Rapporteur', (paragraph 70), 22 January 2016, $\underline{\text{url}}.$

⁴² DFAT, 'Country Information Report Bangladesh', (paragraph 3.43), 2 February 2018, url.

⁴³ HRC, 'Report of the Special Rapporteur', (paragraph 72), 22 January 2016, url.

faith because of a lack of 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 of school hours and sometimes exempted students from the religious education requirement.'44

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6. Inter-religious relations

6.1 Societal views

6.1.1 The Report of the Special Rapporteur noted:

'Everyone with whom the Special Rapporteur had a chance to speak agreed that people generally live peacefully together across religious divides in Bangladesh...

'The Special Rapporteur heard much about the many religious festivals in the country that are jointly celebrated by people of different religious backgrounds by going to the parade, sharing food with neighbours and giving sweets to children. This illustrates that people not only live side by side, but also try to get to know about and respect each other's religion.

'During his visit to an Islamic school in a Hindu neighbourhood, the Hindus happened to be celebrating a festival honouring Krishna's birthday. The Special Rapporteur heard the Hindu music played in the background, in which Krishna's flute was very noticeable, while at the same time Muslim students played in their schoolyard or studied in their classrooms. He takes this as an example of the relaxed atmosphere of interreligious coexistence, which generally prevails in the country.'45

- 6.1.2 Several sources consulted during the UK Home Office Fact Finding Mission (FFM) to Bangladesh in May 2017 described inter-religious relations as positive⁴⁶.
- 6.1.3 The Foreign and Commonwealth Office (FCO) Human Rights and Democracy report for 2017 stated '... a successful visit by Pope Francis highlighted the country's religious diversity. [...] However, local level discrimination and occasional violence against Hindu, Buddhist and Ahmadiyya communities continued.'47
- 6.1.4 The Special Rapporteur noted 'Some of the violent incidents that have occurred over the past years have caused feelings of insecurity among minority communities, civil society organizations and individuals expressing critical opinions. ... Many members of religious minorities, who shared their experiences, remembered such acts of violence, including lootings, vandalism, torching of houses of worship and even killings.'48 An October

⁴⁴ USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

⁴⁵ HRC, 'Report of the Special Rapporteur', (paragraphs 12, 15-16), 22 January 2016, url.

⁴⁶ UK Home Office, 'FFM to Bangladesh', (paragraph 8.4.1), September 2017, url.

⁴⁷ FCO, 'Human Rights and Democracy 2017', (pages 29-30), 16 July 2017, url.

⁴⁸ HRC, 'Report of the Special Rapporteur', (paragraph 50), 22 January 2016, url.

- 2017 Asia Foundation report noted, regarding violence that erupted in the lead up to, during and after the 2014 elections, 'Religious and ethnic minority groups, particularly Hindus, were targets for vandalism and intimidation.'49
- 6.1.5 The USSD IRF Report 2017 noted 'Communal violence impacting minority religious groups continued to result in deaths, injuries, and damage to property... [However] Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity.'50
- 6.1.6 The USSD IRF Report 2017 noted that the Bangladesh Hindu Buddhist Christian Unity Council (BHBCUC) compiled '... 959 reports of violations of minority rights from newspaper reports from January to October [2017]. The incidents included killings, attempted killings, death threats, assaults, and attacks on homes, businesses, and places of worship, rape, and kidnappings. According to the BHBCUC, the primary motivation for most of the incidents was a desire to seize real property, steal, or extort money.'51
- 6.1.7 According to statistics compiled by the human rights organisation, Odhikar, and cited in the table below, attacks against religious minorities largely led to injuries, attacks on property, and idol damage. Deaths were rare⁵².

Repression against Religious I	Minority:	2007-2018
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Year (s)	Killed	Injured	Assaulted	Arrested	Abducted	Grabbing		Attack			ldol			
						Land	House	Property	Temple	Looted	damage	Miscellaneous	Rape	Total
2018 (Jan-May)	1	22	0	0	0	0	0	0	3	0	4	0	2	32
2017	0	7	1	0	0	0	12	9	10	0	122	0	0	161
2016	5	94	0	0	0	1	1	22	35	0	93	0	1	252
2015	0	102	0	0	0	2	14	21	17	0	121	1	0	278
2014	1	78	2	0	0	14	0	371	32	1	193	0	0	692
2013	0	118	0	0	0	4	0	441	125	2	322	13	1	1026
2012	0	69	2	0	0	0	1	81	46	24	0	0	1	224
2011	0	107	2	0	0	6	2	21	25	13	0	4	3	183
2010	2	244	0	0	0	9	1	20	23	4	0	6	6	315
2009	1	502	5	0	1	12	4	5	28	4	0	6	5	573
2008	1	90	1	0	0	7	0	2	24	6	0	0	0	131
2007	1	91	4	2	6	7	5	4	14	0	0	0	0	134
Total	12	1524	17	2	7	62	40	997	382	54	855	30	19	4001

⁴⁹ Asia Foundation, 'The State of Conflict and Violence in Asia', (page 27), 18 October 2017, url.

⁵⁰ USSD, 'IRF Report 2017', (Section III), 29 May 2018, url.

⁵¹ USSD, 'IRF Report 2017', (Section III), 29 May 2018, url.

⁵² Odhikar, 'Statistics on Repression against Religious Minority 2007–May 2018', n.d., url.

6.2 Interfaith marriages

- 6.2.1 The Special Rapporteur's 2016 report noted 'From the viewpoint of freedom of religion or belief, religion-based personal status laws usually give rise to different concerns. Although the structure is to a certain degree pluralistic, the system does not easily, if at all, accommodate certain constellations of interreligious partnership.'53
- 6.2.2 According to the DFAT Report 'Marriage between members of different religious groups can legally occur under civil law. DFAT understands that interfaith marriage is uncommon and is generally poorly regarded.'⁵⁴ A source consulted during the Home Office FFM to Bangladesh in May 2017 observed that mixed religious marriages were uncommon, though not unheard of, and added that the main objections to such unions came from Muslims. Another source said that interfaith marriage was common in Sylhet and did not cause any problems⁵⁵.
- 6.2.3 A 2016 article published in the International Journal of Education, Culture and Society indicated that mixed marriages in Bangladesh '... can present problems, but the mix is not restricted to religion. Sunni/Shia, rich/poor, educated/uneducated marriages can encounter resistance, but this resistance begins in the family. If the family accepts a marriage, so will the community. Such resistance is much more likely to be encountered at the village level than in cities and towns, where mixed marriages are more frequent.'56

6.2.4 The Special Rapporteur reported:

'Interreligious marriages, although slowly becoming more popular in urban areas, have been very rare in Bangladesh. The striking paucity of interreligious marriages in a country in which people of different religious orientations have always lived side by side is a surprising phenomenon. There are good reasons to assume that difficulties arising from the existing structure of personal status laws are a main factor explaining that situation. While some interreligious constellations can be accommodated within the existing system, in accordance with the rules of the concerned religious communities, others cannot.

