

# **BANGLADESH 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. The government made limited progress on the long-standing issue of returning "vested property" to Hindus dating from the country's liberation war, and also took steps towards equalizing family law for Hindus through legislating optional marriage registration. The constitution states that Islam is the state religion, but reaffirms the nation is a secular state that "shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian, and other religions." The constitution provides for the right to profess, practice, or propagate all religions, subject to law, public order, and morality. Although government officials, including police, were sometimes slow to assist members of minority religious groups who were victims of harassment and violence, there were examples of timely and effective police intervention.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. There were scattered attacks on members of minority religious and ethnic groups, most notably against Buddhists in Ramu in September and October. Most attacks consisted of arson and looting of religious sites and homes. Because many members of minority religious groups also had low economic and social status, they were often seen as having little political recourse. Members of Hindu, Christian, Buddhist, and Ahmadiyya Muslim minority groups experienced harassment and sometimes violence from the Sunni Muslim majority population. The government and many civil society leaders stated that violence against members of minority religious groups normally had political or economic dimensions, and could not be attributed solely to religious belief or affiliation.

In meetings with officials and in public statements, the U.S. embassy encouraged the government to protect the rights of members of minority religious groups. The embassy denounced acts of religious intolerance publicly and privately, and called on the government to ensure due process for all citizens. U.S. development programs in the country supported religious tolerance.

## **Section I. Religious Demography**

## BANGLADESH

According to the 2011 census, Sunni Muslims constitute 90 percent of the population and Hindus make up 9.5 percent of a total population of 152.5 million. The remainder of the population is predominantly Christian (mostly Roman Catholic) and Theravada-Hinayana Buddhist. Ethnic and religious minority groups often overlap and are concentrated in the Chittagong Hill Tracts and northern districts. Buddhists are predominantly found among the indigenous (non-Bengali) populations of the Chittagong Hill Tracts. Bengali and ethnic minority Christians live in communities across the country, concentrating in Barisal City, Gournadi in Barisal District, Baniarchar in Gopalganj, Monipuripara in Dhaka, Christianpara in Mohakhali, Nagori in Gazipur, and Khulna City. There also are small populations of Shia Muslims, Bahais, animists, and Ahmadiyya Muslims. Estimates of their numbers varied from a few thousand to 100,000 adherents per group.

Most noncitizen residents are of Bangladeshi descent and practice Islam. Separately, there are approximately 30,000 registered Rohingya refugees and between 250,000 and 450,000 unregistered Rohingya practicing Islam in the southeast around Cox's Bazar.

### **Section II. Status of Government Respect for Religious Freedom**

#### **Legal/Policy Framework**

The constitution and other laws and policies protect religious freedom. The constitution provides for the right to profess, practice, or propagate all religions, subject to law, public order, and morality. While Islam is the state religion, the constitution affirms that the country is a secular state. Family law has separate provisions for Muslims, Hindus, and Christians.

An amendment to the constitution, upheld by the Supreme Court in 2010, bans unions, associations, or parties based on religion. Despite this nominal ban, religious parties continue to play an active role in the country's politics, and authorities do not enforce the ban.

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. In addition, the Code of Criminal Procedure states, "The government may confiscate all copies of a newspaper if it publishes anything that creates enmity and hatred among the citizens or denigrates religious beliefs."

## BANGLADESH

Islamic law plays some role in civil matters pertaining to the Muslim community; however, there is no formal implementation of Islamic law, and it is not imposed on non-Muslims. Alternative dispute resolution is available to individuals for settling family arguments and other civil matters not related to land ownership. With the consent of both parties, arbitrators rely on principles found in Islamic law for settling disputes.

Family laws concerning marriage, divorce, and adoption differ slightly depending on the religious beliefs of the persons involved. Muslim and Hindu family laws are codified in the legal system. For example, a Muslim man may marry as many as four wives, although he must get his first wife's signed permission before marrying an additional woman. Society strongly discourages polygamy, and Muslims rarely practice it. A Christian man may marry only one woman. Under Hindu law in the country there are limited provisions for divorce, such as impotency, torture, or madness. Hindu widows can legally remarry, and marriage registration for Hindus is optional. The family law of the religion of the two parties concerned governs their marriage rituals and proceedings; however, marriages also are registered with the state. There are no legal restrictions on marriage between members of different religious groups.

Under the Muslim family ordinance, females inherit less than males, and wives have fewer divorce rights than husbands. Laws provide some protection for women against arbitrary divorce and polygamy without the consent of the first wife, but the protections generally apply only to registered marriages. In rural areas, couples occasionally do not register their marriages. Under the law, a Muslim husband is required to pay his former wife alimony for three months, but the authorities do not always enforce this requirement.

The Hindu Marriage Registration Act, passed on September 18, retains marriage registration as optional but offers additional legal and social protection to Hindus, particularly to safeguard women from financial neglect or abuse.

