

STAKEHOLDER SUBMISSION TO THE UNIVERSAL PERIODIC REVIEW, 30TH SESSION

INTRODUCTION

1. Christian Solidarity Worldwide (CSW) is a human rights organisation promoting freedom of religion or belief (FoRB). Working closely with other civil society organisations, CSW monitors the right to FoRB within the broader context of human rights, and advocates for the right to FoRB in Bangladesh. This submission will review the scope of Bangladesh's obligations under international law and analyse the implementation of recommendations related to FoRB from Bangladesh's Universal Periodic Review (UPR) in 2009 and 2013.

RATIFICATION OF INTERNATIONAL HUMAN RIGHTS TREATIES

2. Bangladesh is party to several international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention Against Torture (CAT).
3. Bangladesh accepted 185 recommendations during the country's second UPR in 2013. At least ten of these recommendations concerned FoRB. Since 2013 the government has taken some steps to address FoRB situation in the country. For example, perpetrators of attacks against religious minorities have been brought to justice on some occasions. However, CSW is concerned by the frequency of attacks, violence and intimidation against religious minorities that continue to take place in various parts of the country. Many incidents go unreported and undermine the security and wellbeing of religious minorities.
4. CSW welcomed the 2015 visit to Bangladesh by Professor Heiner Bielefeldt, former Special Rapporteur on freedom of religion or belief, and shares the Rapporteur's concerns regarding the 'politicisation of religion' as well as the decline in the Hindu population due to harassment and attacks on their community, and related issues of land grabbing.

THREATS AGAINST AND ATTACKS ON RELIGIOUS MINORITIES

5. In 2015 CSW met members of the Buddhist, Christian and Hindu communities who expressed a deep sense of fear and insecurity at the rising number of targeted killings and the growth of Islamic militancy. Many raised concerns about the lack of effective action by the government and the police to provide protection against and prevent human rights violations. Below is a list of some of the recent violent attacks against religious minorities which took place during the reporting period:
6. The attack on the Holey Artisan Bakery in Dhaka on 1-2 July 2016 was one of the worst attacks since the 2013 UPR. Islamist militants killed 20 hostages, mostly non-Muslims.

BUDDHISTS

7. On 30 June 2016 Mong Shwe Lung Marma, a Buddhist, was murdered in Bandarban. Islamic State (IS, Daesh) claimed responsibility for the killing. On 14 May 2016 Mongsowe U Chak, a 75-year-old Buddhist monk, was hacked to death in the same district, forcing Buddhist communities into

hiding. The deteriorating security situation in rural areas has led to an increased migration of Buddhist communities to towns and cities.

CHRISTIANS

8. On 5 October 2015 Pastor Luke Sarkar from the Faith Bible Church of God was attacked in Pabna by three men connected with the banned militant outfit Jama'atul Mujahideen Bangladesh. CSW welcomes the investigation and arrest of perpetrators in connection with the attack.
9. In November 2015 ten priests from different churches in Rangpur received written death threats with a warning that "Those who are preaching Christianity in Bangladesh must leave this world one by one." Reverend Barnabas Hembron, pastor of Bangladesh Baptist Church Sangha, received three such letters between November 2015 and January 2016 and has been assigned police protection.
10. During the reporting period Christians were also harassed by law enforcement officials. On 24 March 2017 in Doripara village, near Dhaka, four plain-clothes police officers raided the home of Mina Does, a Christian woman, without a warrant. As neighbours tried to defend her, around 30 policemen from Gazipur district attacked and beat the villagers. Approximately 25 people were injured and several homes were damaged.