'For instance, a Muslim woman cannot legally marry a non-Muslim man. In such cases, the only resort – apart from conversion or emigration – is by applying the Special Marriage Act of 1872. However, in order to have their marriage validated under the Special Marriage Act, the marrying couple must declare officially that they do not believe in any institutionalized religion. As a consequence of marrying under the terms of the Act, any member of an undivided family that professes the Hindu, Buddhist, Sikh or Jaina religion shall be deemed to effect his or her severance from such family (art. 22); and no person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under the terms of the Act shall have any right of adoption (art. 25)...

⁵³ HRC, 'Report of the Special Rapporteur', (paragraph 76), 22 January 2016, url.

⁵⁴ DFAT, 'Country Information Report Bangladesh', (paragraph 3.19), 2 February 2018, url.

⁵⁵ UK Home Office, 'FFM to Bangladesh', (paragraph 8.4.1), September 2017, url.

⁵⁶ International Journal, 'Interreligious Marriage in Bangladesh', (page 45), 28 September 2016, url.

'As long as the stipulation of declaring non-belief exists as a precondition to resorting to the Special Marriage Act, then the Act does not provide in reality the option of a civil marriage open to everyone who would like to make use of it, for instance, in order to overcome obstacles for certain interreligious marriage constellations within the current system of personal status laws.'57 (see Personal status laws).

6.2.5 According to the IHEU Freedom of Thought Report 2017, 'Social barriers, and potential outrage from religious bodies, make "secular" marriages under [sic] unsafe. In addition, the number of available 'Registrars' are so few that it's almost impossible for interested parties to get married under this act.'58 (See also Atheists/secularists).

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Section 7 updated: 10 October 2018

7. Ahmadiyya Muslims (Ahmadis)

7.1 Demography

7.1.1 There were an estimated 100,000 Ahmadis in Bangladesh⁵⁹ 60. According to the Dhaka Tribune, reporting in June 2017 '... the Ahmadiyya community congregates at Bakshibazar in Dhaka. There are 120 local chapters [divisions] of the Ahmadiyya faith comprising 425 jamaats [councils] operating throughout and about 500 clusters spread all over Bangladesh. There are approximately 10,000 Ahmadis living in Brahmanbaria. Another 3,500 in Kishoreganj and 3,000 more in Mymensingh.'61

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7.2 State treatment

7.2.1 According to the Special Rapporteur, Government officials have different opinions regarding Ahmadis: some maintain a neutral position on religious issues; others have openly declared Ahmadis as non-Muslims, thus supporting the view of radical Islamists. The Government of Bangladesh assured the Special Rapporteur that it does not endorse such views⁶². DFAT noted 'The current AL [Awami League] government lifted an earlier BNP [Bangladesh National Party] government ban on the publication, sale and distribution of Ahmadi publications, and no other legal restrictions currently prevent Ahmadis from freely practising their religion.'⁶³ The Dhaka Tribune reported in June 2017 that 'The Pakkhik Ahmadi [a fortnightly magazine of the Ahmadiyya community in Bangladesh] has been published since 1920. A studio of the Muslim Television Ahmadiyya channel is also located in Bakshibazar.'⁶⁴

⁵⁷ HRC, 'Report of the Special Rapporteur', (paragraphs 77-79), 22 January 2016, url.

⁵⁸ IHEU, 'The Freedom of Thought Report 2017', (page 29), 10 December 2017, url.

⁵⁹ EASO, 'Bangladesh Country Overview' (page 55), December 2017, url.

⁶⁰ USSD, 'IRF Report 2017', (Section I), 29 May 2018, url.

⁶¹ Dhaka Tribune, 'How Ahmadiyya faith found space in Bangladesh', 16 June 2017, url.

⁶² HRC, 'Report of the Special Rapporteur', (paragraph 36), 22 January 2016, url.

⁶³ DFAT, 'Country Information Report Bangladesh', (paragraph 3.48), 2 February 2018, url.

⁶⁴ Dhaka Tribune, 'How Ahmadiyya faith found space in Bangladesh', 16 June 2017, url.

7.2.2 As noted by DFAT, 'Authorities have responded to attacks on Ahmadis by despatching police to protect mosques and clergy.'65 An Ahmadi council member told the Dhaka Tribune in June 2017, following an attack on an Ahmadi cleric "We receive help from the government and the law enforcement agencies. But they only respond after we have been attacked".'66

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7.3 Societal treatment

- 7.3.1 DFAT noted 'Although Ahmadis worship in their own mosques, eight of which are located throughout the country, they are otherwise indistinguishable from the majority Bengali Muslim population.'67
- 7.3.2 According to a 2016 report, on religious minorities in Bangladesh, by Minority Rights Group International (MRGI), a non-governmental organization (NGO) working to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide, and to promote cooperation and understanding between communities, '... the Ahmadi community who self-identify as Muslim have for decades been stigmatized by extremist groups who have called for the community to be formally designated as non-Muslim.'68
- 7.3.3 The DFAT report also noted that, although Ahmadis identify as Muslim,
 - '... many orthodox Muslim sects regard them as apostates because they believe in the coming of a second prophet. This has resulted in periodic societal discrimination, including physical attacks, boycotts and demands for the state to label Ahmadis as non-Muslims. The most serious attacks were a suicide bombing of a mosque in Rajshahi District in November 2015 that injured three people; and a physical attack on an Ahmadi imam by a group of madrasa students in Mymensingh in May 2017 that left him with critical injuries.'⁶⁹ (see also Religious conversions and apostasy).
- 7.3.4 According to the European Asylum Support Office (EASO) Bangladesh report, published December 2017, 'Since the year 2000 about 100 attacks against the Ahmadiyya community have been recorded. Half of the attacks took place between 2001 and 2008 during the BNP and caretaker government regimes. In 2004, the BNP government imposed a ban upon Ahmadi publications, several Ahmadi mosques were besieged, and signboards with hostile slogans were put up in different parts of Bangladesh.'⁷⁰ The Dhaka Tribune reported in June 2017 that, since 1963, 13 Ahmadis had been killed in attacks across Bangladesh⁷¹. Another Dhaka Tribune report, also dated June 2017, noted that, according to Ahmadi

⁶⁵ DFAT, 'Country Information Report Bangladesh', (paragraph 3.49), 2 February 2018, url.

⁶⁶ Dhaka Tribune, 'A life of constant fear for the Ahmadiyyas in Bangladesh', 16 June 2017, url.

⁶⁷ DFAT, 'Country Information Report Bangladesh', (paragraph 3.48), 2 February 2018, url.

⁶⁸ MRGI, 'Under threat', (page 7), November 2016, url.

⁶⁹ DFAT, 'Country Information Report Bangladesh', (paragraph 3.49), 2 February 2018, url.

⁷⁰ EASO, 'Bangladesh Country Overview' (page 55), December 2017, url.

⁷¹ Dhaka Tribune, 'How Ahmadiyya faith found space in Bangladesh', 16 June 2017, url.

