

BANGLADESH 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution designates Islam as the state religion but upholds the principle of secularism, prohibits religious discrimination, and provides for equality for all religions. Minority religious groups reported the government discriminated against them in property disputes. The government did not adjudicate any of the more than one million pending cases of land seized from Hindus declared to be enemies of the state before the country's independence. Some government officials restricted religious groups they perceived as trying to convert Muslims away from Islam.

In separate incidents, attackers killed five secularist or purportedly anti-Islamic writers and publishers and injured three others. Groups affiliated with al-Qaida in the Indian Subcontinent (AQIS) claimed responsibility for the killings, published lists or referred to others' lists of bloggers as future targets, and sent a letter to media outlets warning them against publishing "antijihadi" reports or committing acts the authors considered contrary to sharia. A string of knife, gun, and bomb attacks on minority religious communities, for which Da'esh (Islamic State of Iraq and the Levant) claimed responsibility, killed at least five people and injured scores more, garnering widespread condemnation. There were also other attacks resulting in injuries against members of minority religious groups, including Hindus, and looting of these groups' religious sites and their members' homes.

In meetings with government officials and in public statements, the U.S. Ambassador and other embassy representatives spoke out against acts of religious violence and intolerance and encouraged the government to continue to uphold the rights of minority religious groups in line with the country's historic tradition of diversity and tolerance. The embassy publicly condemned attacks against members of religious minorities and secularist bloggers, and called on the government to bring those responsible to justice. The Ambassador and embassy staff met with local government officials, civil society members, nongovernmental organizations (NGOs), and religious leaders to underscore the importance of religious tolerance.

Section I. Religious Demography

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The U.S. government estimates the total population at 169 million (July 2015 estimate). According to the 2011 census, Sunni Muslims constitute 90 percent of the total population, and Hindus 9.5 percent. The remainder of the population is predominantly Christian (mostly Roman Catholic) and Theravada-Hinayana Buddhist. There are also small numbers of Shia Muslims, Bahais, animists, Ahmadi Muslims, agnostics, and atheists. Many of these communities estimate their numbers at between a few thousand and 100,000 adherents. 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. 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 City, Gournadi in Barisal District, Baniarchar in Gopalganj, Monipuripara and Christianpara in Dhaka, Nagori in Gazipur, and Khulna City.

The largest noncitizen population consists of Rohingya Muslims. According to the UN High Commissioner for Refugees, there are approximately 32,000 Rohingya refugees from Burma registered in the country, primarily in the southeast around Cox's Bazar. The International Organization for Migration estimates there are another 200,000 to 500,000 unregistered Rohingya from Burma in the southeast around Cox's Bazar.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

According to the constitution, “the state religion of the Republic is Islam, but the State shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian and other religions.” The constitution also stipulates the state shall uphold secularism by not granting political status in favor of any religion and by prohibiting the abuse of religion for political purposes and discrimination or persecution of persons practicing any religion. It also provides for the right to profess, practice, 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 in ceremonies or worship pertaining to, a religion to which he or she does not belong.

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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 define “intent to insult religious sentiments,” the courts have interpreted it to include insulting the Prophet Muhammad. The criminal code allows the government to confiscate all copies of a newspaper publishing anything that “creates enmity and hatred among the citizens or denigrates religious beliefs.”

The constitution limits freedom of association in instances where an association is formed for the purpose of destroying religious harmony or creating discrimination on religious grounds among citizens.

There is no registration requirement for individual houses of worship, but religious groups that wish to form associations with multiple houses of worship are required to register with either the NGO Affairs Bureau if they receive foreign assistance for development projects, or the Ministry of Social Welfare if they do not. The registration requirement and procedures are the same as for secular associations. The requirements to register with the Ministry of Social Welfare include submission of: certification that the name being registered is not taken; bylaws/constitution of the organization; a security clearance from the country’s intelligence agency; minutes of the meeting appointing the executive committee; a list of all executive committee and general members and photographs of principal officers; a work plan; a copy of the deed or lease of the organization’s office and a list of property owned; a budget; and a recommendation by a local government representative. Requirements to register with the NGO Affairs Bureau are similar, but fewer.

