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Countries on the Commission's Watch List

Bangladesh

During the past year, Bangladesh has seen an escalation both in violence attributed to Islamic militants and in countermeasures undertaken by the government of Bangladesh. In February-March 2006, the Commission visited Bangladesh, where it examined reports that the targets of militant attacks have included Bangladesh's judicial system, individuals who oppose extremist interpretations of Islam or who have espoused controversial views on religious subjects, members of religious minorities, and non-governmental organizations (NGOs). Although Bangladesh is a functioning democracy, religious extremism and chronic political violence continue to undermine the institutions that protect religious freedom and to silence the country's voices of religious tolerance and moderation. Left unchecked, current trends toward greater intolerance and religiously-motivated violence, particularly toward Ahmadis, Hindus, and Christians, could have an increasingly negative impact on all Bangladeshis. The Commission continues to place Bangladesh on its Watch List.

Since 1991, notwithstanding relatively difficult economic conditions, Bangladesh has had a representative government, regular changes of power through free elections, a judiciary that sometimes rules against those in authority, a lively press often critical of government policies, active participation of women in the workplace, and a functioning civil society with active human rights groups, women's organizations, and numerous NGOs. The democratically-elected governments that have held office since 1991 have, however, left untouched and in some cases furthered the more strident Islamic elements introduced in the constitution by previous military regimes.

Following independence from Pakistan in 1971, Bangladesh was established as a secular state in which national identity was based on Bengali language and culture, rather than on the Islamic religion, as in Pakistan. The constitution contains strongly worded guarantees of freedom of religious belief and practice, as well as equal treatment by the government for citizens regardless of religious affiliation. Subsequent military regimes amended the constitution, however, to introduce Islamic elements, including the affirmation that "absolute trust and faith in Allah" is to "be the basis for all actions" by the government. Although not judicially enforceable, this change in the constitution has been cited by minority rights advocates as diminishing the status of non-Muslims as equal members of Bangladeshi society. Islam was made Bangladesh's state religion in 1988 under the military dictatorship of H.M. Ershad.

Aided by the expansion of Islamic schools (*madrassas*), charities, and other social welfare institutions, some receiving foreign funding, Islamic activists have gained in political, economic, and social influence in Bangladesh in recent years. Explicitly Islamic parties, including Jamaat-e-Islami Bangladesh, helped the center-right Bangladesh Nationalist Party (BNP) win the last national election in October 2001 and

have allegedly used their positions in the current BNP-led government to favor Islamic organizations and to deny funding to or otherwise disadvantage groups viewed as opposing an Islamist political and social agenda. Although many of those who call for a more Islamist Bangladesh have been engaged in peaceful political and social activities, others, drawing inspiration from extremist movements elsewhere in the Islamic world have adopted a jihadist ideology of violent struggle against perceived opponents of Islam.

The most serious episode of anti-minority violence followed the October 2001 elections. At that time, there were numerous reports of killings, sexual assaults, illegal land-seizures, arson, extortion, and intimidation of religious minority group members, particularly Hindus, perceived as favoring the BNP's main rival, the Awami League. Minority group representatives and human rights groups ascribed these attacks to religious extremists or to partisans of the BNP and its Islamist allies. The continued lack of accountability for the violence in 2001 raises serious concerns about an atmosphere of impunity for such crimes, as well as the possibility of a renewal of violence against Hindus and members of other religious minorities in the next general election, expected in early 2007. Some human rights activists and minority advocates also have voiced serious concerns that manipulation of the voting rolls to specifically exclude or burden persons with names associated with religious minority communities, coupled with active voter intimidation, may keep religious minorities from exercising their right to vote.

Although reports of anti-minority violence have dropped off sharply since the 2001 election, Hindus, Christians, and representatives of other minority religious communities continue to express concerns regarding the safety of their coreligionists, citing the growth in Islamic radicalism and instances of violence, including fatalities, in which the victims' religious affiliation or activities may have been factors. In June 2005, there were arson or bombing attacks against Ahmadi mosques in three locations. In July 2005, two Bangladeshis working for a Christian NGO were murdered, allegedly because of showing a film on the life of Jesus. As of this writing, there have been no charges brought in this case or in the murder in September 2004 of a locally prominent Christian convert from Islam. The Commission was told on its visit to Bangladesh that because of the atmosphere of uncertainty and fear under which religious minorities must live, Hindus have left Bangladesh in large numbers in the past three decades.