- residents of Brahmanbaria district, some of their mosques had been attacked, or illegally occupied by locals⁷².
- 7.3.5 The Daily Star reported on 25 February 2018 that a bomb was thrown at the residence of an Ahmadi imam in Jamalpur district. No one was injured, and it was not clear who perpetrated the attack, although the officer in charge surmised it might be someone against the Ahmadi faith⁷³. No further information on the incident could be found by CPIT at the time of publication.
- 7.3.6 The Dhaka Tribune reported that on 30 March 2018, '... a large group people, armed with sharp weapons, attacked an Ahmadiyya mosque at Jamalpur's Madarganj upazila [administrative region] after Friday prayers, leaving more than 20 worshippers injured.' According to the report, some residents had left the area in fear of another attack; others said they were hiding their religious identities⁷⁴. Victims of the attack claimed a local Awami League leader lead the assault, adding 2 senior police officers verbally and physically abused the Ahmadis who attended the local police station. The allegations were denied⁷⁵. Also reporting on the attack, a correspondent at the Daily Star made no mention of any police assault occurring, but stated that the officer in charge said '... issues were settled there [at the police station] after both sides agreed that they would refrain from any untoward incident in future...'⁷⁶
- 7.3.7 On 20 April 2018, the Dhaka Tribune reported on an 'anti-Ahmadiyya rally', held by Khatme Nabuwat (the Finality of the Prophethood) in Nazirnagar, Brahmanbaria District. The rally heard speakers call for the Ahmadiyya faith to be banned in Bangladesh, claiming Ahmadis were 'disbelievers and non-Muslim'. A large number of law enforcement officials were deployed at the event, which ended peacefully⁷⁷.

Section 8 updated: 10 October 2018

8. Buddhists

8.1 Demography

8.1.1 DFAT noted that there were an estimated 1 million Buddhists in Bangladesh, most from the indigenous populations of the CHT⁷⁸. According to a representative of the Baptist Church in Bangladesh, the 3 districts of Rangamati, Khagrachari and Bandarban in the Chittagong Hill Tracts were predominantly Buddhist⁷⁹. Reporting in 2017, the Dhaka Tribune stated that the city of Chittagong was home to 40,000 Buddhists and had 27 monasteries⁸⁰.

⁷² Dhaka Tribune, 'A life of constant fear for the Ahmadiyyas in Bangladesh', 16 June 2017, url.

⁷³ The Daily Star, 'Bomb thrown at Ahmadiyya Jamaat imam's house', 25 February 2018, url.

⁷⁴ Dhaka Tribune, 'Jamalpur's Ahmadiyya community living in fear', 11 April 2018, url.

⁷⁵ Dhaka Tribune, 'The cost of faith', 11 April 2018, url.

⁷⁶ The Daily Star, 'Ahmadiyya mosque comes under attack', 1 April 2018, url.

⁷⁷ Dhaka Tribune, 'Anti-Ahmadiyya rally: Qadianis must officially be banned', 20 April 2018, url.

⁷⁸ DFAT, 'Country Information Report Bangladesh', (paragraph 3.38), 2 February 2018, url.

⁷⁹ UK Home Office, 'FFM to Bangladesh', (paragraph 1.4.4), September 2017, url.

⁸⁰ Dhaka Tribune, 'Chittagong vigilant...', 15 September 2017, url.

8.1.2 In July 2018, the New Age Bangladesh cited some temples in Bangladesh's capital, Dhaka, which included: Kamalapur Dharmarazik Buddhist Temple; International Buddhist Temple in Badda; Shakyamuni Buddhist Temple; Ashulia Buddhist Temple; Bangladesh Buddho Mohabihar; and Budhignana Bhabona Kendra in Ashulia⁸¹.

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8.2 State treatment

- 8.2.1 The Special Rapporteur cited the 2012 case in Ramu, Cox's Bazar district, when a number of historic Buddhist temples and houses owned by Buddhists were destroyed (see <u>Societal treatment</u>). In response to the attacks, the Special Rapporteur noted that:
 - '... the Government reacted promptly and restored the destroyed temples, thus sending a much-needed message that such acts would not be tolerated. However, none of the perpetrators of the Ramu violence has been held accountable yet. According to the Government, the police have submitted charges in 18 cases, and 11 trials have commenced. The Special Rapporteur notes the reported progress but urges for prompt justice to be delivered.'82
- 8.2.2 Regarding the 2012 incident DFAT stated '... an effective police response to the incident prevented further violence, ... DFAT understands Bangladeshi authorities have deployed additional police in Buddhist areas in Cox's Bazar to prevent a repeat of the Islamist protests that targeted Buddhists in 2012.'83 The Dhaka Tribune reported in September 2017 that, in the wake of the Rohingya crisis, increased police patrols and additional security around Buddhist monasteries had been provided in Chittagong⁸⁴.
 - For further information on Rohingya in Bangladesh, see the Country Policy and Information Note on Burma: Rohingya.
- 8.2.3 The 2016 report by Minority Rights Group International (MRGI) noted that: 'Historically, sectarian clashes between Buddhists and the country's majority Muslim population have been rare. However, Buddhists have long been subjected to discrimination, violence and displacement due to ongoing tensions over land and political participation, particularly in the Chittagong Hills...However, violence against the country's indigenous communities is also widespread elsewhere... Since 2012, targeted attacks against Buddhists in Bangladesh have increased, with the alleged perpetrators ranging from members of the armed forces to locals, both members of the ruling AL party and Islamic parties'.85

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⁸¹ New Age Bangladesh, 'Buddhists in Bangladesh celebrate Ashari Purnima', 28 July 2018, url.

⁸² HRC, 'Report of the Special Rapporteur', (paragraph 50), 22 January 2016, url.

⁸³ DFAT, 'Country Information Report Bangladesh', (paragraphs 3.39-3.40), 2 February 2018, url.

⁸⁴ Dhaka Tribune, 'Chittagong vigilant...', 15 September 2017, url.

⁸⁵ MRGI, 'Under threat', (page 9), November 2016, url.

8.3 Societal treatment

8.3.1 In what was cited as a 'rare' example of social harmony between different religious groups, Al Jazeera reported, in June 2016, on the hundreds of Muslim men, women and children who received iftar (the food with which Muslims break their fast during Ramadan) distributed by the Dharmarajika Buddhist monastery in Dhaka. The project commenced 6 years ago to help poor Muslims⁸⁶.

8.3.2 The DFAT report observed:

"... ethnic and religious issues frequently overlap in the CHT but DFAT assesses that in most cases religion is a contributing factor rather than a causative one.

'There have been occasional instances of societal violence elsewhere in Bangladesh that have targeted Buddhists based on religion. The most serious incident occurred in September 2012, when up to 25,000 Islamists burned several Buddhist temples and approximately 50 Buddhist houses in Cox's Bazar during protests against a Facebook posting by a Buddhist man that showed a desecrated Koran [and] Buddhist leaders blamed the violence on outsiders rather than the local Muslim community. Separately, Islamist militants in the CHT killed one Buddhist monk in May 2016 during the wave of militant attacks against minorities.'

