

Legal framework

Secularism is enshrined in Article 12 of the 1972 constitution of Bangladesh, though Article 2(A) asserts that Islam is the state religion. There is no blasphemy law, but there are punishments in the penal code for statements or acts made with a “deliberate and malicious” intent to insult religious sentiments, which have been used by the authorities to charge individuals for acts perceived to be a slight against Islam.

Violations of freedom of religion or belief

Although the constitution provides for equality for all religions and prohibits discrimination on religious grounds, religious minority groups in Bangladesh continue to face discrimination in the law, in society, and in their treatment by enforcement agencies.

Furthermore, a series of attacks between 2013 and 2017 which resulted in the deaths of several bloggers, atheists, and members of religious minority groups are 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.

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.

Attacks on religious minorities

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.

According to the Bangladesh Hindu-Buddhist-Christian Oikya Parishad, an organisation established to protect the human rights of the religious and ethnic minorities of Bangladesh, widespread violence against ethnic and religious minorities increased after this election. Places of worship belonging to Ahmadi and Shi'a Muslims, 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.

The 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 place Ahmadis under nationwide surveillance, including by approaching members of the community outside of their mosques to collect personal details. On 14 January 2020 in Brahmanbaria town, a mosque belonging to the Ahmadiyya community

and nearby homes were attacked by madrassa students. Following the incident, the students rallied in front of the Brahmanbaria Press Club demanding a law be passed to declare Ahmadis as non-Muslims.

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. Sustained attacks on the community have been linked to the decline in Hindu population.

Property rights

Land grabbing remains a serious issue for religious minorities in Bangladesh. The Enemy Property Act, historically used to strip Hindus of their property, has been repealed. Despite this, many Hindu families have been stripped of their rights and are 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.

Freedom of expression

There are 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 draconian Digital Security Act (DSA) 2018 which replaced the Information and Technology Act 2006 (ICT Act). Several provisions under the new Act contain vague and overly broad provisions, which are used by the government to silence dissent. For example, 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.

There are also concerns that the DSA is being used to stifle criticism of the government's response to the COVID-19 pandemic. Civic space remains repressive, with journalists and other human rights defenders being charged under the DSA. According to the country's Department of Prisons, as of 11 July 2021, at least 433 individuals have been imprisoned under the law for reporting and spreading allegedly misinformed news and posting on social media.

Terrorism

The pace at which terrorism is growing in Bangladesh is a cause for concern. 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

2019 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.

The Rohingya crisis

Over 700,000 Rohingya refugees have fled a brutal military crackdown in Myanmar/Burma's Rakhine State and 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 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. It is estimated that there are nearly 400,000 Rohingya children in Bangladesh's refugee camps.

Recommendations

To the government of Bangladesh:

- Implement holistic policies 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.
- Implement an 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.

To the United Nations and Member States:

- Urge Bangladesh to guarantee the right to FoRB for all, in law and in practice, in line with Article 18 of the International Covenant on Civil and Political Rights (ICCPR) to which the State is party.
- Encourage Bangladesh to issue a standing invitation to UN Special Procedures.
- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Bangladesh, addressing the vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Call on Bangladesh to conduct impartial, timely investigations into targeted attacks against religious or belief minorities, ensuring that perpetrators are held to account, and to take effective measures to reverse the impact of property seizures.
- Urge Bangladesh to review the Digital Security Act in line with international standards and ensure it does not obstruct freedom of expression.

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