The Vested Property Act remained in force until 2001, allowing the government to expropriate "enemy" (in practice, Hindu) lands. Over the course of its existence, the government seized approximately 2.6 million acres of land, affecting almost all Hindus in the country. Many Hindus continued efforts to recover land lost under the act. The Vested Properties Return (Amendment) Bill of 2011 obligates the government to publish lists of returnable vested property through gazette notification within 120 days. Subsequently, Hindu leaders submitted applications to reclaim previously seized vested property and requested an extension to prepare

## BANGLADESH

further applications. The Vested Property Return (Second Amendment) Act of 2012, passed on September 18, gives an additional 180 days for interested parties to submit applications for adjudication.

The government does not require non-Muslim religious groups to register, but all nongovernmental organizations (NGOs), including religiously affiliated ones, must register with the government's NGO Affairs Bureau if they receive foreign financial assistance for social development projects.

Religious studies are part of the curriculum in government schools. Students attend classes in which their own religious beliefs are taught. Schools with few students from minority religious groups often make arrangements with local churches or temples to hold religious studies classes outside school hours.

There are an estimated 46,000 madrassahs. Approximately 2 percent of primary school students in rural areas attend "Qaumi" madrassahs, independent private madrassahs not regulated by the government, according to a 2009 World Bank study. The same study estimates another 8 percent of primary school students and 19 percent of secondary school students attend "Aliyah" madrassahs, state-regulated private madrassahs teaching a government-approved curriculum. Other primary school students attend "Forkania" madrassahs attached to mosques, and some students in urban areas attend "Cadet" madrassahs, which blend religious and non-religious studies. The rest either attend secular government schools or NGO-run schools, or did not attend school. There are no known government-run Christian, Hindu, or Buddhist schools, although there are private religious schools throughout the country.

The government observes the following religious holidays as national holidays: Eid Milad un-Nabi, Shab-e-Barat, Shab-e-Qadar, Jumatul Wida, Eid Ul Fitr, Eid Ul Azha, Muharram; Krishna Janmashtami; Durga Puja; Buddha Purnima; and Christmas.

### **Government Practices**

There were no reports of abuses of religious freedom. Government institutions and the courts generally protected religious freedom. However, some government practices restricted members of minority religious groups.

There were no legal hiring preferences for government jobs based on religious beliefs. In contrast to previous years, there were no reports of members of

## BANGLADESH

minority religious groups being disadvantaged in access to military or government jobs. In the cabinet, five of 51 ministers were non-Muslim, including two Buddhists, two Hindus, and a Christian. While there were numerous members of minority groups in the higher ranks of government, no official statistics existed to determine to what extent the proportion corresponded with their proportion in the population. Although employees were not required to disclose their religious affiliation, it could generally be determined by a person's name.

The government routinely posted law enforcement personnel at religious festivals and events considered at risk of being targets for extremists. Through additional security deployments and public statements, the government promoted the peaceful celebration of Hindu, Christian, Buddhist, and secular Bengali festivals. Durga Puja, Christmas, Easter, Buddha Purnima, and Pohela Boisakh (Bengali New Year) all received government support of this kind.

The government continued to block Facebook pages it deemed offensive for religious reasons.

The constitution provides for the right to promulgate the religion of one's choice, but local authorities and communities often objected to efforts to convert persons from Islam, which led to heightened government interest in the activities of certain Christian groups.

On May 12, the Supreme Court's appellate division overturned a 2001 high court ruling banning fatwas; however, the court declared that fatwas could be used only to settle religious matters and could not be invoked to justify meting out punishment, nor could they supersede existing secular law Islamic tradition. Islamic tradition dictated that only muftis with expertise in Islamic law could declare a fatwa. Despite these restrictions, village religious leaders sometimes made declarations they described as fatwas. Such declarations resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

The government operated training academies for imams and proclaimed Islamic festival days, but generally did not dictate sermon content or select or pay clergy. However, the government had the authority to appoint or remove imams, and exercised some indirect influence over sermon content in government mosques, including in the national mosque, Baitul Mukarram. The government monitored the content of religious education in madrassahs.

## BANGLADESH

The Ministry of Religious Affairs administered four funds for religious and cultural activities: the Islamic Foundation, the Hindu Welfare Trust, the Christian Religious Welfare Trust, and the Buddhist Welfare Trust. These religious trusts used their funding for literacy and religious programs, observing festivals, repairing religious buildings, and for helping destitute families.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom. Violence directed against members of minority religious groups continued to result in the loss of lives and property, but it was difficult to determine whether the true motives were religious animosity, criminal intent, personal conflict, property disputes, or some combination thereof. Members of minority religious groups were often at the bottom of the social hierarchy and had the least political recourse.