'The Buddhist community in Cox's Bazar has expressed strong concerns that popular local anger against the persecution in Myanmar of the Muslim Rohingya population may lead to a violent backlash against local Buddhists. [...] There have been anecdotal reports of small-scale harassment of some Buddhists in Dhaka and elsewhere in relation to the Rohingya issue.'87

8.3.3 The USSD IRF Report 2017 noted:

'On June 2 [2017], ethnic Bengalis in Longdu Sub-District of the Rangamati Hill District set fire to the houses of nearly 300 Chakma ethnic tribal people, most of whom were Buddhist. It was reportedly in retaliation for the killing of Nurul Islam, a local leader of the ruling Awami League's youth front. Ethnic Bengalis stated they blamed local ethnic Chakmas for Islam's death. A 70-year-old Chakma woman was killed in the fires. Both police and affected ethnic Chakmas filed charges against some of the Bengalis for the arson, and police detained 28 suspects who were later released on bail by the court. Ethnic Chakma community leaders said the government did not arrest the mastermind of the arson attack because of his link to the ruling party.'88

8.3.4 On 29 April 2018, Xinhua News reported on Buddha Purnima, the biggest religious festival observed by Buddhists and one of Bangladesh's public holidays. The report noted that celebrations took place in Dhaka and across the country⁸⁹. Other notable Buddhist festivals have also taken place in

⁸⁶ Al Jazeera, 'Buddhist monks serve iftar for Muslims in Bangladesh', 25 June 2016, <u>url</u>.

⁸⁷ DFAT, 'Country Information Report Bangladesh', (paragraphs 3.38-3.40), 2 February 2018, url.

⁸⁸ USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

⁸⁹ Xinhua News, 'Buddhist community in Bangladesh celebrates Buddha Purnima', 29 April 2018, url.

Section 9 updated: 10 October 2018

9. Christians

9.1 Demography

9.1.1 The USSD IRF Report 2017 stated:

'Many ethnic minorities practice minority religions and are concentrated in the Chittagong Hill Tracts (CHT) and northern districts. For example, 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 Barisal, Gournadi, Baniarchar, Monipuripara, Christianpara, Gazipur, and Khulna.'92

- 9.1.2 DFAT noted that 'Credible estimates suggest that around 600,000 Christians in total reside in Bangladesh. Most of the indigenous Christians live in the CHT and northern border region, and are physically and linguistically distinct from the majority Bengali population ... Christians living in and around Dhaka are not easily distinguishable from other Bengalis, although many Catholics have identifiable surnames (often Portuguese). '93 Open Doors put the number of Christians in Bangladesh at 866,00094.
- 9.1.3 However, according to Christian Freedom International, cited by Christian Today, in March 2017:
 - '... official reports on religious composition only count "traditional Christians," or Bangladeshis who are born into the Christian faith and attend government approved churches. The surveys and reports do not include former Muslims who converted to Christianity. The consensus among believers in Bangladesh is that Christians now make up at least 10 percent of the country's population and is growing more every day. If the 10 percent figure is correct, then this Muslim-dominated nation is now the home of at least 15.6 million Christians...'
- 9.1.4 The Special Rapporteur noted that Christians comprised of different denominations, including Catholics, Anglicans and various forms of Protestantism, such as Baptism⁹⁶. Of the Christian population, 50% were reported to be Catholic and 50% Protestant. Christians lived mainly in the south of the country. Most Christians in Dhaka, the capital, were Roman Catholics. Protestants were found in the south, for example in Barisal⁹⁷.

⁹⁰ New Age Bangladesh, 'Buddhists in Bangladesh celebrate Ashari Purnima', 28 July 2018, url.

⁹¹ Bdnews24, 'Bangladeshi Buddhists protest Rohingya persecution', 6 October 2017, url.

⁹² USSD, 'IRF Report 2017', (Section I), 29 May 2018, url.

⁹³ DFAT, 'Country Information Report Bangladesh', (paragraph 3.42), 2 February 2018, url.

⁹⁴ Open Doors, 'World Watch List 2017 Bangladesh', n.d, url.

⁹⁵ Christian Today, 'Christianity on the rise in Bangladesh', 15 March 2017, <u>url</u>.

⁹⁶ HRC, 'Report of the Special Rapporteur', (paragraph 14), 22 January 2016, url.

⁹⁷ UK Home Office, 'FFM to Bangladesh', (paragraph 1.4.3), September 2017, <u>url</u>.

9.2 State treatment

9.2.1 The DFAT report noted:

'No legal or other restrictions prevent Christians from freely practising their faith, and Christians are entitled to equal treatment under the law. Christians are able to access state schools, hospitals and other services. Christians have made a significant contribution to public life, particularly in relation to social welfare – a legacy of historical and continuing missionary efforts. ... This provides Christians with some degree of protection against harassment at the local level.'98

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9.3 Societal treatment

- 9.3.1 The DFAT report stated, 'Rumours that churches are seeking to convert Muslims, local tensions over interfaith relationships, and significant international events such as US-led attacks on Muslim countries have occasionally led to threats against Christian individuals and institutions.'99 (see Interfaith marriages and Religious conversions and apostasy).
- 9.3.2 According to the USSD IRF Report 2017:

'The Bangladesh Christian Association reported physical injury to a security guard at a church in Pabna on March 10 after aggressors reportedly attacked the guard with sharp weapons. Law enforcement detained three suspects, and the case remained pending at year's end.

'The Bangladesh Christian Association also reported, on October 2, assailants abducted Shishir Natale Gregory, a priest at Saint Mary Cathedral in Dhaka, and demanded a ransom for his release. Gregory was able to escape, and local residents in Tongi detained one of his abductors and turned him over to police. It was unclear if the abduction was religiously motivated.'100

9.3.3 Open Doors stated, regarding Bangladesh, that 'Churches, especially house churches where believers from a Muslim background meet, prefer not to display any Christian symbols in order to avoid being recognised. Sometimes, even historic or mainline churches face opposition and restrictions in putting up a cross or other religious symbols.'101

See also Religious conversions and apostasy.

9.3.4 On 25 December 2017, Bdnews24 reported on Christmas celebrations taking place across Bangladesh, stating that 'Churches around the country have been illuminated and decorated with flowers...'. The report added that

⁹⁸ DFAT, 'Country Information Report Bangladesh', (paragraph 3.43), 2 February 2018, url.

⁹⁹ DFAT, 'Country Information Report Bangladesh', (paragraph 3.45), 2 February 2018, url.

¹⁰⁰ USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

¹⁰¹ Open Doors, 'World Watch List 2017 Bangladesh', n.d. url.

President Abdul Hamid and Prime Minister Sheikh Hasina issued separate messages on the occasion, both supporting communal harmony¹⁰².