HINDUS

11. The Hindu community experienced ongoing attacks, land grabbing and religiously motivated violence during the reporting period. The community has dramatically declined since Partition in 1947 when many migrated to India, then subsequently during the Liberation War of 1971, with mass killings and atrocities against Hindus.
12. Rape of Hindu women and girls is symptomatic of endemic gender-based violence. In January 2016, near the city of Bogra, a nine-year-old Hindu girl was raped. Three days later a seven-year-old girl from the same school was attacked by the same Muslim perpetrator. In Dinajpur on 17 October 2016, a five-year-old was brutally raped by a local Muslim man, Saiful Islam.
13. On 16 May 2016 Hindu headmaster Shyamal Kanti Bhakta, from Piya Sattar Latif High School, Narayanganj, was beaten and publicly humiliated in the presence of Narayanganj MP Selim Osman for allegedly insulting Islam.
14. On 10 June 2016 Nityaranjan Pande, a Hindu monastery worker, was hacked to death by IS militants in Pabna. On 1 July 2016 Shaymanonda Das, a Hindu religious leader, was killed in the district of Jhenaidah. On 2 July 2016 Bhabasindhu Roy, a Hindu leader from the district of Satkhira, was attacked inside the compound of Sri Sri Radha Gobinda Temple.

15. On 30 October 2016 a violent mob attacked several Hindu temples at Nasirnagar Upazila, Brahmanbaria district, after Rasraj Das, a Hindu fisherman, allegedly uploaded a blasphemous post to Facebook. The rally was allegedly organised by the local leaders of radical Islamist groups, Ahle Sunnat Wal Jamaat and Hefazat-e-Islam, through announcements from local mosques the previous day. During the protest, members of the group vandalised at least ten temples and 100 homes. Mr Das was arrested under Section 57 of the Information Communication Technology Act 2006 for hurting religious sentiment. He is currently on bail and the charges against him still stand, despite the police confirming there was no evidence he uploaded the post.

SHI'AS

16. The first attack on the country's Shi'a community took place on 24 October 2015, outside the main Shi'a site in Dhaka, during an annual Ashura procession. One person was killed and nearly 80 wounded. On 26 November 2015 masked gunmen stormed a Shi'a mosque in Haripur village in Bogra, north-west Bangladesh during evening prayers, killing one person and injuring three others.

AHMADIS

17. Bangladesh's small Ahmadi community is also affected by religiously motivated violence. On 25 November 2013 a mob of around 20,000 attacked the centennial anniversary celebrations of the Ahmadiyya Jamaat movement in Kaliakoir, near Dhaka.

18. On 25 December 2015 a suicide blast at an Ahmadi mosque in the north-western town of Bagmara, Rajshahi wounded seven people. Both IS and Jama'at ul Mujahideen Bangladesh claimed responsibility.

19. On 9 May 2017 an Ahmadi cleric, Imam Mustafizur Rahman, from Ishwarganj, northern Bangladesh, was attacked after the evening call to prayer when three men with cleavers stormed the mosque. He was severely injured.

20. **Recommendation: The government should implement recommendations accepted at the last UPR to address violent acts of religious intolerance, discrimination and gender-based violence. The government is also urged to uphold its constitutional commitments to secularism and take swift, decisive action to tackle rising terrorism and violence and to ensure impartial investigations and prosecution of those responsible for attacks against religious minorities.**

ATTACKS ON AND KILLINGS OF SECULAR BLOGGERS

21. Since the last UPR, bloggers, secular activists and atheists have faced unprecedented brutality. Asif Mohiuddin, a secular blogger, was attacked on 14 January 2013; Ahmed Rajib Haider, an atheist blogger, was killed on 15 February 2013; Shafiul Islam, a university professor and follower of the Baul sect, was murdered on 15 November 2015; Avijit Roy, a mechanical engineer and blogger was killed and his wife, Bonya Ahmed, attacked in Dhaka on 26 February 2015; Washiqur Rahman Babu, a blogger, was killed in Dhaka on 30 March 2015; Ananta Bijoy Das, a secular blogger, was hacked to death on 12 May 2015; Niloy Chatterjee was killed on 6 August 2015; Faisal Arefin Dipan, a publisher, was hacked to death in Dhaka on 31 October 2015; and Ahmedur Rashid Chowdhury was attacked on 31 October 2015.

22. These liberal bloggers were systematically and deliberately targeted by extremist Islamist groups such as Ansarullah Bangla Team, Ansar al-Islam (a local branch of al-Qaeda) and IS, which claimed responsibility for a number of attacks.

