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# **Country Information Note**Bangladesh: Documentation

Version 4.0 November 2024

# **Contents**

xecu	ecutive summary	4
	untry information	
Abo	bout the country information	5
1.	. Identification documentation in Bangladesh	5
	1.1 Databases and local registers	5
	1.2 Personal names in Bangladesh	5
	1.3 Identity number (personal number)	6
	1.4 Gender identity	6
2.	. Types of identification and issuing authorities	6
	2.1 National Identity Cards (NICs)	6
	2.2 Passports	7
	2.3 Birth and death certificates	8
	2.4 Marriage and divorce certificates	9
3.	. Police reports	9
	3.1 First Information Report (FIR)	9
4.	. Documentation issued to Rohingya refugees in Bangladesh	10
5.	. Corruption and fraudulently obtained documents	11
	5.1 Corruption in public office	11
	5.2 Prevalence and procurement of fraudulent documents	12
	5.3 Fake notaries public and attestations	13
6.	. Types of fraudulent documents	13
	6.1 Overview	13
	6.2 Passports	14
	6.3 National Identity Cards (NICs)	14
	6.4 Birth, death and marriage certificates	14
	6.5 Police and court documents	15
	6.6 Documentation obtained by Rohingya refugees	15
	6.7 Newspaper clippings or pages	16
7.	. Government action to reduce fraud	17
8.	. Document verification process	17
Anne	nex A: British High Commission correspondence, 09 April 20	2421
	search methodology	
erms	ms of Reference	25
Biblio	liography	26
Sou	courses sited	26

Sources consulted but not cited	28
Version control and feedback	29
Feedback to the Home Office	29
Independent Advisory Group on Country Information	29

# **Executive summary**

There is no unified civil registration system in Bangladesh. Separate databases exist for the registration of births and deaths, national identity cards (NICs) and passports as well as local registers for marriages, depending on religion (see <a href="Identification documentation">Identification documentation in Bangladesh</a>).

NICs are issued to citizens aged over 18 upon registration with the Bangladesh Election Commission (BEC). To obtain a NIC, applicants must provide their personal data, thumbprints, iris scan, photograph and signature. Cardholders are not required to update their residential addresses should they change residence. NICs are paper-based laminated cards. Machine-readable 'smart' NICs have been issued since 2016, although old NICs remain in circulation and valid (see <a href="National Identity Cards">National Identity Cards</a> (NICs)).

Bangladeshi citizens can apply for a passport if they hold a NIC or birth certificate with a registration number. Passports issued since 2020 are largely e-passports, containing security features and biometric data, although in some cases older style machine readable passports are still issued. Other common forms of identification include birth, death, marriage, and divorce certificates (see <a href="Types of identification">Types of identification</a> and issuing authorities).

Whilst biometric features have limited the opportunity for fraud, forged documents and those issued with false information are common. Fraudulent documents include passports (predominantly based on false information), NICs, birth certificates, marriage certificates, and police and court documents. False attestations of documents by people acting as notaries are common. Corruption is endemic and occurs at all levels of society (see <a href="Corruption and fraudulently obtained documents">Corruption and fraudulently obtained documents</a> and <a href="Types of fraudulent documents">Types of fraudulent documents</a>).

Since 2019 UNHCR has verified Rohingya refugees over the age of 12 and issued them with biometric identity cards. These regulate their stay in Bangladesh and indicate Myanmar as their country of origin (see Rohingya refugees and the Country Policy and Information Note Myanmar: Rohingya).

A First Information Report (FIR) is a record of a crime reported to the police and the basis to initiate an investigation or arrest for a 'cognizable offence' (an offence where the police may arrest a person without warrant, such as murder, theft, grievous hurt). It contains the name of the police station, details of the accused and complainant, details of the incident, witnesses, any previous history, and the signature (or thumbprint) of the complainant (see <u>First Information Report (FIR)</u>).

For guidance on the consideration of documentary evidence and the relevant caselaw see the <u>Asylum instruction Assessing credibility and refugee status</u>

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The information in this section has been removed as it is restricted for internal Home Office use.

# Country information

# **About the country information**

This section contains publicly available or disclosable COI which has been gathered, collated and analysed in line with established <u>research methodology</u>.

The structure and content follow a <u>terms of reference</u> which set out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **2 May 2024**. Any event taking place or report published after this date has not been included.

**Back to Contents** 

- 1. Identification documentation in Bangladesh
- 1.1 Databases and local registers
- 1.1.1 The Swedish Migration Agency (SMA) published a report on 19 December 2023, entitled 'Bangladesh Folkbokföring, id-handlingar och förekomst av falska handlingar' ('Bangladesh: Civil registration, identity documents and occurrence of false documents') hereunder referred to as the 'SMA Report 2023'. It was noted on the English-language summary page that:

'There is still no unified, comprehensive system of population registration in Bangladesh. The authorities keep separate databases for the registration of births/deaths, national identity cards (NIDs) and passports. There are various local registers for marriages, depending on religious faith.

'However, the Bangladeshi government is making efforts to improve civil registration in the country through increased birth registration and digitalisation, among other things. There are also future plans for a unified population registration system and unique ID numbers for all citizens.

'In a little over a decade the Bangladeshi government has introduced new and more secure documents like the digital birth certificate; the smart NID and the E-passport in order to prevent document fraud, which has been a common problem for a long time.'1

**Back to Contents** 

- 1.2 Personal names in Bangladesh
- 1.2.1 According to research conducted for the Australian Refugee Review Tribunal in 2007, there is no universally used naming convention in Bangladesh:

'[F]or purposes of legal identification Bangladesh's [sic] are generally officially registered by their name, sex, date of birth, mother's and father's name and address details.