Family law, concerning marriage, divorce, and adoption, has separate provisions for Muslims, Hindus, and Christians. These laws are enforced in the same, secular courts. There is a separate civil family law for mixed faith families or those of other or no faith. The family law of the religion of the two parties concerned governs their marriage rituals and proceedings. A Muslim man may have as many as four wives, although he must obtain the written consent of his existing wife or wives before marrying again. A Christian man may marry only one woman. Under Hindu law, there are limited grounds for divorce, such as impotence, torture, or madness. Divorced Hindus and Buddhists may not legally remarry. Divorced men and women of other religions and widowed individuals of any religion may remarry. Marriage between members of different religious groups is allowed and occurs, but when one member of the couple is Muslim, Hindu, or Christian and the other is not of the same religion, the law requires both prospective spouses to

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renounce their religions before the marriage can proceed. To be legally recognized, Muslim marriages must be registered with the state by either the couple or the cleric performing the marriage, but many are not. Registration for Hindus is optional, and other faiths may determine their own guidelines.

Under the Muslim family ordinance, a widow receives one eighth of her husband's estate, and the remainder is divided among the children, with each female child receiving half the share of each male child. Wives have fewer divorce rights than husbands. Courts must approve divorces and the law requires a Muslim man to pay a former wife three months of alimony, but these protections generally apply only to registered marriages; unregistered marriages are by definition undocumented and difficult to substantiate. In addition, authorities do not always enforce the alimony requirement even in cases involving registered marriages.

Alternative dispute resolution is available to Muslims for settling family arguments and other civil matters not related to land ownership; with the consent of both parties, arbitrators rely on sharia principles for their decisions. Sharia may not be imposed on non-Muslims.

In January the Supreme Court Appellate Division released its full ruling allowing the use of fatwas only by Muslim religious scholars, and not by local religious leaders, to settle matters of religious practice. Fatwas may not be invoked to justify meting out punishment, nor may they supersede existing secular law.

Religious studies are compulsory and part of the curriculum for grades three through 10 in all government schools. Students receive instruction in their own religious beliefs.

The code regulating prisons allows for prisoners' observance of religious commemorations, including access to extra food on feast days or permission to fast for religious reasons. The law does not guarantee prisoners regular access to religious clergy or services, but prison authorities may arrange special religious programs for them. Prison authorities are required to provide prisoners facing the death penalty access to a religious figure before execution.

Government Practices

There were media reports that the government instructed imams to limit their sermons to religious topics. The large majority of mosques, however, were

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independent of the state and, according to media and religious leaders, the government generally did not dictate sermon content or select or pay clergy. In state-approved mosques, including the national mosque, the government could appoint and remove imams, and therefore had indirect influence over sermon content. Religious community leaders said that imams at both types of mosques usually avoided sermons that contradicted government policy. There were government-run training academies for imams.

There were reports local authorities and communities, and sometimes the central government, restricted groups they perceived were trying to convert persons to other religions from Islam. In February the government froze the funds of the international NGO Compassion International after locals stated the NGO's child-sponsorship centers were converting Muslim children to Christianity. In September a Supreme Court panel ordered the release of the NGO's funds.

Religious minorities said de facto discrimination existed in the form of matriculation exam questions that drew from the majority religion. They also said, because of a lack of minority teachers for mandatory religious education classes, minority students sometimes could not enroll in religion classes of their faith. In these cases, school officials generally allowed for arrangements with local religious institutions, parents, or others to hold religious studies classes for such students outside of school hours and sometimes exempted the students from the religious education requirement.

Religious minority communities (who were often also ethnic minorities), especially Hindus, reported land ownership disputes that disproportionately displaced them. Religious associations said such disputes often 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 attributed the lack of resolution of these disputes to the ineffectiveness of the judicial and land registry systems and to the lack of political and financial clout of the targeted communities, rather than to government policy disfavoring religious or ethnic minorities. In August local authorities returned 14 Hindu families to their land in Barguna. Media reported a local politician and his accomplices had driven the families from their land over the preceding three years using attacks and intimidation.