Bangladesh's high levels of political violence and instability have also provided opportunities for religious and other extremists to expand their influence. Due to a weak legal system and corrupt law enforcement, gangs employed by politicians engage in criminal activities with relative impunity. Armed groups of Islamist vigilantes and leftist guerrillas terrorize remote rural areas. Authors, journalists, and academics expressing opinions allegedly offensive to certain interpretations of Islam are subject to violent, sometimes fatal, attacks. Extremists oppose NGOs that promote the economic betterment of women and protection for women's rights. Some such organizations have been bombed, presumably by these extremists.

Although Bangladesh has the unusual distinction of having both its major parties, the BNP and the Awami League, led by women, both of whom have served as Prime Minister, religious extremism, mostly among Muslims, victimizes Bangladeshi women of all faiths. Some Muslim clerics, especially in rural areas, have sanctioned vigilante punishments against women for alleged moral transgressions. Rape is reportedly a common form of anti-minority violence. The government often fails to punish the perpetrators of these acts against women, as the law enforcement and the judicial systems, especially at the local level, are vulnerable to corruption, intimidation, and political interference. Some women's activists have accused the current government of backsliding on the strong stance on women's rights set forth in the 1997 version of the National Policy for the Advancement of Women.

Politically-motivated bombings, assassinations, and other terrorist acts, often ascribed to Islamic militants, have exacerbated partisan tensions and increased the vulnerability of minority communities. In August 2004 and January 2005, such attacks resulted in the deaths of prominent opposition political figures. In February 2005, the government banned two Islamic militant groups implicated in a series of bomb attacks on NGOs. Islamic militants have been blamed for a coordinated wave of almost simultaneous bomb attacks, numbering in the hundreds, carried out in all but one of Bangladesh's 64 districts on August 17, 2005. Militants were also implicated in a series of bomb attacks on the judicial system in October-November 2005. The bomb attacks were accompanied by calls by the militants for the substitution of sharia, or Islamic law, for Bangladesh's current system of secular jurisprudence and by threats against courts and judges for not applying sharia. The government responded with a campaign of arrests of militants suspected of involvement in the bombings and in other violence incidents. In March 2006, 21 suspected militants were sentenced to death for the August 17 bombings. In a separate case, it was announced on the same day that a suspect was sentenced to death for killing a Hindu judge (one of the very few Hindu judges in Bangladeshi society), in an October 2005 bombing. Reputed senior militant leaders are among those arrested, including Siddiqui Islam, better known as "Bangla Bhai," and Sheikh Abdur Rahman.

In addition to these security measures, the government has spoken out against the militants. To a national conference of imams in November 2005, Prime Minister Khaleda Zia denounced those who were "trying to establish a reign of terror and turmoil" in the name of Islam. At a national conference on "interfaith harmony" in February 2006, the Prime Minister declared her government to be "dead against the practice of any discrimination on the basis of religious identity." Similarly, the Religious Affairs Ministry arranged public activities against Islamic militancy in conjunction with the 35th anniversary of Bangladesh's independence on March 26, 2006.

Despite constitutional protections, non-Muslims in Bangladesh face societal discrimination and are disadvantaged in access to government jobs, public services, and the legal system. They are also underrepresented in elected political offices, including the national parliament. Minority group advocates claim that religion plays a role in property and land disputes, pointing to expropriations of Hindu property since the Pakistan era and the gradual displacement of non-Muslim tribal populations by Bengali

Muslims in the Chittagong Hill Tracts and other traditionally tribal areas. Such disputes occasionally result in violence.

Islamic extremists in Bangladesh have engaged in a public campaign against the Ahmadi community, which is viewed as heretical by many Muslims. The Ahmadis, also referred to as Ahmadiyya, are a relatively small group in Bangladesh, estimated at 100,000 persons in a population of over 140 million. Anti-Ahmadi demonstrators have called on the government of Bangladesh to declare Ahmadis to be “non-Muslims,” as has been done in Pakistan, and as has been used in Pakistan to justify a range of legal limitations on the Ahmadi community and individual Ahmadis. The demonstrators have also called for curbs on Ahmadi missionary outreach to the broader Muslim community. Although the government of Bangladesh has thus far refused to declare Ahmadis to be non-Muslims, in January 2004, it bent to militant pressure and banned the publication and distribution of Ahmadi religious literature. Police seized Ahmadi publications on a few occasions. The ban was stayed by the courts in December 2004, with further legal action still pending. Although the ban is not currently being enforced, it has not been withdrawn by the government.