Societal groups at times incited violence against or harassment of members of minority religious groups. The most common type of abuse was arson and looting of religious sites and homes. For example, on April 3, Muslim students from Fatehpur, Satkhira looted and burned eight Hindu families' homes, including the home of the local school superintendent. The Fatehpur incident occurred after high school students performed a play which allegedly insulted the Prophet Mohammed. On August 4 in Chirirbandar, Dinajpur, a local Muslim official told journalists that Hindus opposed building a mosque on donated land. Fearing violence, the police banned public gatherings, but were overwhelmed by a crowd of 1,500 largely Muslim community members who burned at least 20 homes, affecting 35 Hindu families. Police arrested eight people in connection with the arson, and suspended construction of the mosque.

Buddhists in Ramu, Cox's Bazar, and neighboring cities experienced communal violence on September 29 and 30. After rumors spread that a local Buddhist youth posted anti-Islamic photos on Facebook, thousands of protesters burned and vandalized Buddhist homes and temples. Local police called in supplemental security forces to quell the violence, but attackers had already set fire to at least 15 Buddhist temples and 100 homes. The Home Ministry increased law enforcement presence around neighboring Buddhist sites. Violence spread in the following days to Patiya, Chittagong, where two Buddhist monasteries and one Hindu temple were burned, and to Ukhia and Teknaf, Cox's Bazar, where two monasteries and five homes were burned. The prime minister, home minister, and foreign minister

## BANGLADESH

all immediately issued strong statements condemning the violence and reaffirming the tolerant, secular, multi-religious nature of the country. The prime minister travelled to Ramu to convey the extent of her concern.

The government funded reconstruction of the burned temples and monasteries. Prominent societal leaders from all religious groups, universities, and rights organizations condemned the attack and called for interreligious harmony. According to the government's official inquiry into the Ramu incidents, the then-superintendent of police of Cox's Bazar and the then-officer-in-charge of Ramu police station failed to take appropriate measures to stop the violence. The report charged the two officials with negligence of official duties and withdrew them from their duty stations.

While contentious issues in the Hill Tracts related primarily to economic matters, including tension over increased Bengali settlement, the issues sometimes acquired an ethnic and religious tinge because many of the original inhabitants were members of tribal groups with Buddhist, Hindu, or Christian affiliation.

The Ahmadiyya Muslim community also suffered harassment. In addition to destruction of Ahmadi homes and mosques, the community faced obstacles in conducting burials and building mosques. For example, when an Ahmadi family tried to bury a family member at an ancestral site in Tejgaon, Dhaka on July 20, members of the anti-Ahmadi Khatme Nabuwat Movement obstructed his burial. When the family buried him at a different site, members of the same movement tried to exhume his body, although local officials and police stopped the exhumation attempt. On November 7, inhabitants of Taraganj, Rangpur attacked an Ahmadi community, setting fire to two homes and a mosque and injuring 15. The attackers, who numbered over 1,000, were allegedly incited by loudspeaker announcements concerning the building of a new Ahmadi mosque in the area. Police quelled the violence and arrested eleven people in connection with the attack.

Some newspapers occasionally printed anti-Semitic articles and commentary.

### **Section IV. U.S. Government Policy**

The U.S. embassy continued to express concern about the rights of members of religious and ethnic minorities, including in discussions with government officials. The ambassador and embassy staff traveled throughout the country and met with members of minority religious groups to discuss religious freedom concerns and

## BANGLADESH

demonstrate support. Embassy staff also met with local government officials, civil society members, NGOs, and local religious leaders to discuss specific cases. The ambassador and embassy officials also encouraged law enforcement to protect the rights of members of minority religious groups.

The U.S. government continued to make religious freedom, especially the problems facing the minority populations in the Chittagong Hill Tracts, a topic of discussion in meetings with government officials. Embassy officers met with representatives of organizations from the Hill Tracts and with senior government officials to relay concerns about the treatment of minorities.

Embassy officials assisted U.S. faith-based relief organizations in filing documents for approval of schools and other projects. The government was willing to discuss these subjects with U.S. officials and was helpful in resolving problems.

The ambassador hosted an interfaith iftar and another event for Christmas, both with government officials and religious leaders. His remarks on both occasions stressed the importance of continuing the country's secular and tolerant national character. Official embassy representation at Durga Puja, Buddha Purnima, and local Christmas celebrations underscored the embassy's support for minority religious groups.

The U.S. government offered programs to madrassah students and teachers on religious tolerance, human rights, and gender equality, among other topics. The embassy reached out to influential leaders nationwide, including religious leaders, to introduce the concepts and practices of modern development and democracy through training. Over 400 madrassah students and 1,100 teachers participated in programs promoting the values of diversity and tolerance, including religious tolerance, across communities in the country.

Democracy and governance projects supported by the U.S. government included religious tolerance and minority rights components.