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The government again did not adjudicate any of the more than one million pending cases involving land seized from Hindus before the nation's independence on grounds that the owners were enemies of the state. The cases have remained pending since a 2011 law allowed the prior owners of the land to appeal the seizures.

The government continued to provide law enforcement personnel at religious sites, festivals, and events considered targets for violence. The government also provided additional security at the Hindu festival of Durga Puja, Christmas, Easter, the Buddhist festival of Buddha Purnima, and the Bengali New Year or Pohela Boishakh.

The Ministry of Religious Affairs continued to administer the Islamic Foundation, which carried out activities in support of Islamic principles and values. The Islamic Foundation received 3.5 billion taka (\$44.3 million) during the year from a line item in the government budget. The government also supported three trusts intended to benefit minority religious groups: the Hindu Welfare Trust (with assets of 205 million taka, \$2.6 million), the Christian Religious Welfare Trust (assets of 50 million taka, \$633,000), and the Buddhist Welfare Trust (assets of 70 million taka, \$886,000). The three trusts are managed by trustees who are members of their respective religious communities and used interest from their assets to fund temple, church, and monastery development and repairs. In addition, the Hindu Welfare Trust received 50,000 taka (\$633) from the government for payment of staff salaries. It also received 15 million taka (\$191,000) from parliament from the revenue budget for temple development and a 10 million taka (\$127,000) donation from the prime minister to celebrate puja. The Buddhist Welfare Trust received 50,000 taka (\$633) from the government to celebrate puja. The Christian Religious Welfare Trust did not receive additional funds from the government. Minority religious leaders continued to state the government did not fund the trusts on an equal basis with the Islamic Foundation. They reported the foundation received yearly allocations of funds from the state budget, while the trusts had to rely on income generated from government contributions to their capital funds.

In January the government appointed the Supreme Court's first Hindu chief justice.

In June the state news agency marked the anniversary of the 2001 bomb attack at the Catholic church of Baniarchar, which killed 10 people and injured more than

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20, with an article decrying the lack of resolution in the criminal cases against the bombers.

In August former Information Technology and Communications Minister Latifur Siddique resigned his seat in parliament. He was arrested and his party expelled him in 2014 for public remarks he made in New York criticizing the Hajj and the Bishwa Ijtema (an annual national Muslim event). Siddique was released on bail in June; he faced charges of insulting the religious sentiment of Muslims.

The president hosted receptions to commemorate each of the principal Muslim, Hindu, Buddhist, and Christian holidays.

Section III. Status of Societal Respect for Religious Freedom

There were attacks against Muslims and members of minority religious groups resulting in deaths, injuries, and damage to property. Land disputes at times disproportionately affected religious minorities. Members of religious minorities reported continued discrimination in employment and housing. Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity.

In six separate incidents occurring between February 26 and October 31, attackers killed five secularist or purportedly anti-Islamic writers and publishers and injured three others. The dead included four bloggers – Avijit Roy, Washiqur Rahman, Ananta Bijoy Das, and Niladri Chatterjee Niloy – and Faisal Arefin Dipan, a publisher of Roy’s nonblog work. Various groups purporting affiliation with AQIS claimed responsibility for the attacks and published lists of other bloggers and intellectuals as future targets. In October the government-banned group Ansarullah Bangla Team sent a letter to media outlets warning them against publishing “antijihadi” reports, employing women, depicting women who were not covered, or committing other acts the letter’s authors considered contrary to sharia. The government made several arrests related to the attacks. Government officials, including Prime Minister Sheikh Hasina Wazed and Home Minister Asaduzzaman Khan Kamal, made public comments expressing a commitment to the safety of all citizens. The prime minister was quoted in the press as saying, “We’ll not allow any bloodshed in secular Bangladesh in the name of religion.” The home minister and Inspector General of Police A.K.M. Shahidul Haq were also quoted in the press, however, calling on bloggers and others to refrain from writings that could hurt the religious sentiment of others and adding that violators would be subject to

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prosecution. Opposition parties – including the main Islamist party, Jamaat-e-Islami – issued statements condemning the attacks. Bloggers and activists said many stopped writing at all or publicly criticizing religious beliefs due to the attacks.