<sup>&</sup>lt;sup>1</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Summary in English), 19 December 2023

- '[A]ccording to traditional Bengali naming conventions Muslim men have two to three names by which they are generally known. They do not traditionally use surnames but may adopt a surname when migrating overseas.'2
- According to the SMA Report 2023, the Bangladesh Embassy in Stockholm 1.2.2 has advised that that most Bangladeshi citizens have both a first name and a surname, but that there are also people who only have first names. The surname is not always a family name, but can, for example, be one of the father's names<sup>3</sup>.
- 1.2.3 The Australian Department of Foreign Affairs and Trade (DFAT) Country Information Report on Bangladesh, dated 30 November 2022, noted that it is not uncommon to see, for example, different spellings of names or different dates of birth for the same person in various documents, such as birth certificates and marriage certificates. The differences may be due to fraud but could also result from administrative spelling or transcription errors<sup>4</sup>.

**Back to Contents** 

- 1.3 Identity number (personal number)
- 1.3.1 A person's identity number on their National Identity Card (NIC), and the corresponding identity number in their passport, can be 10, 13 or 17 digits long<sup>5</sup>.

**Back to Contents** 

- 1.4 Gender identity
- 1.4.1 The US Department of State (USSD) 2022 Report on Human Rights Practices, released 20 March 2023, noted: 'Passports and legal identification documents, including voter registration forms, include the option to select "X" or "Hijra" as a third gender. The national census conducted during the year [2022] included a "third gender" category. 6 (For further information, see the relevant section(s) of the CPIN on Bangladesh: Sexual orientation and gender identity)

- 2. Types of identification and issuing authorities
- 2.1 National Identity Cards (NICs)
- 2.1.1 The Bangladesh Election Commission (BEC) is the government department responsible for issuing national identity cards and for maintaining the national citizen registration database<sup>7</sup>.
- 2.1.2 As noted in the DFAT Country Information Report of 30 November 2022: 'All citizens aged over 18 must have a National Identity Card (NIC) issued by the Bangladesh Election Commission (BEC). NICs... are required for a wide range of transactions including voting, banking, obtaining a passport,

Australia RRT, <u>Bangladesh: 1. Is it true that a man in...</u>, 2 March 2007
 SMA, <u>Bangladesh Folkbokföring, id-handlingar...</u> (Section 6), 19 December 2023

<sup>&</sup>lt;sup>4</sup> DFAT, Country Information Report Bangladesh (para 5.28) 30 November 2022

<sup>&</sup>lt;sup>5</sup> SMA, <u>Bangladesh Folkbokföring, id-handlingar...</u> (Section 6), 19 December 2023

<sup>&</sup>lt;sup>6</sup> USSD, <u>2022 Human Rights Report</u> (Section 6), 20 March 2023

<sup>&</sup>lt;sup>7</sup> BEC, NIDW objectives, no date

purchasing property and other major transactions. To obtain a NIC applicants must provide their electoral roll serial number, personal particulars (parents' names, date of birth and residential address), thumbprints, photograph, and signature. The BEC crosschecks these details against applicants' electoral roll details. Applicants can provide proof of residence using a range of official documents, including drivers' licences and utility bills. Cardholders are not required to update their residential addresses should they move.'8

- 2.1.3 According to DFAT 'Smart NICs' have been issued since 2016. The cards are machine-readable and contain various biometric information about a citizen embedded in a microchip. Smart cards have security features including photographs and electronic chips. Many older cards without security features are still in use. People in urban areas are more likely to have a Smart NIC, but [as of November 2022], older style NICs were still valid.'9
- 2.1.4 Example of a 'smart' NIC with a 10-digit identity number: 10



2.1.5 Whereas NICs issued before October 2016 had a validity period of 15 years, according to the SMA Report 2023 the new 'smart NICs' have no expiry date<sup>11</sup>.

**Back to Contents** 

# 2.2 Passports

2.2.1 The Department of Immigration and Passports (DIP), under the Bangladesh Ministry of the Interior, is responsible for issuing passports (MRPs)<sup>12</sup>. In the UK, passport applications can also be made at the Bangladesh High Commission, London<sup>13</sup>.

2.2.2 The SMA Report 2023 recorded:

'Bangladesh has been issuing Machine Readable Passports (MRPs) since

<sup>&</sup>lt;sup>8</sup> DFAT, Country Information Report Bangladesh (para 5.31) 30 November 2022

<sup>&</sup>lt;sup>9</sup> DFAT, Country Information Report Bangladesh (para 5.32) 30 November 2022

<sup>&</sup>lt;sup>10</sup> Reliance International, Dhaka, Home page, no date

<sup>&</sup>lt;sup>11</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Section 5), 19 December 2023

<sup>&</sup>lt;sup>12</sup> DIP, Online Application for the Bangladesh Machine Readable Passport, no date

<sup>&</sup>lt;sup>13</sup> Bangladesh High Commission, E-Passport Application, no date

2010 and the old handwritten passports became invalid as travel documents in 2015. In early 2020 Bangladesh began issuing e-passports (biometric passports with microchips that contain key identification information).

'Today, almost all passports issued in Bangladesh are e-passports. The older machine readable ones, however, are still issued in some cases, and in particular at Bangladeshi missions abroad. Gradually, however, the new e-passports will phase out the old machine-readable passports'<sup>14</sup>

## 2.2.3 DFAT noted:

'Adults applying for a passport must have a valid NIC or birth registration certificate with a...birth registration number. Applicants must provide biometric data (fingerprints and photographs) to a passport office before lodging their application. [In the case of a first-time passport application<sup>15</sup>] a local police officer must verify an individual's identity. Applicants can obtain a birth registration number by declaring their date of birth in person or via the BDRIS [Birth and Death Registration Information System] system.