23. Several bloggers have since fled Bangladesh, including Sobak Pakhi (also known as Ibrahim Khalil or Sumon Sowdagar). After the murder of Rajib Haider on 2013 and then writing articles about his embrace of atheism, Mr Pakhi began receiving death threats from extremist Islamist groups pressuring him to take down his blog. In 2013 threats against him and like-minded bloggers increased. He has fled Bangladesh and remains in hiding.

24. Suresh,¹ a blogger CSW interviewed in 2015, received multiple death threats through Facebook and by email and text messages. He was provided with 24-hour police protection but said, "They are not helping us; they do not wish to help us, the police take your phone calls and your address and give it to the terrorists."

25. CSW welcomes the steps taken by the government to prosecute some of the perpetrators, though the government's initial, muted response lacked clarity and consistency both to condemn and bring the attackers swiftly to justice. Furthermore, the government sent contradictory warnings which indicated that action would be taken against all who 'hurt religious sentiment', and seemed to imply that the bloggers were partially responsible for the murders. On 12 June 2016 Shahriar Alam, State Minister for Foreign Affairs, said, "These attacks are not acceptable, but at the same time we expect people to stop criticising the prophet Muhammad."²

26. **Recommendation: The government should enable an environment in which dissent and critical opinion can be expressed without fear of intimidation and harassment from government, radical groups or police. The government should also condemn the violence and threats in strongest terms, prosecute the perpetrators of violent attacks and provide adequate protection for bloggers and free thinkers.**

THREATS AGAINST AND ATTACKS ON HUMAN RIGHTS DEFENDERS

27. During the 2013 UPR Bangladesh accepted ten recommendations to ensure the safety of human rights defenders (HRDs). CSW is concerned that the government continues to restrict freedom of expression (FoE) and is failing to provide adequate protections to HRDs campaigning for FoRB.

28. In January 2017 Rosaline Costa, a Catholic activist who campaigned for the rights of religious minorities, was forced to flee the country after multiple threats against her life. She was physically attacked several times and regularly received threatening phone calls.

29. Supriti Dhar, the founder and editor of 'Women's Chapter', an online news portal dedicated to women's rights, has received multiple threats from extremists groups including via Facebook, since becoming involved in the 2013 Shahbag Movement,³ a blogger and online activist network originating in Dhaka.

30. On 2 June 2017 Sultana Kamal, a high profile HRD, was

1 Name changed for security reasons.

2 *Guardian*, 'Inside Bangladesh's killing fields: bloggers

and outsiders targeted by fanatics', 12 June 2016 www.theguardian.com/world/2016/jun/11/bangladesh-murders-bloggers-foreigners-religion

3 The group campaigned for the death penalty for those responsible for crimes in the 1971 Liberation War.

publicly threatened on television by radical group Hefazat-e-Islam after they claimed Mrs Kamal had called for the removal of all mosques. She was threatened with violence, arrest and forced exile.

31. **Recommendation: The government should strengthen rule of law through impartial investigations into attacks on HRDs, should implement reforms to combat impunity for these attacks, and should enforce protective measures to ensure the safety of HRDs. The work of HRDs is a vital prerequisite for the full flourishing of FoRB and other human rights.**