On October 24, a bomb attack on a Shia Ashura celebration killed two and injured scores more. Media and civil society widely condemned the attack. A for-profit terrorist-tracking group, SITE Intelligence, reported Da'esh claimed responsibility for the attack. Through affiliated media, Da'esh also claimed responsibility for the November 8 shooting of a Bahai community leader in Rangpur and the November 18 shooting of an Italian priest in Dinajpur – neither fatal – and the November 11 killing of Rahmat Ali at a Sufi shrine in Rangpur. The same group claimed responsibility for a November 26 attack on a Shia Mosque in Bogra that killed one and injured three and a December 25 attack on an Ahmadiyya mosque in Rajshahi that injured 12 and left one attacker dead. Da'esh said all attacks were motivated by the victims' religion.

There were violent attacks on local religious figures, although motives were not always clear. In September assailants killed three men at two Sufi shrines in Chittagong. In October three men tried to slit the throat of a pastor in Pabna, and attackers shot and killed the leader of an Islamic shrine near Dhaka. In November men armed with knives killed one caretaker and critically injured another in separate attacks on two Rangpur shrines to Islamic saints.

According to the human rights NGO Ain o Salish Kendra (ASK), attacks targeting Hindus or their property during the year injured 60 persons, compared to 255 in 2014; destroyed 213 statues, monasteries, or temples, compared to 247 in 2014; and destroyed 104 homes and 6 businesses, compared to 761 homes and 193 businesses in 2014. ASK did not provide examples of specific attacks. The motivation for these incidents was often unclear.

In December the Associated Press reported 10 people were injured after attackers threw three bombs at a Hindu temple during a drama performance.

In the CHT, NGOs said tensions over issues not originally religious in nature, particularly land ownership, sometimes continued to acquire religious overtones due to strains between members of the majority Muslim community and Buddhist, Hindu, or Christian members of tribal groups. According to rights groups, tensions along both religious and ethnic lines continued to run high in the CHT. Some

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stated Bengali Muslim settlers continued to spread false rumors that communities wanted to form an autonomous Christian state, resulting in police and military monitoring of Christian workers' activities.

Muslim religious leaders in villages sometimes made declarations they described as fatwas. The media reported instances where such declarations resulted in extrajudicial punishments such as floggings or ostracism for perceived moral transgressions.

Some members of religious minorities continued to report discrimination in employment and housing; for example, Christians reported some Muslim landlords refused to rent apartments to them.

When a national cricket team member posted greetings on his Facebook page in October on the occasion of the Hindu festival of Durga Puja, some users posted abusive comments criticizing his Hindu religious beliefs. Other commenters defended the cricketer's right to freedom of religion and speech.

Section IV. U.S. Government Policy

The U.S. Ambassador and embassy staff met with officials from the Office of the Prime Minister, the Ministry of Foreign Affairs, and the Ministry of Home Affairs as well as local government representatives to address specific religious freedom cases, express concern about respecting the rights and viewpoints of members of religious minorities, and stress the importance of protecting religious minorities. The Ambassador and other embassy officials publicly condemned attacks on members of religious minorities and called on the government to bring those responsible to justice. The embassy made similar points, particularly stressing, through social media, U.S. support for those targeted by religiously motivated violence and raising specific cases in discussions with the media, civil society members, NGOs, and local religious leaders. For example, embassy officials met with representatives from the Saadi Foundation (a nonpolitical Islamic organization), the Bangladesh Hindu Buddhist Christian Unity Council, the Bangladesh Christian Association, Hindu Mohajote, the International Society for Krishna Consciousness – Bangladesh, the Christian Religious Welfare Trust, the apostolic nuncio, the Asian Conference of Religion and Peace Central Committee, and Ahmadiya Muslim Jamaat (Bangladesh). As part of community policing training, the embassy encouraged law enforcement officials to protect the rights of members of minority religious groups.