'The [police verification process] reduces fraud (police physically check the person's residence) but also in theory can lead to the denial of a passport for a person who is wanted by police (police check official records for court orders and probably also police databases). Such checks are less likely for a passport renewal than a new passport, and fraud and corruption also affect these processes. The fact that a person is issued a passport is not conclusive evidence that they are not wanted by police or facing court matters.<sup>16</sup>

2.2.4 According to DFAT 'The Department of Immigration and Passports conducts immigration checks and maintains a list of convicted criminals and persons wanted by security forces and intelligence agencies (exit control list). The department mostly uses the list to determine whether to issue passports but may also use it to prevent people from leaving the country ... DFAT is aware of people being detained trying to leave Bangladesh...'17

**Back to Contents** 

# 2.3 Birth and death certificates

# 2.3.1 DFAT observed:

'Birth registration is compulsory but not all births are registered. Birth certificates are required for someone to attend school, vote, be employed in government or NGOs, and to register marriages. DFAT understands that not all service providers routinely demand birth certificates even when this is required by law. Since 2001 the online Birth and Death Registration Information System (BDRIS) has recorded births centrally but people can still apply for birth certificates without any supporting documentation.'<sup>18</sup>

# 2.3.2 The SMA Report 2023 stated:

<sup>&</sup>lt;sup>14</sup> SMA, <u>Bangladesh Folkbokföring</u>, id-handlingar... (Section 6), 19 December 2023

<sup>&</sup>lt;sup>15</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Section 6), 19 December 2023

<sup>&</sup>lt;sup>16</sup> DFAT, Country Information Report Bangladesh (para 5.34), 30 November 2022

<sup>&</sup>lt;sup>17</sup> DFAT, Country Information Report Bangladesh (para 5.20), 30 November 2022

<sup>&</sup>lt;sup>18</sup> DFAT, Country Information Report Bangladesh (para 5.29) 30 November 2022

'There is no central population registration system in Bangladesh where all citizens are automatically registered. Birth registration must take place on one's own initiative and through application. Despite the progress made in the area, in 2019 the births of only around 56 percent of the country's children under the age of five were registered, according to UNICEF. Instead, many parents register their children's births when the need for a birth certificate arises, for example before starting school or when applying for a passport.'19

**Back to Contents** 

#### 2.4 Marriage and divorce certificates

- 2.4.1 The Kazi Office (for Muslim marriage registration<sup>20</sup>) in Dhaka, provided examples of marriage (Nikah Nama) certificates<sup>21</sup>, a court marriage certificate<sup>22</sup>, and a divorce certificate<sup>23</sup>. The USSD Reciprocity Schedule (undated) noted that marriage certificates for Christians, Hindus and Buddhists were issued by the Church / Temple Priest or Marriage Registrar<sup>24</sup>. The same source contains information about the 'Special Seal(s)/Color/Format' of these marriage certificates<sup>25</sup>.
- 2.4.2 According to the USSD Reciprocity Schedule, 'The Talaknama [divorce certificate for Muslims] must include information about the type of divorce (B Talak – husband initiating the divorce, C Talak – mutual agreement to divorce, or D Talak – wife initiating the divorce), date of initiation of divorce proceedings, and date of divorce registration with the Kazi office.'26
- 2.4.3 Depending on the circumstances, Christians may obtain divorce at a Family or High Court and, whilst there is no legal mechanism for divorce in Bangladesh for Hindus or Buddhists, a divorce decree may be obtained from a country where Hindu or Buddhist divorces are recognized, according to the USSD Reciprocity Schedule<sup>27</sup>. The same source contains information about the 'Special Seal(s)/Color/Format' of these divorce certificates<sup>28</sup>.

**Back to Contents** 

#### 3. **Police reports**

#### First Information Report (FIR) 3.1

3.1.1 Citing various sources, a query response on requirements and procedures to file a complaint with the police, including for individuals falsely accused of a crime IRB, dated January 2022, noted that cognizable offences, described as 'serious offences' including murder, robbery, rape, theft, rioting, and assault, which are reported to the police can lead to the police registering a FIR<sup>29</sup>.

<sup>&</sup>lt;sup>19</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Section 3), 19 December 2023

<sup>&</sup>lt;sup>20</sup> IRB, <u>Bangladesh: The role of the Kazi...</u>, 17 April 2000

<sup>&</sup>lt;sup>21</sup> Kazi Office, Marriage certificate, no date

<sup>&</sup>lt;sup>22</sup> Kazi Office, Court marriage, no date

<sup>&</sup>lt;sup>23</sup> Kazi Office, Divorce certificate, no date

<sup>&</sup>lt;sup>24</sup> USSD, Reciprocity Schedule Bangladesh (Marriage, divorce certificates) no date

<sup>&</sup>lt;sup>25</sup> USSD. Reciprocity Schedule Bangladesh (Marriage, divorce certificates) no date

<sup>&</sup>lt;sup>26</sup> USSD, Reciprocity Schedule Bangladesh (Marriage, divorce certificates) no date

<sup>&</sup>lt;sup>27</sup> USSD, Reciprocity Schedule Bangladesh (Marriage, divorce certificates) no date <sup>28</sup> USSD, Reciprocity Schedule Bangladesh (Marriage, divorce certificates) no date

<sup>&</sup>lt;sup>29</sup> IRB, Requirements and procedures to file a complaint with the police... 4 January 2022