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Section 10 updated: 10 October 2018

10. Hindus

10.1 Demography

- 10.1.1 The largest religious minority group was Hindus, estimated at between 9%¹⁰³ and 10%¹⁰⁴. The DFAT report noted 'Estimates of the numbers of Hindus in Bangladesh vary: while the 2011 census put their numbers at 12.5 million, some current estimates place the Hindu population as high as 15.5 million. All sources agree that the Hindu community is Bangladesh's largest religious minority group.'¹⁰⁵
- 10.1.2 The DFAT report added 'Most Hindus are ethnically and linguistically Bengali, and are not physically distinguishable from the majority Muslim population. While Hindus live throughout Bangladesh, including in Dhaka, there are a small number of "Hindu belts" in the south, east, and north of the country where Hindus comprise up to 40 per cent of the local population. Some exclusively Hindu villages exist, although most villages are religiously mixed.'106 As reported by Global Human Rights Defence (GHRD), a Netherlands-based organisation which promotes and advocates human rights for minorities and marginalised groups in South Asia, in its 2014 annual report on Bangladesh, '[Hindus] are scattered throughout the different districts of Bangladesh, with high concentrations in the border regions of Dinaipur, Thakurgaon, Moulvibazar, Satkhira and Bagerhat.'107
- 10.1.3 According to the Special Rapporteur, in the past four decades, the Hindu population of Bangladesh has decreased from an estimated 23% of the population in 1971 to approximately 9% in 2016, mainly due to contested property issues and harassment, and occasional physical attacks¹⁰⁸. However, citing official statistics, the External Affairs Minister of India, Sushma Swaraj, speaking in the India's Upper House of Parliament in July 2018, said the Hindu population of Bangladesh had increased from 8.4% in 2011 to 10.7% in 2017¹⁰⁹.

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10.2 State treatment

10.2.1 According to a 2016 report on religious minorities, MRGI noted:

'The oppression of Hindus in Bangladesh has been a constant feature in its history, both when it was still East Pakistan and since independence ...While

¹⁰² Bdnews24, 'Christians across Bangladesh celebrate Christmas', 25 December 2017, url.

¹⁰³ HRC, 'Report of the Special Rapporteur', (paragraph 19), 22 January 2016, url.

¹⁰⁴ CIA World Factbook, 'Bangladesh', (people and society), updated 12 July 2018, url.

¹⁰⁵ DFAT, 'Country Information Report Bangladesh', (paragraph 3.30), 2 February 2018, url.

¹⁰⁶ DFAT, 'Country Information Report Bangladesh', (paragraph 3.30), 2 February 2018, url.

¹⁰⁷ GHRD, 'Bangladesh Annual Human Rights Report 2014', (page 5), 12 May 2015, url.

¹⁰⁸ HRC, 'Report of the Special Rapporteur', (paragraph 19), 22 January 2016, url.

¹⁰⁹ The India Express, 'Hindu population in Bangladesh increasing', 19 July 2018, url.

justice for many of the victims remains elusive, attempts to prosecute alleged perpetrators have frequently ignited fresh rounds of violence in recent year... Activists have highlighted that this violence is not perpetrated exclusively by Jamaat-e-Islami members, with local leaders and politicians of different backgrounds exploiting communal tensions to consolidate their own position.'110

10.2.2 The DFAT report noted:

'No legal or other restrictions prevent Hindus from freely practising their faith, or from participating in broader society. Hindus have made a significant contribution to Bangladeshi public life, including in politics, government, academia, business, and the arts. While they have traditionally supported the AL [Awami League] and other left-leaning parties such as the Communist Party, all major political parties have fielded Hindu candidates. While the current AL Cabinet has Hindu members, the overall level of Hindu political representation remains low and Hindu community groups have campaigned for reserved seats in parliament. Similar to other religious minorities, Hindus are not well represented in the security forces.'111

10.2.3 In the aftermath of the violence that took place in the run-up to and following the 2014 elections, DFAT noted that '... the High Court ruled that law enforcement agencies had "seriously failed" to protect members of vulnerable groups, including Hindus. The government responded by providing assistance to victims and helping communities restore religious and private property damaged in the violence.'112

10.2.4 The Special Rapporteur noted in his report:

'The Government enacted the Hindu Marriage Registration Bill in 2012, with the aim of providing legal and social protection to Hindu women from marriage-related insecurity. The appointed Hindu Marriage Registrar should not register the marriage of a woman under 18 years of age or of a man under the age of 21 years. However, the registration of Hindu marriages still remains optional, thus leaving important issues unresolved. According to media reports and indications from non-governmental organizations, the Prime Minister's cabinet was considering a revision to the law to make the minimum age of marriage 16 years for girls and 18 for men. The Government indicated recently that it had decided not to lower the minimum age of marriage for girls, which currently stands at 18 years, as specified in the Child Marriage Restraint Act.

'Despite the existence of the Anti-Dowry Prohibition Act, the tradition of the dowry is still maintained and is worsened by the multiplication of non-registered marriages. This situation contributes to placing women in the humiliating position of being objects of bargaining.'113

10.2.5 The Special Rapporteur '... heard passionate statements from some Hindu women who felt heavily discriminated against under the current regime of

¹¹⁰ MRG, 'Under threat', (pages 7 and 8), November 2016, url.

¹¹¹ DFAT, 'Country Information Report Bangladesh', (paragraph 3.32), 2 February 2018, url.

¹¹² DFAT, 'Country Information Report Bangladesh', (paragraph 3.34), 2 February 2018, url.

¹¹³ HRC, 'Report of the Special Rapporteur', (paragraphs 74-75), 22 January 2016, url.

Hindu personal status laws, especially in situations of divorce or widowhood.'114

- 10.2.6 The Special Rapporteur stated regarding the Dalit community 'Within the Hindu community. Dalits constitute a subgroup characterized by additional vulnerability and stigmatization. For instance, Dalits are effectively prevented from performing certain rituals. However, the Dalit issue seems to be much less visible and politicized than in some countries that neighbour Bangladesh.'115
- 10.2.7 Similarly, the 2016 report by MRGI noted that:

Within the Hindu community, the Dalit population remains especially marginalized and subject to discrimination not only by the majority population but also by more affluent, higher-caste Hindus who may, for example, exclude them from certain rituals and from shared spaces such as temples, restaurants and markets. Isolated in remote rural settlements or segregated in poorly serviced urban 'colonies', they face widespread poverty, ostracization and food insecurity. Besides exclusion from many areas of employment, they have also been subjected to land grabbing, violence and forced conversion.'116

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10.3 Societal treatment

10.3.1 The DFAT report noted:

'In the lead-up to and following the 2014 elections, JI [Jamaat-e-Islami] activists launched a wave of attacks against the Hindu community, killing more than two dozen, destroying hundreds of homes and businesses, and displacing thousands. DFAT understands that the primary motivation for the anti-Hindu violence, which was most prevalent in the northwest, was resentment over the testimony of Hindu witnesses in International Crimes Tribunal (ICT) proceedings...'117

10.3.2 An October 2017 report by the Asia Foundation noted, in addition to electionrelated violence, '... Hindus have been targeted in connection with the trial and execution of Islamist war criminals. For instance, the death sentence judgment of Delwar Hossain Sayeedi, the former politician of the JI [Jamaate-Islami], triggered widespread violence across the country in 2013.¹¹⁸

10.3.3 The same report stated:

'In October 2016, at least 100 Muslims violently attacked a Hindu village in Brahmanbaria district in east-central Bangladesh. Although police reinforcements and paramilitary border guards were despatched to the area, the attack left dozens injured, and at least 15 Hindu temples and over 200 Hindu homes badly damaged and looted. Smaller attacks against Hindus in the area also occurred. Initial media reports suggested Islamists had incited the violence by alleging a young Hindu had posted on Facebook an edited

 $^{^{114}}$ HRC, 'Report of the Special Rapporteur', (paragraph 82), 22 January 2016, $\underline{\text{url}}.$ 115 HRC, 'Report of the Special Rapporteur', (paragraph 52), 22 January 2016, $\underline{\text{url}}.$

¹¹⁶ MRG, 'Under threat', (page 9), November 2016, url.