Anti-Ahmadi activists have been organized under the banner of a group known as the International Khatme Nabuwat Movement Bangladesh. (“Khatme Nabuwat” is an Arabic phrase meaning “finality of the Prophethood” of Mohammed.) There is reportedly a significant overlap of membership between this organization and Jamaat-e-Islami and other Islamic political parties. Anti-Ahmadi activists object to Ahmadi houses of worship being called “mosques” and on a number of occasions have organized mass demonstrations against Ahmadi mosques, have attempted to occupy the sites, and have forcibly replaced signs identifying Ahmadi places of worship as mosques, sometimes with the assistance of the police. In some instances, the anti-Ahmadi agitation has been accompanied by mob violence in which Ahmadi homes have been destroyed and Ahmadi converts held against their will and pressured to recant. Although the campaign against the Ahmadis has continued, the violence has diminished in recent months due to improved and more vigorous police protection for the Ahmadis.

The Commission visited Bangladesh February 26-March 2, 2006 at the invitation of the government of Bangladesh. The Commission delegation met with a broad range of individuals, including government officials, political leaders, human rights monitors, journalists, women’s rights advocates, Muslim religious leaders, leading members of Ahmadi, Hindu, Buddhist, and Christian communities, and civil society representatives. The government of Bangladesh cooperated with the visit and received the delegation at a high level, including individual meetings with four members of the Cabinet: the Foreign Minister; the Minister for Law, Justice, and Parliamentary Affairs; the Minister of Education; and the Minister of Industries, the last mentioned being the head of Jamaat-e-Islami Bangladesh. The delegation also met with the Minister of State for Religious Affairs and with the Secretary for Home Affairs, whose responsibilities include law enforcement.

The Commission has met on a number of occasions with human rights monitors, representatives of religious communities, Bangladeshi diplomats, and others to discuss religious freedom in Bangladesh. In April 2004, the Commission, together with Congressman Joseph Crowley, a member of the House Committee on International Relations, held a public hearing at the City University of New York (CUNY) School of Law at Queens College in Flushing, New York, on “Bangladesh: Protecting the Human Rights of Thought, Conscience, and Religion.”

With regard to Bangladesh, the Commission recommends that the U.S. government should urge the government of Bangladesh to:

- uphold Bangladesh’s international obligations and constitutional guarantees of freedom of thought, conscience, and religion or belief, as well as of equal treatment for all citizens regardless of religious affiliation or belief;
- prosecute to the fullest extent of the law perpetrators of violent acts against members of minority religious communities, non-governmental organizations (NGOs) promoting women’s rights, and all those who oppose religious extremism;
- cancel its January 2004 order banning publications by the Ahmadi religious community, continue to reject extremist demands to declare Ahmadis to be non-Muslims, and protect the places of worship, persons, and property of members of this religious community on an equal basis with all Bangladeshi citizens;
- ensure that the voting rights of all Bangladeshis are safeguarded in the next national elections, that those elections are free and fair, that they are conducted with voting rolls that do not discriminate on the basis of perceived religious affiliation or ethnic background, and that the elections are not marred by violence, particularly violence targeting members of religious minority communities; permit international and domestic monitoring of the entire electoral process, including preparation of the voting rolls;
- ensure that decisions on public employment in national institutions such as the civil service, the military, law enforcement agencies, and the judiciary, including at the highest levels, do not discriminate on the basis of religious affiliation, belief, or ethnic background;
- ensure that publicly-funded support for domestic faith-based charitable, humanitarian, developmental, or educational activities be on a non-discriminatory basis;

- permit NGOs to conduct legitimate humanitarian and developmental activities without harassment, undue interference, or discrimination; protect NGOs from extremist violence and vigorously prosecute and punish the perpetrators of such violence;
- strengthen efforts to protect women from vigilante or anti-minority violence; combat claims of religious sanction or justification for violence against women; vigorously prosecute the perpetrators of such violence; and
- undertake a comprehensive review, in collaboration with civil society and independent international experts, to bring domestic legislation and government regulations affecting women's rights into compliance with international standards and Bangladesh's international human rights obligations.