3.1.2 Sources cited by the IRB described the procedure for filing a FIR:

'An FIR is lodged at a police station; the informant tells the police who recorded it; the informant reads and verifies that the information was recorded correctly; and then both the recording police officer and the informant sign the form, which is then given a registration number and recorded in a registrar (Professor at a university in Bangladesh 1 Dec. 2021). According to the Professor at the University of Dhaka, anyone can provide information orally or in writing to the police regarding a cognizable offence...'30

- 3.1.3 A FIR should contain the following information:
  - Name of police station
  - Name and address of complainant
  - Name and details of accused (if known)
  - The date, time and location of the incident
  - Names of any witnesses
  - Relevant circumstances after the incident
  - Signature or thumb impression of the informant<sup>31</sup>

- 4. Documentation issued to Rohingya refugees in Bangladesh
- 4.1.1 For information on documentation used by Rohingya refugees in Bangladesh, see the Country Policy and Information Note, <u>Myanmar:</u> Rohingya, including Rohingya in Bangladesh.
- 4.1.2 As of December 2023 there were, according to the UNHCR, 971,904 Rohingya refugees in Bangladesh, of whom 939,344 resided in 33 camps in the south-eastern district of Cox's Bazar and 32,560 were on the island of Bhasan Char in the Bay of Bengal<sup>32 33</sup>.
- 4.1.3 Rohingya refugees over the age of 12 are issued with a biometric identity card<sup>34</sup>, issued by the Bangladesh Government and UNHCR<sup>35</sup>. A UNHCR press briefing noted 'UNHCR's Biometric Identity Management System (BIMS) captures biometric data, including fingerprints and iris scans, which secure each refugee's unique identity as well as other important information such as family links...'<sup>36</sup> The cards regulate the bearer's stay in Bangladesh and the UNHCR stressed they were not citizenship documents for Myanmar<sup>37</sup>.
- 4.1.4 According to a report by M. Sanjeeb Hossain of the Law Faculty at Oslo University, published in October 2023 by the ASILE Project, 952,309

<sup>&</sup>lt;sup>30</sup> IRB, Requirements and procedures to file a complaint with the police... 4 January 2022

<sup>&</sup>lt;sup>31</sup> IRB, Requirements and procedures to file a complaint with the police... 4 January 2022

<sup>32</sup> UNHCR, Operational Data Portal: Bangladesh, updated 31 December 2023

<sup>&</sup>lt;sup>33</sup> UNHCR, Joint Government of Bangladesh - Population Breakdown..., 11 January 2024

<sup>&</sup>lt;sup>34</sup> UNHCR, More than half a million Rohingya in Bangladesh get ID cards, 9 August 2019

<sup>&</sup>lt;sup>35</sup> ASILE, Hossain M S, <u>Bangladesh Country Report</u>, October 2023

<sup>&</sup>lt;sup>36</sup> UNHCR, More than half a million Rohingya in Bangladesh get ID cards, 9 August 2019

<sup>&</sup>lt;sup>37</sup> UNHCR, More than half a million Rohingya in Bangladesh get ID cards, 9 August 2019

Rohingya people had been biometrically registered by 2023. The author noted:

'In addition to the usual pieces of information, such as name, date of birth etc., the front side of the [identity card] identifies Myanmar as the "Origin Country" and issues the label of "Forcibly Displaced Myanmar National/Person of Concern to UNHCR" to the recipient of the card. The backside of the card states, among other things, "This person should be protected from forcible return to a country where he/she would face threats to his/her life or freedom. The bearer has the obligation to respect national laws." While biometric registration does not result in refugees gaining "refugee status", UNHCR claims that it serves as a stepping stone towards them regaining their human dignity and restoring their identities which allows them access to fundamental rights [and] a range of services...'38

4.1.5 In May 2023 the UNHCR conducted a Registration Update exercise in two of the refugee camps - Kutupalong and Nayapara. Similar exercises had been, or were still to be, carried out in the other refugee camps. The purpose of the registration update, according to the UNHCR, was to 'conduct a census of registered refugees, update their individual and family information... Biometrics [were to be recorded] for all individuals 5 years and above.'39

**Back to Contents** 

- 5. Corruption and fraudulently obtained documents
- 5.1 Corruption in public office
- 5.1.1 According to GAN Integrity's Bangladesh Risk Report, updated November 2020, citing a range of sources:

'According to all major ranking institutions, Bangladesh routinely finds itself among the most corrupt countries in the world. Corruption is pervasive at all levels of society... The Code of Criminal Procedure, the Prevention of Corruption Act, the Penal Code, and the Money Laundering Prevention Act criminalize attempted corruption, extortion, active and passive bribery...and using public resources or confidential state information for private gain. Nevertheless, anti-corruption legislation is inadequately enforced. Facilitation payments and gifts are illegal, but common in practice.'40

- 5.1.2 Bangladesh was ranked 149<sup>th</sup> out of 180 countries in Transparency International's 2023 Corruption Perceptions Index (CPI) with a score of 24/100, with 0 denoting the highest perception of corruption and 100 the lowest. (For comparison, India scored 39/100 and Pakistan 29/100.)<sup>41</sup>
- 5.1.3 In the Transparency International 2020 Global Corruption Barometer, 74% of respondents in Bangladesh thought that 'government corruption is a big problem' and 24% of respondents had paid a bribe for a public service in the previous 12 months<sup>42</sup>.
- 5.1.4 The Bertelsmann Stiftung (Foundation) stated in their BTI 2022 report on

<sup>&</sup>lt;sup>38</sup> ASILE, Hossain, M.S. Bandladesh Country Report, October 2023