¹¹⁷ DFAT, 'Country Information Report Bangladesh', (paragraph 3.34), 2 February 2018, url.

¹¹⁸ Asia Foundation, 'The State of Conflict and Violence in Asia', (page 32), 18 October 2017, url.

photograph of a Hindu deity seated atop the Kaaba in Mecca. A subsequent government investigation found the Facebook photograph had been faked, most likely as a means to incite the violence. An NCHR [sic – National Human Rights Commission] investigation concluded that the incident was a pre-planned effort aimed at appropriating Hindu land. More than 1000 people connected to the incident and the smaller attacks were arrested and/or charged, including a local police officer, while the AL suspended three local leaders from the party for their involvement.'119

10.3.4 The HIIK noted in its Conflict Barometer, covering 2017:

'Hindu temples and shrines were vandalized several times. For instance, on November 10, thousands of Muslims attacked a Hindu community in Thakurpara, Rangpur division, in reaction to an allegedly blasphemous Facebook post against the Muslim prophet Mohammed. Around 30 houses were torched until police dispersed the crowd with rubber bullets and teargas, leaving one dead and around six injured. Over 1,000 Hindus staged protests after the attack, demanding punishment and compensation.' UCA News reported on 13 November 2017 that 53 Muslims were arrested for their involvement in the attack¹²¹.

- 10.3.5 The USSD IRF Report 2017 noted that, according to Ain o Salish Kendra (ASK), a Bangladeshi legal aid and human rights organisation, '... attacks during the year targeting Hindus or their property resulted in the death of one person and injuries to 67, compared with seven killed and 67 injured in 2016. Attackers destroyed 166 statues, monasteries, or temples, compared with 197 in 2016, and destroyed 26 homes and three businesses, compared with 192 homes and two businesses in 2016. The motivation for these incidents was often unclear.'122
- 10.3.6 In its human rights report for 2017, ASK noted '... a total of 212 idols of the Hindu community, 45 houses and 21 business organizations were attacked, destroyed and looted in different parts of the country.' In its annual human rights report for 2017, the human rights organisation Odhikar, cited 6 acts of vandalism of effigies in Hindu temples, allegedly by criminals and Awami League activists. (The annual report is the outcome of a compilation and analysis of Odhikar's monthly human rights monitoring reports, based on its own fact finding, information collection and reports sent by associated local human rights defenders across the country; and information and statistics published in different mass media)¹²⁴.
- 10.3.7 On 23 July 2018, the Dhaka Tribune reported on the attack on a major festival of the Hindu community in Gopalganj, a district of Dhaka. The report stated that 'unruly locals' entered the festival venue and assaulted 6 devotees with sticks, vandalised chairs and stole some gold

¹¹⁹ DFAT, 'Country Information Report Bangladesh', (paragraph 3.36), 2 February 2018, url.

¹²⁰ HIIK, 'Conflict Barometer 2017', (page 141), 28 February 2018, url.

¹²¹ UCA News, 'Police arrest 53 for attacks on Bangladeshi Hindus', 13 November 2017, <u>url</u>.

¹²² USSD, 'IRF Report 2017', (Section II), 29 May 2018, url.

¹²³ ASK, 'Human Rights Situation of Bangladesh in 2017', (page 14), May 2018, url.

¹²⁴ Odhikar, 'Bangladesh Annual Human Rights Report 2017', (page 57), 12 January 2018, url.

ornaments. Police arrested 2 persons in connection with the incident. There was no reported motive for the attack¹²⁵.

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Section 11 updated: 10 October 2018

11. Atheists/secularists

11.1 Demography

11.1.1 A November 2016 report by Minority Rights Group International (MRGI). stated there were no statistics available on the population of atheist or secular people in Bangladesh, though added 'The country [...] has a growing number of atheists who, despite the risks they face, have become increasingly vocal in recent years in expressing their beliefs. 126 In 2015, Deutsche Welle (DW) reported that, according to bloggers, there were more than 100,000 atheists in Bangladesh¹²⁷. An end of year 2016 'Global Report on Religion' Gallup poll indicated that of 1,000 people surveyed in Bangladesh, none identified as 'atheist' and 99% of people said they believed in God¹²⁸.

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11.2 State treatment

11.2.1 Regarding recent murders of online activists and others deemed to criticised Islam (see Societal treatment), the Special Rapporteur noted that:

While condemning such threats and acts of violence committed in the name of religion and pledging to bring perpetrators to justice, government representatives at the same time have publicly admonished online activists who have expressed critical views on religion, in particular Islam, warning them "not to cross the limits" in their criticism of religion, without specifying what this cryptic warning is supposed to mean, thereby sending unclear messages to society in general and law enforcement agencies in particular. In a climate of increasing public nervousness, lack of clarity in public statements can have disastrous effects.'129

11.2.2 The DFAT report noted:

'Islamist organisations have consistently used the pejorative label "atheist" against individuals who have publicly criticised Islamic fundamentalism or have questioned the role of Islam in the state, including those advocating for secular values. The government has periodically used the blasphemy laws against such individuals, often following complaints from Islamist organisations.

In April 2013, authorities arrested and charged four bloggers who had posted comments calling for a ban of JI. All four bloggers spent significant time in prison and on trial throughout 2013 and 2014, and have subsequently withdrawn from public life. The arrests followed street

¹²⁵ Dhaka Tribune, 'Ratha Yatra under attack in Gopalgani', 23 July 2018, url.

¹²⁶ MRGI, 'Under threat', (pages 7 and 13), 17 November 2016, url.

¹²⁷ DW, 'Atheist bloggers flee Bangladesh', 11 September 2015, <u>url.</u>
128 Gallup International, 'End of Year 2016', (Tables 2 and 4), 12 April 2017, <u>url.</u>

¹²⁹ HRC, 'Report of the Special Rapporteur', (paragraph 37), 22 January 2016, url.

protests by an estimated 100,000 Islamist demonstrators in Dhaka who demanded amendments to blasphemy laws to include the use of the death penalty;

