

DISSERTATION ON
Equal Rights and Religious Minority in Bangladesh: a critical analysis

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Acknowledgment

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Declaration

I, Zesan Howlader, id: 2017-1-66-044, hereby truly declare that I conducted this research and that neither the entire research paper nor a portion of it has been submitted to or published by any journal, newspaper, or other article-publishing organization. This dissertation paper is my original work. A list of references and a footnote are also included, together with the proper acknowledgment of the sources used for this research.

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Signature of the Supervisor

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LIST OF ABBREVIATIONS

BDMW	Bangladesh Minority Watch
OHCHR	UN Office of the High Commissioner for Human Rights
NHRC	The National Human Rights Commission
UN	United Nations
UDHR	Universal Declaration of Human Rights
ICCPR	International Covenant on Civil and Political Rights
EU	European Union
USCIRF	United States Commission on International Religious Freedom
HRCBM	Human Rights Congress for Bangladesh Minorities

Abstract

This research work mainly deals with a critical analysis of Equal Rights and Religious Minorities in Bangladesh. In this paper Articles of the Constitution of the People's Republic of Bangladesh 1972, The Penal Code 1860, The Digital Security Act 2018, and other laws are being discussed in connecting religious minorities. In addition, this paper also discusses particular standards of the international situation for Equal Rights and Religious Minority and compares the discussion with the laws of Bangladesh. In this research paper, I tried to narrate the current situation of Religious Minorities and outline some recommendations, and give suggestions on which is the most important to ensure Equal Rights for the Religious Minority community. Finally, I concluded this paper with a summary of the key issues. This research paper has been prepared based on qualitative research. The secondary resources of this study such as the legal statute, books, journal articles, and newspaper reports have been applied.

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Chapter 1: Research Proposal

1.1 Statement of The Problem

According to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, “only non-dominant groups in a population which possess and wish to preserve stable ethnic, religious or linguistic traditions or characteristics markedly different from those of the rest of the population are identified as minorities”¹. Following on, any group of people that makes up less than half the total population on a state's territory and share a common religion is considered a religious minority.

Bangladesh's total population is approximately 164.7 million. According to recent statistics, almost 91% of the population of Bangladesh is Muslim and 8% is Hindu. The remaining 1% of the population consists of minor Christian, Buddhist, and other religious groups.² In Bangladesh Hindus and other small communities like Christians, Buddhists and others are known as religious minorities.

According to Bangladesh Constitution Article 2(a), Bangladesh “The state religion of the Republic is Islam, but the State shall ensure equal status and equal rights in the practice of the Hindu, Buddhist, Christian and other religions.” The Bangladeshi Constitution affirms that all Religion are equal and they have the same rights and standing.³ In reality, the situation is quite different. Religious minorities are often being killed, harassed, and lost land rights by the majority community, also they are treated like they don't belong here, and they are being discriminated against because of their religious beliefs. Also, many religious minorities face pressure to migrate to India. Even they are being forced to convert their religion.

This research will explore the current scenario of Bangladesh's religious minority and how they are getting their rights and status. This research will also help to analyze how equal rights and religious minorities will be in the same line with the help of public international law.

¹ “What is the definition of ‘minorities’ and ‘indigenous peoples?’” <<http://archive.ipu.org/dem-e/minorities/faq.pdf>> (accessed 14 September 2022)

²“Preliminary Report on Population and Housing Census 2022: English Version” <<http://www.bbs.gov.bd/site/page/47856ad0-7e1c-4aab-bd78-892733bc06eb/Population-and-Housing-Census>> (accessed 14 September 2022)

³ The Constitution of the People's Republic of Bangladesh, A. 2(a)

1.2 Research Question

What are the challenges of implementing equal rights for religious minorities in Bangladesh and how their equal rights can be ensured?

1.3 Objective of The Thesis

- A. To analyze the current situation of religious minority groups in Bangladesh.
- B. To explore the reasons behind the not implantation of the relevant law.
- C. To provide some recommendations and findings.

1.4 Research Methodology

To achieve the purpose of the dissertation, a quantitative research methodology has been adapted for this thesis. Also, to conduct this research, this research will be conducted with the assistance of various pieces of information from primary and secondary sources. For this research, statues and books were used as primary sources. As secondary sources, we used websites, blogs, laws, books, journal articles, newspaper articles, legal documents, and other materials. These primary and secondary sources will be the main sources of the thesis paper. The footnotes and bibliography are referred using the OSCOLA referencing system.

1.5 Literature Review

Rights of the Minorities: the case of Bangladesh by Gobinda Chandra Mandal where he talks about the overall minority of Bangladesh. In the article, he tries to overview of the overall minority community including what feature a minority have how we define a minority community and other. Also, on the article, he talks about religious minorities, ethnic minorities, Linguistic minorities, other minorities. In short in his article, he talked about the total portion of minorities available in Bangladesh, but there is no such detailed research about religious minorities, here I decide to do some more research about the religious minority and how they are being treated in Bangladesh with the help of the view of the international community.⁴

⁴Gobinda Mandal, “Rights of the Minorities: The Case of Bangladesh” <https://www.academia.edu/839044/Rights_of_the_Minorities_The_Case_of_Bangladesh#:~:text=Article%2027%20of%20the%20Covenant,of%20their%20group%2C%20to%20enjoy> (accessed 14 September 2022)

1.6 Structure of The Thesis

This paper will have a total of five chapters. In the first chapter, the statement of the problem, the research question, the objective of the thesis, and the research methodology will be given. In the second chapter, the current situation of Bangladeshi religious minority groups will be discussed. In the third chapter, Equal rights and religious minorities, with the help of public international law and the international community will be discussed. In the fourth chapter, How Bangladesh can improve and make sure every religious people or community is equal will be analyzed. In the final chapter, the conclusion for the whole thesis will be drawn.