<sup>&</sup>lt;sup>39</sup> UNHCR, Registration Update Exercise Notice, April/May 2023

<sup>&</sup>lt;sup>40</sup> GAN Integrity, Bangladesh Risk Report, 4 November 2020

<sup>&</sup>lt;sup>41</sup> Transparency International, <u>Corruption Perceptions Index 2023</u>, 2024

<sup>&</sup>lt;sup>42</sup> Transparency International, 2020 Global Corruption Barometer – Asia (page 38), 2020

Bangladesh: 'Corruption in public office is rampant.'43

5.1.5 The same BTI source noted: 'Holders of public office are rarely subjected to judicial or parliamentary scrutiny. They are rarely penalized or prosecuted, although corruption remains pervasive in all sectors. The Public Service Act of 2018 requires the Anti-Corruption Commission (ACC) to seek prior permission from the executive to prosecute a public servant.'44

**Back to Contents** 

- 5.2 Prevalence and procurement of fraudulent documents
- 5.2.1 In December 2021 the Immigration and Refugee Board of Canada (IRB) quoted a report by the Danish National ID Centre (NIDC) following their factfinding mission to Bangladesh in November 2018:

'Based on the information provided by "several credible and independent expert sources," the NIDC states the following: [T]he credibility of Bangladeshi documents is generally low. This is primarily due to the high level of corruption in Bangladesh, as well as an inability to verify the information contained by genuine Bangladeshi documents, due to the lack of a central database for the registration of vital statistics.'45

5.2.2 DFAT had noted in August 2019:

> 'The increasing use of biometric data collection has limited opportunities for fraud because of the greater capacity for authorities to check suspicious identity documents. DFAT assesses, however, that the use of fraudulent documents and fraudulently obtained genuine documents remains widespread. This risk is exacerbated given that civil documentation is generally held by local issuing offices in paper-based files without networked systems.

'It is common for Bangladeshis to acquire documents through an agent, or "middleman". This individual will make an application for documents on behalf of the person that has requested them, a process which may be subject to fraud.'46

5.2.3 In its 2017 National Household Survey on Corruption in Service Sectors, Transparency International Bangladesh (TIB) reported that the Department of Immigration and Passports was deemed the second most corrupt public sector<sup>47</sup>. Most evidence of corruption was in the form of paying bribes to obtain passport services from regional offices<sup>48</sup>. It was also reported that bribes were paid to police officials to verify passports<sup>49</sup>.

<sup>&</sup>lt;sup>43</sup> Bertelsmann Stiftung, <u>Transformation Index (BTI) 2022...</u> (Steering capability), 23 February 2022

Bertelsmann Stiftung, Transformation Index (BTI) 2022... (Rule of Law), 23 February 2022
 IRB, Bangladesh: Availability of fraudulent documents..., 24 December 2021

<sup>&</sup>lt;sup>46</sup> DFAT, Country Information Report Bangladesh (paragraphs 5.39 to 5.40), 22 August 2019

<sup>&</sup>lt;sup>47</sup> TIB, Corruption in Service Sectors, (page 13), 30 August 2018

<sup>&</sup>lt;sup>48</sup> TIB, Corruption in Service Sectors, (pages 26 to 27), 30 August 2018

<sup>&</sup>lt;sup>49</sup> TIB, Corruption in Service Sectors, (page 25), 30 August 2018

# 5.3 Fake notaries public and attestations

- 5.3.1 Notaries public verify document originality or certify declarations. The Dhaka Tribune reported in 2014 that fraudulent notary practices were common. Some notaries signed affidavits without the legally required physical presence of the applicant, while others lacked proper authorisation altogether, using expired names and seals. Some endorsed fake documents, often with the help of dishonest lawyers, creating false deeds, backdating documents, and issuing fraudulent powers of attorney<sup>50</sup>.
- 5.3.2 The Daily Star reported in 2016 that notaries public are used for attesting documents including the following: 'land registration documents, promisory notes, bills of exchange, bottomry and respondantia bonds, translated documents or I[D]s, buying of cars, issuing of divorce letters, character certificate, certificates of academic qualification, death certificates, birth certificates, application for citizenship in other countries...'<sup>51</sup> The same article noted that 'fake documents' prepared through a notary public sometimes contained 'personal seals or seal mohar of deceased' persons<sup>52</sup>.
- 5.3.3 In February 2020, the Daily Observer reported on the rise of fake notary publics and counterfeit document attestations. The report cited the case Dr. Shamim Ahmed of the National Institute of Kidney Disease and Urology, whose travel clearance for medical treatment in India was delayed due to fake notary papers. Unlicensed notaries, often operating in public areas like Dhaka's National Press Club and Judge Court area, charge extra fees beyond the government-mandated rates, and have even misused the names and seals of legitimate, sometimes deceased, notaries<sup>53</sup>.

