

Introduction

Religious minority groups in Bangladesh continue to face discrimination in the law, in society and in their treatment by enforcement agencies.

Although secularism is enshrined in Article 12 of the 1972 constitution, Article 2(A) asserts that Islam is the state religion and that other religions may be practised in peace and harmony. However, a series of attacks that took place between 2013 and 2017 resulted in the deaths of several bloggers, atheists and members of religious minority groups: a worrying indication that anyone holding or expressing an opinion contrary to the state and to Islam could be under threat. Religious minorities and indigenous communities continue to be targets of discrimination, violence and land grabbing in Bangladesh.

Political unrest led to repeated cycles of violence in 2013, 2014 and early 2015, with religious minorities becoming the victims of intimidation and attacks by Islamist groups and radical opposition party members. The Awami League, led by Sheikh Hasina, won a landslide victory in the 2018 elections, which were marred by accusations of corruption, the arrests of opposition activists, and violence, with around 18 deaths and over 200 people injured.

Attacks on religious minorities

According to the Bangladesh Hindu-Buddhist-Christian Oikya Parishad, widespread violence against ethnic and religious minorities had increased after the general elections in 2018. Places of worship belonging to Ahmadi and Shi'a Muslims, as well as Buddhists and Hindus have all been attacked in recent years. Concerns have also been raised over the Waz Mahfil (Islamic gathering) sermons that take place during winter in rural areas. The sermons, preached by radical clerics, often contain inflammatory hate speech and discriminatory language towards religious minorities, which fuel an environment of fear and intolerance. Numerous Christian leaders have also been threatened.

Bangladesh's Ahmadiyya community is particularly vulnerable and faces increased harassment, as Islamist groups demand that the government declares Ahmadis as non-Muslims. There is evidence that police have been instructed to bring the position and activities of the Ahmadis under nationwide surveillance, including by approaching members of the community outside of their mosques to collect personal details.

Hindu and indigenous communities are particularly vulnerable to gender based violence, with evidence of repeated cases of rape, forced marriage and conversion of

minors disproportionately targeting Hindus. The decline in Hindu population has been linked to sustained attacks on the community, forcing the population size to reduce drastically from 23% in 1971 to just 8%.

While the government has promised extra security to those facing severe intimidation, more effective and holistic action is necessary to eliminate the underlying motives for these threats and to combat the growing fundamentalist voices threatening freedom of religion or belief (FoRB).

Restrictive laws

Land grabbing remains a serious issue for religious minorities in Bangladesh. While the Enemy Property Act historically used to strip Hindus of their property has been repealed. Despite the repeal of the legislation, many Hindu families have been stripped of their rights and unable to recover their landholdings. The Association of Land Reform and Development estimates that 75% of approximately three million pending court cases relate to land disputes. The government has failed to take effective measures to reverse the impact of property seizures.

There are also concerns that the space for civil society and dissent is being curbed, with rising threats and attacks against secular activists, human rights defenders and religious minorities. These concerns are intensified by new and revised laws that impede freedom of expression, particularly the Digital Security Act (DSA) which replaced the Information and Technology Act 2006 (ICT Act) and poses restrictions on freedom of expression.

Several provisions under the new Act contain vague and overly broad provisions, which is used by the government to silent dissent and further curb freedom of speech and expression.

Terrorism

The pace at which terrorism is growing in Bangladesh is a cause for concern. In November 2019 an anti-terrorism court sentenced seven individuals to death in relation to the 2016 Holey Artisan Bakery attack in Dhaka which killed 22 people. While the Awami League has a "zero-tolerance" policy toward terrorism and tends to downplay the threat of terrorism, local sources report that al-Qa'ida in the Indian Subcontinent (AQIS) and ISIS have been responsible for more than 40 attacks since 2015. In August 2019 police arrested five suspected "self-radicalised" youths belonging to Neo Jama'atul Mujahideen Bangladesh (Neo-JMB), a pro-ISIS group in Dhaka. In July police recovered improvised explosive devices (IEDs), which were planted outside two police stations at Farmgate and Paltan, Dhaka, for which ISIS claimed responsibility. On 9 August 2019 Amaq News

Agency, ISIS' primary news outlet, posted a video in Bengali encouraging supporters in Bangladesh that the fight for the Caliphate is not over and to target the "near enemy," meaning political leaders, police and non-Muslims.

Religious minority groups and civil society have also warned about the creeping Islamisation of mainstream education, in light of demands by conservative Islamic scholars, including Hefazat-e-Islam, to remove secular content and replace it with religious material in textbooks. The group has issued a "fatwa" on the construction of sculptures of persons or animals.