LAND GRABBING

32. Land grabbing cases involving religious minorities, especially Hindus and Christians, have proliferated. Under the Vested Property Act (known as the Enemy Property Act during Pakistani rule), authorities have expropriated an estimated 2.6 million acres of land belonging to Hindus. The Vested Properties Return (Amendment) Bill 2011 has enabled the return of land seized from Hindu and indigenous peoples over the last four decades; however, there has been limited implementation of the provisions of this Bill and ongoing intimidation of religious minority landowners, and thousands of cases remain pending.
33. On 3 August 2013 Bengali settlers attacked Jumma village in Khagrachari district in the Chittagong Hill Tracts, burning at least 36 homes and a Buddhist temple. Approximately 400 indigenous Buddhist and Hindu homes were looted in attempts to seize their land.
34. In 2015 CSW met Hindu and Christian victims of land grabbing from Rangpur and Lalmonirhat districts. These victims identified government officials, police and national politicians involved in land grabbing. Zafar, a journalist from Rangpur, described a case in which three members of the same Hindu family were killed by Bengali settlers who had worked on the family's land as labourers since the 1960s. The father was killed in 1964 and two sons in 2011 and 2014 respectively.
35. James Mardi, a pastor from the city of Rangpur, said that in recent years eight out of 50 Christian families from one village had faced land grabbing threats from local Muslims. These Muslims worked in groups to make fake documents claiming ownership of the land. According to CSW's sources, lawyers and members of the Bar Council have been complicit in attempts in 2015 to seize land from Anglican churches.
36. On 15 October 2015 Abraham Cruze, a Christian man, was allegedly forced to leave land that his family had owned for several generations. He blamed the forced eviction on Hazi Saifullah, a Muslim man linked to a local branch of the ruling Awami League party. Mr Cruze alleges that Mr Saifullah, assisted by a group, robbed the family of about USD12,000 worth of belongings. The case is ongoing.
37. On 6 November 2016 there were violent clashes between local Christians – mostly ethnic Santal Catholics – and police and Muslims attempting to grab land in Gaibandha district, north-western Bangladesh. Two people were killed, six injured and number of homes were looted. According to CSW sources the attack was premeditated.
38. **Recommendation: The government should raise awareness of the Vested Property Return Act among religious communities, and digitise the land record system to minimise land disputes and use of fake documents.**
39. **Recommendation: The government must tackle corruption within political parties, the Ministry of Land and land registry offices, to ensure politicians and officials involved in land grabbing are prosecuted. The government should implement reforms within the police force to ensure**

effective investigations into illegal attempts to seize land.

40. **Recommendation: The government should ensure that the right to land is guaranteed without discrimination on the basis of religion or ethnicity.**

SECTION 57, INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) ACT 2006

41. CSW is concerned that the ICT Act 2006, particularly Section 57, is increasingly being used to restrict FoE and threaten the space for dissent. Section 57, which is vaguely defined, criminalises the deliberate publication of material in electronic form that 'causes to deteriorate law and order, prejudice the image of the state or person or hurt religious beliefs'. The 2013 amendments make Sections 54, 56, 57 and 61 'non-bailable and non-referable' offences, raise the sentence for offences from 10 to 14 years, and grant law enforcement officials the power to arrest without a warrant.
42. In April 2013 police arrested bloggers Rasel Parvez, Mashiur Rahman Biplob and Subrata Adhikari Shuvo for allegedly posting 'inflammatory' comments on sensitive religious issues. Asif Mohiuddin, an atheist blogger, was arrested on 3 April 2013 for posting 'anti-religious' comments on his blog. All were charged with harming religious sentiment under Section 57(2) and branded 'anti-Islamic atheists' by conservative political forces.
43. **Recommendation: The government should repeal Section 57 of the ICT Act and ensure all other sections of the Act are compatible with international standards of FoE.**

ROHINGYA MUSLIM REFUGEES

44. Since October 2016 an escalating humanitarian crisis in Rakhine State in Myanmar has left thousands displaced and hundreds dead, with reports of the destruction of entire villages and thousands of homes in attacks by the Myanmar Army.⁴ The UN Secretary-General described the situation as "catastrophic" and the UN High Commissioner for Human Rights called it a "textbook example of ethnic cleansing".
45. Reports estimate that over 400,000 Rohingyas have fled to Bangladesh seeking refuge as the humanitarian crisis reaches unprecedented levels. CSW welcomes the government's decision to provide aid and build shelters to house refugees.
46. Bangladesh is a signatory to neither the 1951 Convention Relating to the Status of Refugees nor its 1967 Protocol. The country has not enacted national legislation on asylum and refugees, although in early 2014 the government announced its national strategy for undocumented Myanmar nationals and refugees, acknowledging their need for basic humanitarian relief.
47. **Recommendation: The government should sign and ratify the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol, and ensure national legislation is in line with international human rights standards.**
48. **Recommendation: The government should respect**

4 Christian Solidarity Worldwide, 'Report on human rights violations in Rakhine State', 12 January 2017 www.csw.org.uk/2017/01/12/report/3423/article.htm

the principle of non-refoulement, ensure an effective resettlement programme for Rohingya refugees and improve access to aid and shelter.

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CSW is a Christian organisation working for religious freedom through advocacy and human rights, in the pursuit of justice.

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