**Back to Contents** 

## 6. Types of fraudulent documents

- 6.1 Overview
- 6.1.1 In 2018, the Swedish embassy in Dhaka informed the Swedish Migration Agency that 'it was easy to obtain genuine documents with false information. It was also possible to obtain forged documents. This applied to all types of documents, such as birth certificates, death certificates, marriage certificates, divorce papers, extracts from police records, documents from the notary public, judgments and decisions of lower or higher courts, currencies, driving licenses, NID cards, seaman's book, passport, etc.'54
- 6.1.2 According to the Swedish embassy in Dhaka, '[T]he problems remain evident in 2023, and it is still possible to obtain forged documents and documents with false information.'55

<sup>&</sup>lt;sup>50</sup> Dhaka Tribune, Availing notary services in Bangladesh, 8 January 2014

<sup>&</sup>lt;sup>51</sup> Daily Star, All about notary public, 31 December 2016

<sup>&</sup>lt;sup>52</sup> Daily Star, All about notary public, 31 December 2016

<sup>53</sup> Daily Observer, Fake notary public, brokers galore, 8 February 2020

<sup>&</sup>lt;sup>54</sup> SMA, <u>Bangladesh Folkbokföring</u>, id-handlingar... (Section 8), 19 December 2023

<sup>&</sup>lt;sup>55</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Section 8), 19 December 2023

#### 6.2 **Passports**

#### 6.2.1 The SMA Report 2023 advised:

'Regarding passports, the Swedish Embassy in Dhaka said in 2018 that forged passports did not occur very often. The big problem was instead stated to be the possibility of having a genuine passport issued through the correct procedure but based on fake information. This is either through false documents [for example, birth certificates] submitted during the passport application, or that false information is registered through bribery. According to the embassy's information from 2018, a genuine passport, issued with false information. (for example, regarding name, date and place of birth, parents' names, spouse's name, address, etc.) could cost between 10,000 and 25,000 takas, in some cases more. In comparison, an ordinary passport, issued on correct grounds, costs significantly less.'56

6.2.2 In its 2017 National Household Survey on Corruption in Service Sectors, Transparency International Bangladesh (TIB) reported that the Department of Immigration and Passports was deemed the second most corrupt public sector<sup>57</sup>. Most evidence of corruption was in the form of paying bribes to obtain passport services from regional offices<sup>58</sup>. It was also reported that bribes were paid to police officials to verify passports<sup>59</sup>.

**Back to Contents** 

#### 6.3 National Identity Cards (NICs)

- 6.3.1 As reported by DFAT in 2019 'Fraudulent NICs are harder to produce as they contain a plastic chip with biometric information embedded. A genuine, but fraudulently obtained document may contain some correct biometric information. Authorities can also check NICs on a national database, which may provide some protection against fraud.'60
- 6.3.2 When smart ID cards were introduced, Advox 'Global Voices' stated: 'The government has explained that the cards are intended to curb forgery: previously, laminated cards used for voting were relatively easy to copy and forge. The Election Commission says the machine-readable cards include "25 features" designed to prevent forgery ... EC Secretary Sirazul Islam also said that "forging the smart NID cards would be almost impossible". '61

**Back to Contents** 

#### 6.4 Birth, death and marriage certificates

6.4.1 DFAT noted in November 2022, 'There is a high prevalence of document fraud among birth certificates. Issuance does not necessarily follow established processes and certificates have low reliability. Birth, death and marriage certificates (especially pre-BDRIS) are held in paper-based records in various parts of the country and are very difficult to verify.'62

<sup>&</sup>lt;sup>56</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Section 8), 19 December 2023

<sup>&</sup>lt;sup>57</sup> TIB, Corruption in Service Sectors (page 13), 30 August 2018

<sup>&</sup>lt;sup>58</sup> TIB, Corruption in Service Sectors (pages 26 to 27), 30 August 2018

<sup>&</sup>lt;sup>59</sup> TIB, Corruption in Service Sectors (page 25), 30 August 2018

 <sup>&</sup>lt;sup>60</sup> DFAT, <u>Country Information Report Bangladesh</u> (paragraph 5.42), 22 August 2019
 <sup>61</sup> Global Voices: Advox, <u>Bangladesh Introduces "Smart" National Identity Cards</u>, 7 October 2016.

<sup>62</sup> DFAT, Country Information Report Bangladesh (para 5.30), 30 November 2022

6.4.2 In 2021, the IRB cited a 2018 report of the Danish National ID Centre (NIDC) as follows 'According to two Western diplomatic sources, it is easy to acquire genuine documents, issued by legitimate government authorities, containing fraudulent personal information. One of the diplomatic sources further specified that "the fraudulent information contained within these documents was often related to the age of the applicant in question, or their relationships with other Bangladeshi citizens, such as an alleged spouse". '63

**Back to Contents** 

## 6.5 Police and court documents

# 6.5.1 The SMA Report 2023 noted:

'The police maintain a database of arrest warrants and court summonses, both electronically and manually ... However, Bangladeshi media have on several occasions reported on forged police and court documents.

'According to the Swedish Embassy in Dhaka, in 2018 it was possible to obtain false or forged documents such as excerpts from police records, documents from the notary public, judgments and rulings in lower or higher instances. According to the embassy, this is also the case in 2023'64

# 6.5.2 According to a DFAT report of August 2019:

'Court and police documents may be fraudulently obtained, for example by bribing police for minor offences to be removed from a record. Corruption is widespread in the courts and the police and it is possible that genuine documents are fraudulently obtained as part of this process. Local media often reports on cases where fake court documents are created for personal gain. The court system and police systems are heavily bureaucratic and often paper based, which can limit the ability to detect fake documents. Official documents, including identity, nationality, and court documents, can often be difficult to verify through formal channels. This is for a variety of reasons, including expectations by some officials of facilitation payments, or genuine lack of adequate records and capacity. DFAT assesses that fraudulent court documents, or court documents that are obtained fraudulently, are relatively common in Bangladesh.'65

6.5.3 The IRB response of January 2022 stated that 'According to the Professor at the University of Dhaka, FIRs "can contain false information" but they had "never heard of any fraudulent FIR[s]" (Professor at the university of Dhaka 29 Nov. 2021). The same source further stated that, "in some cases" through collusion between the individual and the courts copying department officials, fraudulent or forged certified copies of FIRs "can" be obtained (Professor at the university of Dhaka 29 Nov. 2021)."