The Rohingya crisis

Over 700,000 Rohingya refugees who have fled a brutal military crackdown in Myanmar/Burma's Rakhine State and have settled in camps in Bangladesh since August 2017. The situation in Cox's Bazar, which has become the world's largest refugee camp, is unsustainable. In August 2019 Bangladesh and Myanmar/Burma made plans to begin the repatriation of 3,450 Rohingya refugees, however no refugees chose to return to Myanmar/Burma, for fear of facing discrimination, repressive laws and targeted attack.

In a welcome development in January 2020, Human Rights Watch reported that Bangladesh plans to allow 10,000 Rohingya children access to a formal school curriculum for the first time after the government approved a "pilot" education program.¹ It is estimated that there are nearly 400,000 Rohingya children in Bangladesh's refugee camps.

Recent developments

Attacks on places of worship

On 14 January 2020 Masjid Baitul Wahed, a mosque belonging to the Ahmadiyya community, was attacked in Brahmanbaria town by madrassa students. Witnesses report that Ahmadi homes nearby were also targeted. Following the incident, the students rallied in front of the Brahmanbaria Press Club demanding for a law to be passed to declare Ahmadiyyas as non-Muslims.

Violations of freedom of expression

In January 2020 Shariat Boyati, a Bangladeshi folk singer, was arrested on charges of "hurting religious sentiments" under the DSA. He had used language in his songs to criticise a section of fundamental Muslim clerics for misrepresenting Islamic philosophical teachings.

In March 2020 a case was filed under the DSA by Bilal Hossain Sarker, a politician from Awami League, against Emdadul Hogue Milon, a businessman and activist, on charges of 'deteriorating law and order.' Mr Milon had posted on his Facebook that "inviting [Indian Prime Minister] Modi, an oppressor of Muslims at the birth centenary of Mujib is an insult to the Bengali nation's pride, Bangabandhu, and people of Bangladesh will not welcome that." He was also accused of posting a satirical image of Obaidul Quader, a Bangladeshi minister, as an expression of dissatisfaction with the electronic voting system, which was deemed 'offensive' and 'defamatory' under the DSA.

COVID-19

The COVID-19 pandemic further exacerbated the situation of freedom of expression in Bangladesh, with genuine concerns that the DSA is being used to stifle legitimate criticism of the government's response to the pandemic.. In June 2020, UCA News reported that an estimated 142 people, including journalists, had been arrested under the DSA since March 2020, for reporting and spreading allegedly misinformed news and posting on social media.²

In May 2020, it was confirmed that COVID-19 had reached the Rohingya refugee camps on the Bangladesh-Burma border. The confirmation of at least two cases in the world's largest refugee camp led aid organisations to warn of an impending humanitarian disaster.³ CSW has visited the Rohingya refugee camps twice and it is clear from first-hand observation that social distancing, self-isolation and even regular hand washing are an impossibility in camps where families live cheek by jowl, with a limited supply of clean water, poor sanitation and rudimentary healthcare.

¹ Human Rights Watch, 'A Step Forward for 10,000 Rohingya Refugee Children', 29 January 2020 <https://www.hrw.org/news/2020/01/29/step-forward-10000-rohingya-refugee-children>

² UCA News, 'COVID-19 deals mortal blow to freedom of speech', 23 June 2020 <https://www.ucanews.com/news/covid-19-deals-mortal-blow-to-freedom-of-speech/88488#>

³ UCA News, 'COVID-19 sows panic in Rohingya camp', 15 May 2020 <https://www.ucanews.com/news/covid-19-sows-panic-in-rohingya-camp/88034>

Recommendations

To the government of Bangladesh:

- Implement effective and holistic action to eliminate the underlying motives for threats to religious minorities and to combat growing fundamentalist voices threatening FoRB in Bangladesh.
- Review the vague and overbroad provisions of the Digital Security Act and ensure all other sections of the Act are compatible with international standards and do not obstruct freedom of expression.
- Put in place measures to implement effective resettlement programme for Rohingya refugees and improve access to health, education, water and sanitation, disaster risk management, and social protection without delay.
- Take swift action to tackle rising terrorism and violence, ensuring impartial investigations and the prosecution of those responsible for attacks against religious minorities, in order to end the culture of impunity around these crimes.
- Remain committed to raising 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. In addition, the government must tackle corruption within political parties and the Ministry of Land and land registry offices, and prosecute politicians and officials involved in land grabbing.