- In March 2014, authorities arrested and imprisoned two teenaged bloggers for Facebook posts deemed insulting to Islam and the Prophet Mohammed. Fellow bloggers have alleged that an Islamist student organisation distributed false material to incite violence against the bloggers, leading to their arrest;
- The government dismissed and subsequently arrested a Cabinet minister in September 2014 after he made remarks deemed critical of the hajj (Islamic pilgrimage to Mecca) at a discussion in New York. After the minister's remarks were broadcast, Islamist groups issued a 24-hour deadline for the government to arrest him upon his return to Bangladesh, and more than 20 blasphemy cases were filed against him;
- In February 2016, police arrested a publisher at an international book fair in Dhaka and charged him under the ICT Act with criticising religion. Islamists had threatened violence if he was not detained for disseminating publications they considered disrespectful of Islam. The publisher faces up to 14 years' imprisonment if found guilty.'130
- 11.2.3 Commenting on the assassination of secular writers (see Societal treatment), Sajeeb Wazed, the son of Prime Minister Sheikh Hasina and informal consultant for the ruling Awami League, told Reuters in May 2015, that his mother had offered private condolences to the father of Avijit Roy, the secular activist and blogger who was murdered in February 2015. Wazed added that the political situation in Bangladesh was too volatile for the prime minister to comment publicly. He said: "We are walking a fine line here... We don't want to be seen as atheists. It doesn't change our core beliefs. We believe in secularism. But given that our opposition party plays that religion card against us relentlessly, we can't come out strongly for him [Avijit Roy]. It's about perception, not about reality"." 131
- 11.2.4 Regarding responsibility for the attacks on atheist and secular bloggers, the IHEU 2017 report stated:

'In 2017, one person was arrested on suspicion of being in the group that murdered Avijit Roy. The man is suspected to have links to the Islamic extremist group the Ansar Ullah Bangla Team.

'Though several groups of arrests have been made in 2015, including the arrest of two madrassa students caught at the scene of the murder of Washiqur Rahman, no suspect in this year's killings has yet come to trial and been found guilty.

'Rafida Ahmed, the widow of Avijit Roy – herself seriously injured in the attack which took his life, receiving blows to the head and losing a finger – said in the months after he was killed, "...no one from the Bangladesh

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¹³⁰ DFAT, 'Country Information Report Bangladesh', (paragraph 3.25), 2 February 2018, url.

¹³¹ Reuters, 'Exclusive: Widow of slain U.S.-Bangladeshi blogger', 11 May 2015, url.

government has reached out to me. It's as if I don't exist, and they are afraid of the extremists.' (see also Islamic extremism).

11.2.5 According to Agence France Presse (AFP), reporting on the attack of an author and secular activist in March 2018, 'Bangladesh's government provides security for the country's top secular writers and activists.' For further information on bloggers and publishers, see the Country Policy and Information Note on Bangladesh: Journalists, publishers and internet bloggers.

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11.3 Societal treatment

11.3.1 The National Human Rights Commission (NHRC) told the FFM delegation that they believed atheists or agnostics would not reveal their irreligious orientation as they would fear a backlash, as happened against secular bloggers by the group Hefazat-e-Islam. Another source said that there was a growing secularism in the country, which clashed against a concurrent growing Islamisation. Journalists said that, in Sylhet, the renouncing of religious belief was simply seen as personal and that, at most, a person would be deprived of their family rights¹³⁴.

11.3.2 The DFAT report stated:

'In addition to official sanction, individuals who have publicly criticised Islamic fundamentalism or have criticised the role of Islam in the state have faced significant societal pressure in the form of threats and violence from Islamist militant organisations. In February 2013, a blogger who had criticised Islamic fundamentalism was hacked to death outside his home in Dhaka. Two students were subsequently sentenced to death for the attack (one in absentia); while a Muslim cleric who had preached that it was legal to kill atheist bloggers who campaigned against Islam received a five-year sentence for abetting the murder.

'In April 2013, Islamist groups published a "hit-list" of 84 bloggers whose writings were deemed to be "un-Islamic". Four bloggers whose names were on the list were hacked to death in separate machete attacks in Dhaka and Sylhet in 2015, along with another blogger in Dhaka in April 2016. Many of the other bloggers, writers, and publishers on the list went into hiding or exile due to concerns over the absence of, or inadequacy of, state protection. A further murder occurred in April 2016 of a university professor in Rajshahi who was involved in cultural activities that hard-line Islamist groups condemned as "un-Islamic".'135

11.3.3 In March 2018, Zafar Iqbal, a celebrated secular activist and bestselling science fiction writer, was attacked and injured whilst at a seminar in Sylhet¹³⁶. In June 2018 a secular writer, known for his defence of religious

¹³² IHEU, 'The Freedom of Thought Report 2017', (page 30), 10 December 2017, url.

¹³³ AFP, 'Top secular writer attacked in Bangladesh', 3 March 2018, url.

¹³⁴ UK Home Office, 'FFM to Bangladesh', (paragraph 8.8.1 and page 92), September 2017, url.

¹³⁵ DFAT, 'Country Information Report Bangladesh', (paragraphs 3.26-3.27), 2 February 2018, url.

¹³⁶ AFP, 'Top secular writer attacked in Bangladesh', 3 March 2018, url.

tolerance and atheism, was shot dead by unknown assailants in a district of Dhaka¹³⁷.

For further information on bloggers and publishers, see the Country Policy and Information Note on <u>Bangladesh: Journalists, publishers and internet bloggers</u>.

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11.4 'Discretion'

- 11.4.1 Several sources consulted, during the Home Office FFM to Bangladesh in May 2017, observed that people were not generally open about having a lack of religious belief, for social and cultural reasons¹³⁸.
- 11.4.2 Arifur Rahman, a London-based Bangladeshi atheist, humanist, and secular blogger, who fled Bangladesh after receiving death threats, stated in an interview in August 2017:
 - '... there are a lot of closeted atheists out there who would not voice their opinion or identify themselves because of fear based on ostracisation, recoil, or being chucked out of family or society. [...] In Bangladesh, there is a huge number of people who are of an atheistic disposition. Unfortunately, because of social pressure and peer pressure, and the same fear of recoil from their family and their immediate social groups (even direct threats of dying), a lot of people are closeted.'¹³⁹
- 11.4.3 A survey by the Pew Research Center's Forum on Religion & Public Life, published in 2012, indicated that, of the nearly 2,000 Bangladeshi Muslims interviewed, 37% said they never attended mosque for salat (the obligatory Muslim prayers performed 5 times a day) or Jumah (Friday) Prayer. 53% attended their local mosque at least once a week¹⁴⁰.

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Section 12 updated: 10 October 2018

- 12. Religious conversions and apostasy
- 12.1 Societal views
- 12.1.1 There are no laws prohibiting religious conversion in Bangladesh¹⁴¹. However, leaving Islam is seen as shameful or apostasy¹⁴² ¹⁴³. Apostasy may also be considered blasphemous by Islamic extremists¹⁴⁴ ¹⁴⁵.
- 12.1.2 Professor of Law, Javaid Rehman, who investigated 'the uses and abuses of certain interpretations of Sharia law and the Quran', wrote in a 2010 publication:

¹³⁷ RSF, 'Bangladeshi blogger slain for urging religious tolerance', 12 June 2018, <u>url</u>.

¹³⁸ UK Home Office, 'FFM to Bangladesh', (paragraph 8.8.1), September 2017, url.

¹³⁹ Conatus News, 'Interview with Arifur Rahman', 28 August 2017, url.

¹⁴⁰ Pew Research Center, 'The World's Muslims', (page 130), 9 August 2012, <u>url</u>.