**Back to Contents** 

# 6.6 Documentation obtained by Rohingya refugees

# 6.6.1 In December 2021 the IRB noted:

<sup>63</sup> IRB, Bangladesh: Availability of fraudulent documents..., 24 December 2021

<sup>&</sup>lt;sup>64</sup> SMA, Bangladesh Folkbokföring, id-handlingar... (Section 8), 19 December 2023

<sup>65</sup> DFAT, Country Information Report Bangladesh (paragraph 5.44), 22 August 2019

<sup>66</sup> IRB, Requirements and procedures to file a complaint with the police... 4 January 2022

'The Dhaka Tribune...reported in September 2019 that in the preceding months "around 100 Rohingya people ha[d] been detained in various districts" in possession of Bangladeshi passports and NICs, "which only Bangladeshis can use"; these refugees reportedly paid fraudsters, trafficking rings, public representatives, and government and police officials, to get such documents "easily"... According to the same source, the police unit responsible for verifying official documents also reported that 54 Rohingyas were arrested while trying to leave the country with false Bangladeshi passports in February 2019 and that "some" local representatives and police officers worked with fraud gangs to help Rohingyas obtain false Bangladeshi passports.'67

- 6.6.2 The Daily Star, a Bangladesh English-language daily newspaper, reported in February 2024 that the Detective Branch (DB) of Dhaka Metropolitan Police had arrested 23 members of a gang which supplied fraudulently obtained birth certificates, NICs and Bangladeshi passports to Rohingya refugees<sup>68</sup>.
- 6.6.3 The Dhaka Tribune noted on 29 March 2024:

'The government is seeking to utilize the Rohingya refugee database maintained by the United Nations High Commissioner for Refugees (UNHCR) to prevent Rohingyas from obtaining Bangladeshi identity documents.

'The database is housed on a server in Geneva.

'The United Nations agency has already given initial consent to the proposal sent by the government.

'The Rohingya database contains comprehensive information collected since the influx [from Myanmar] began in August 2017. It was initially created through a joint project between the Bangladesh Department of Immigration and Passports and UNHCR ... The database currently includes information on approximately 970,000 Rohingyas, including fingerprints of both hands and retinal scans.'69

6.6.4 For further information on fraudulent documents used by Rohingya refugees in Bangladesh and by Bangladeshis potentially posing as Rohingya, see the Country Policy and Information Note on Rohingya including Rohingya in Bangladesh, Burma, June 2023.

**Back to Contents** 

- 6.7 Newspaper clippings or pages
- 6.7.1 In October 2017, The Daily Star a Dhaka daily newspaper alerted its readers to the production of counterfeit clippings or pages (from any newspaper) which contain false information or identities. The Daily Star article provided an <a href="mailto:example">example</a>70.
- 6.7.2 In September 2023, The Daily Star reported on an investigation by AFP that found 'Hundreds of articles praising Bangladeshi government policies

Page 16 of 29

<sup>67</sup> IRB, Bangladesh: Availability of fraudulent documents..., 24 December 2021

<sup>68</sup> Daily Star, Rohingyas given NIDs, passports on forged docs, 27 February 2024

<sup>&</sup>lt;sup>69</sup> Dhaka Tribune, Govt eyes UN Rohingya database to prevent NID forgery, 29 March 2024

<sup>70</sup> Daily Star, It's fake, 14 October 2017

- apparently by independent experts have appeared in national and international media but the authors have questionable credentials, fake photos, and may not even exist...<sup>71</sup>
- 6.7.3 Dhaka-based English language daily newspaper, New Age, reported in September 2023 that 'Fake news has become an alarming global phenomenon, and Bangladesh is no exception... According to Rumor Scanner Bangladesh, an independent digital journalism initiative based in Bangladesh, during the latter half of 2022, a total of 100 mainstream media outlets disseminated 789 reports spanning 80 distinct subjects, all of which have been flagged as containing disinformation or false information.'72

**Back to Contents** 

#### 7. Government action to reduce fraud

7.1.1 The IRB of Canada, in a response dated 24 December 2021, detailed several provisions in the Penal Code intended to counter forgery and other document fraud<sup>73</sup>.

#### 7.1.2 The SMA Report 2023 noted:

'The Bangladeshi government has...over the past decade or so, worked steadily to strengthen population registration and create more reliable official documents. Registration of births and deaths has been digitized and new ID documents with modern security details have been introduced. However, the transition phase towards more modern documents and systems means that today there are both older and more modern versions of various documents in circulation.

'The lack of unique national identity numbers for all citizens and the existence of different ID/personal numbers in different documents complicates the situation. Bangladesh is also a country where corruption is widespread and common at various levels of society. This has long enabled the extensive production and trade in fraudulent documents, despite the ambitions of the government to deal with the problems.<sup>74</sup>.

**Back to Contents** 

#### 8. **Document verification process**

8.1.1 See Annex A regarding the process for verifying documents, as conducted by the British High Commission, Dhaka.

<sup>&</sup>lt;sup>71</sup> Daily Star, Fake experts drive disinformation before Bangladesh polls: AFP, 7 September 2023

<sup>&</sup>lt;sup>72</sup> New Age, <u>Battle against fake news</u>, 22 September 2023

 <sup>&</sup>lt;sup>73</sup> IRB, <u>Bangladesh: Availability of fraudulent documents...</u> (State response), 24 December 2021
 <sup>74</sup> SMA, <u>Bangladesh Folkbokföring, id-handlingar...</u> (Concluding remarks), 19 December 2023

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Back to Contents

# Annex A: British High Commission correspondence, 09 April 2024

British High Commission
United Nations Road
Baridhara, Dhaka

Tel: [redacted]

09 April 2024

To whom it may concern

# **General Field Trip Verification Process Bangladesh**

Field trips to verify documents submitted in support of applications for leave to remain in the UK or in relation to appeals are conducted by trained locally engaged members of staff of the British High Commission. The officers are security cleared before commencing work at the High Commission. They speak both English and the local language. They are trained on conducting field visits which includes ensuring that information about the subject of the visit is not disclosed to the authorities.

When requested and where possible an officer will visit, in person, the court or police station shown on the documents submitted by an applicant/appellant, where the paper records are held. A field trip to a court or police station located in or around Dhaka can be completed within one day. Locations outside of Dhaka will take longer to complete. Some locations are reached by air, in which case the officer may remain in the area for up to one week and conduct several field trips during that time.

Following a field trip the officer completes a document verification report (DVR) to detail the outcome of the verification. In the same way we protect the identity of the subject of a verification we also have a commitment to protect our locally engaged members of staff. Therefore we do not disclose their identity on the verification documents we provide.

## **Verification of documents at Courts in Bangladesh**

A Charge Sheet (CS) is the document submitted by the Bangladesh Police Investigating Officer to the court following an initial investigation after receiving First Information. The CS contains the names of the accused who are sent for trial. Based on the outcome of the Police initial investigation, the individuals listed by the Investigating Officer on the CS may differ to those on the original FIR. The CS is recorded in the General Register (GR) at court under the relevant date and issued a reference number. The CS reference number is recorded in the FIR Register at the police station against the corresponding FIR.

When an officer from the British High Commission visits the court related to the FIR or CS provided by the applicant / appellant they request the clerk/record keeper to check the GR relating to the police station, FIR and CS reference numbers.

Each court maintains a General Register which consists of paper books and each book lists all case numbers for one year. The CS is entered into the register chronologically and given a sequential GR reference number. An example GR reference number is 47(4)/10, the first number is the sequential number, the number in brackets refers to the month and the final number is the year the case was filed at the court.

The officer checks whether the reference number shown on the CS provided is listed in the GR for the relevant year. They also check whether the month on the CS matches in the register. Finally, they check whether the subject of the CS matches the details of the accused in the register.

The officer makes a brief note in their notebook of the outcome to enable them to complete a DVR. If permitted by the clerk / recordkeeper they take a photograph of any relevant pages for inclusion in the DVR. They complete a DVR as soon as possible after the field trip.

It should be noted that Court staff are not always cooperative and sometimes expect a bribe in return for their help.

# Verification of documents at Police Stations in Bangladesh

A First Information Report (FIR) is a report filed by the police following an initial investigation into an incident that was reported by a complainant. The complainant can be a member of the public or a Police Officer or the Court. The FIR is the start of a formal investigation and is sent to the court. After the FIR is filed with the court the police have two options; they can either file a Charge Sheet and pursue prosecution or file a Final Report and request the court to dismiss the case.

All police stations maintain an FIR Register, once the FIR is filed it is entered into the register on the relevant date and issued a reference number. The FIR register is made up of paper books. Each book lists all FIRs registered in one year and is split into months. The FIRs are entered into the register chronologically and given a sequential reference number. FIR reference numbers begin from number one at the start of each new month.

The FIR register consists of details including:-

the date the First Information Report was completed at the police station; the sequential reference number allocated to that FIR during that month; the Charge Sheet reference number (if the case proceeded to court).

Officers from the British High Commission will mainly conduct checks at court. On occasion they may visit a police station, if required. When an officer from the British High Commission visits the police station shown on the FIR provided they seek the permission of the Officer in Charge to personally look at the FIR register to confirm whether the FIR submitted is recorded in the register.

The officer checks whether the reference number shown on the FIR submitted is listed in the register for the relevant month and year. They also check whether the dates on the FIR match in the register.

The officer does not divulge the FIR number or subject's name to the Police Officers at the police station. There are multiple FIRs recorded on each page of the register

so it is not possible for the Police Officers to note which FIR the officer is looking at and the officer will look at a number of pages.

The officer makes a brief note in their notebook of the outcome to enable them to complete a DVR. They complete a DVR as soon as possible after the field trip.

If the FIR is filed with the court the corresponding Charge Sheet number will be written next to the FIR reference. Any Charge Sheet reference number provided by an applicant / appellant can therefore also be checked in the FIR register at the police station.

Further information about First Information Reports, Charge Sheets and the General Register can be found in Police Regulations Bengal which is listed as a Bangladesh Police Legal Instrument on the official Bangladesh Police website, <a href="https://www.police.gov.bd/en/legal">https://www.police.gov.bd/en/legal</a> instruments?page=2.

# [redacted]

International Liaison and Migration Manager Home Office International Operations British High Commission Dhaka

# Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the <a href="Common EU">Common EU</a> [European Union] Guidelines for Processing Country of Origin Information (COI), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), <a href="Researching Country Origin Information - Training Manual">Researching Country Origin Information - Training Manual</a>, 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

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
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the <u>bibliography</u>.

# **Terms of Reference**

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Identification
  - o ID cards
  - o Passports
  - o Birth and death certificates
  - Marriage and divorce certificates
  - o Other ID
- Police documents
  - o First Information Reports (FIRs)
- Rohingya refugees
- Corruption
  - o Forged and fraudulent documents
  - o Prevalence / type

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**Back to Contents** 

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**Back to Contents** 

# Changes from last version of this note

Updated sections relating to fraudulent documents

**Back to Contents** 

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**Back to Contents** 

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