¹⁴¹ DFAT, 'Country Information Report Bangladesh', (paragraph 3.22), 2 February 2018, url.

¹⁴² World, 'Attacks on non-Muslims increase in Bangladesh', 25 July 2016, url.

¹⁴³ Centre for Crime and Justice Studies, 'Freedom of expression...', (page 4), March 2010, <u>url</u>.

¹⁴⁴ New York Times, 'End of a Secular Bangladesh?', 5 March 2015, url.

¹⁴⁵ WLUML, 'Bangladesh: Blasphemy, Genocide and Violence Against Women', n.d., url.

'Apostasy (also known as Ridda) occurs when a Muslim (by his words or actions) renounces and rejects Islam. Rejection or criticism of the All Mighty or His Prophet is perceived as an insult to Islam, offensive and routinely regarded as blasphemous... Blasphemy connotes the insult of God or Prophet Mohammad and other revered figures in Islam, and can be committed by believers and non-believers alike. Apostasy from Islam and blasphemy against Islam therefore remain (and have always remained) unacceptable.'146

See also Blasphemy/religious defamation.

12.1.3 The Special Rapporteur noted:

'Religious conversions are generally rare and, when they do occur, mostly take place in the context of interreligious marriages. However, conversions have also occurred outside such marriages, in particular from Buddhism to Christianity or from various religions to Islam. On occasion, Muslims have converted to Christianity or to the Baha'i faith. Within the Mro indigenous people, who traditionally practise Buddhism, some tens of thousands have turned to a newly founded religion named "Krama".

Those who convert to another religion are sometimes ostracized socially for having allegedly converted not for genuine reasons, but for the expectation of material benefits or owing to other non-religious incentives. Sometimes, even the offspring of converts can be ostracized, generations after the conversion. Some converts have actually gone into hiding or concealed their newly adopted faith for fear of social stigmatization.

'However, feelings of insecurity exist not only among converts, but also in communities from which people have converted. Smaller minority communities in particular have expressed concerns that they would in the long term lose their members to the predominant Islam or to Christian missionaries, which fosters suspicion of other communities. Furthermore, rumours and unrealistic projections can damage the general harmonious relations between the followers of different religious groups.'147

- 12.1.4 The independent Christian media company, Christian Today, reported in July 2016 that 'According to the human rights organization Christian Freedom International, it is estimated that as many as 91,000 Muslims across Bangladesh have converted to Christianity in the last six years.'148 Christian Today also reported in March 2017, that, according to Pastor Khaleque, a former Muslim-turned- Christian street pastor 'In the last 12 months, more than 20,000 Muslims have converted to Christianity...'149
- 12.1.5 A source consulted during the Home Office FFM to Bangladesh in May 2017 stated that there was 'more harassment and ill-treatment' for (Christian) converts. However, the source also noted that this 'depends on the family background' and that well-educated families were less likely to be bothered by it. The source noted that some people keep their conversions secret for

¹⁴⁶ Centre for Crime and Justice Studies, 'Freedom of expression...', (page 4), March 2010, <u>url</u>.

¹⁴⁷ HRC, 'Report of the Special Rapporteur', (paragraphs 57-59), 22 January 2016, url.

¹⁴⁸ Christian Today, 'Thousands of Muslims Converting to Christianity', 20 July 2016, url.

¹⁴⁹ Christian Today, 'Christianity on the rise in Bangladesh', 15 March 2017, url.

fear of losing their inheritance, being thrown out of home, or even being killed for apostasy. The General Secretary of the Bangladesh Baptist Church Sangha told the FFM delegation that his church did not mention in written documentation that a person had converted from Islam to Christianity¹⁵⁰.

12.1.6 Open Doors stated that Christian converts faced pressure to recant their faith by family, friends and the local community¹⁵¹.

12.1.7 DFAT assessed that:

- '... individuals converting from Islam to another religion (generally Christianity) are more likely to face societal pressure than individuals converting to Islam. Rumours that Christian churches are seeking to convert Muslims have occasionally led to localised violence against Christian individuals and institutions. In separate incidents in early 2016, Islamist militants murdered Christian converts in Jhenaidah, west of Dhaka, and in Kurigram, northern Bangladesh.'152
- 12.1.8 In February 2018, the Dhaka Tribune reported on the arrest of 2 members of banned militant outfit Jama'atul Mujahideen Bangladesh (JMB), one of whom was reportedly planning to kill Muslims who had converted to Christianity¹⁵³.

See also Christians and Islamic extremism and state response.

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12.2 Forced conversions

12.2.1 The Special Rapporteur noted:

'One particularly atrocious crime is the abduction of persons, mostly girls, with the purpose of forcing them to convert to another religion, while at the same time forcing them into an unwanted marriage, potentially even "marrying" them with their abductor. In addition to other elements of a brutal violation of human dignity, these crimes amount to rape or similar cruel abuses. Such incidents linger long in the memory of the affected families and communities, instilling in them yet another dimension of fear that they will in the long term lose out in the country.'154

12.2.2 The DFAT report noted:

'NGOs and the domestic media have reported that Islamist groups have forcibly converted non-Muslim indigenous children in the CHT and other rural areas ... The reports allege that the groups convince parents to relinquish custody of their children by claiming they will provide the children with a proper education and lifestyle in Dhaka and other developed cities. The groups instead forcibly convert the children to Islam and place them in madrassas (Islamic schools) without their parents' knowledge or consent. In January 2017, police in Bandarban (in the CHT) arrested two men for the alleged trafficking of four children aged between 9 and 13.¹⁵⁵

¹⁵⁰ UK Home Office, 'FFM to Bangladesh', (Section 8.7), September 2017, url.

¹⁵¹ Open Doors, 'World Watch List 2017 Bangladesh', n.d, url.

¹⁵² DFAT, 'Country Information Report Bangladesh', (paragraph 3.22), 2 February 2018, <u>url.</u>
¹⁵³ Dhaka Tribune, 'RAB arrests two JMB militants', 13 February 2018, <u>url.</u>

¹⁵⁴ HRC, 'Report of the Special Rapporteur', (paragraph 51), 22 January 2016, url.

¹⁵⁵ DFAT, 'Country Information Report Bangladesh', (paragraph 3.23), 2 February 2018, url.

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the <u>country information section</u>. The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Demography
 - o Population
- Legal rights
 - Constitution
 - Personal laws
 - Blasphemy laws
- State treatment and attitudes
 - Overview
 - Land appropriation
 - Education
- Societal treatment and attitudes
 - Overview
 - Interfaith marriages
 - Islamic extremism
- State and societal treatment and attitudes on:
 - Ahmadis
 - Buddhists
 - Christians
 - o Hindus
 - Atheists
- Religious conversions and apostasy
 - Societal views
 - Forced conversions

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'Bangladeshi Buddhists protest Rohingya persecution in Myanmar on Probarona Purnima', 6 October 2017, https://bdnews24.com/bangladeshi-buddhists-protest-rohingya-persecution-in-myanmar-on-probarona-purnima. Last accessed: 10 September 2018

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Version control

Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from 16 October 2018

Changes from last version of this note

Updated COI and assessment.

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