1.7 Limitation of The Thesis

There were not many cases about religious minorities when I was doing this research. This is because most religious minorities do not want to sue the majority because they do not want to have to go through more trouble. Even if someone files a case, they are usually still forced to withdraw a case. For this research paper, I could only find a few cases and court decisions.

Chapter 2: Current Situation of Bangladeshi Religious Minority Groups

2.1 Introduction

Religious minorities in the Indian sub-continent have been facing equal rights violations for many decades. Religious Minorities started facing more equal rights violations in 1947 when Great India was partitioned based on Religion and made two countries where Pakistan was for Muslims and India was for Hindus. After the partition people become more offensive against minorities. Hindus are the majority while Muslims are the minority in India. And they often riot against each other for their religion. The same thing happened in Pakistan where Muslims are the majority while Hindus are the minority.

In 1971 when East Pakistan's and West Pakistan's war started in Pakistan where the reason was also minority vs majority. The West Pakistani majority community violated almost every right of east Pakistani because they were the minority. After the partition of East Pakistan and West Pakistan. And a new country has established and Bangladesh got independent.

Even after the independence of Bangladesh in 1971 did not solve anything for the minority community. In 1947 religious minority was 30% of the total population, and in 1972 religious minority was 20% of the total population⁵. And they are now only 9% (2017) religious minority of the total population in Bangladesh⁶. Even the rate of the religious minority population is dwindling more in Bangladesh in the recent year. And in several districts of Bangladesh, Hindu population numbers have decreased in absolute terms. Well-to-do households are being reduced to paupers and being forced to cross the border into India due to religious majority's attack including house loot and burning, destroying of religious temples, forced religious conversion and other subtle and physical intimidations are the leading causes of a religious minority's decline in Bangladesh.

⁵“A few recent incidents of religious minority persecution” <https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/MinorityIssues/Session10/Item5/AdditionaionalStatements/item5_-_Bangladesh_Minority_Council_.pdf> (accessed 30 September 2022)

⁶“Preliminary Report on Population and Housing Census 2022: English Version” <<http://www.bbs.gov.bd/site/page/47856ad0-7e1c-4aab-bd78-892733bc06eb/Population-and-Housing-Census>> (accessed 30 September 2022)

2.2 Basic Concept

The current scenario of the religious minority community will be discussed in this chapter, with the help of the current law for the religious minority. The implementation of these laws by finding case studies regarding religious minority communities. Also, will be discussed some recent incidents that happened with the religious minority and how safe they are in this country.

2.3 Bangladesh Law for Religious Minority

No minority in Bangladesh is recognized by the constitution, and there are no specific provisions for their protection and advancement. But there are some laws for the whole country and population which also cover The Religious Minority community. After the Independence of Bangladesh in 1971, The Bangladesh government adopted its constitution in 1972. Initially, the constitution of Bangladesh endorsed "secularism." In that version of constitution on article 12 says about secularism. Where the freedom to practice everyone, own religion was established and the ban on utilizing religion for political reasons also established. After 1975 things changed and after that, there were so many changes being made by different governments for their benefit.

Hereby the current Bangladesh Law is relevant for Religious Minorities:

The Constitution of the People's Republic of Bangladesh about Religious Minority

In our constitution of the people's republic of Bangladesh, there are various articles that discuss the preservation and equality of Religious Minorities:

Article 2(a):

This article confirms that Bangladesh's state religion is Islam but Bangladesh ensures equal status and equal rights for every religious minority including Muslim, Hindu, Buddhist, Christian, and other religions. They will have same rights as everyone else and be able to practice their own religion. Even though this article prioritizes Islam but it also makes sure all other religious minority communities are getting equal status and rights.⁷

Article 27:

⁷ The Constitution of the People's Republic of Bangladesh, A. 2(a)

This article defines that All Bangladeshi citizens are treated the same right and protection under the law. With the help of this article, Bangladesh's constitution gives protection to every citizen of Bangladesh including the majority and minority communities in Bangladesh. Also, it confirms that religious minority communities or people will get equal protection in Bangladesh.⁸

Article 28:

According to this article no citizen of Bangladesh would be subject to discrimination solely based on their religion, race, caste, sex, or place of birth. This makes sure that religious minorities will not be discriminated against for the reason of their religious belief. Also, this article indicates that Every citizen of Bangladesh can go to any public place to have fun or relax, as well as any educational institution. With this article, people from the religious minority community can be sure that they are not being treated unfairly anywhere and that they have the same rights everywhere in Bangladesh.⁹

Article 39:

In this article confirms the freedom of thought, speech, and expression of any citizen of Bangladesh. According to this article, every Bangladeshi citizen is entitled to freedom of speech and expression. This means that people from religious minorities can say and write what they want without being stopped.¹⁰

Article 41:

According to this article every person of Bangladesh has the freedom to proclaim, practice, and disseminate their preferred religion, Moreover, A religious group or denomination has the full right to build, run, and control the places where they worship. And Schools cannot compel pupils to participate in or attend religious services or rituals associated with a faith other than their own, or to speak with adherents of that faith.¹¹

The Penal Code of Bangladesh, 1860 is about Punishment if Someone Interrupts Religious Minority Rights

⁸The Constitution of the People's Republic of Bangladesh, A. 2(a)

⁹The Constitution of the People's Republic of Bangladesh, A. 28

¹⁰The Constitution of the People's Republic of Bangladesh, A. 39

¹¹The Constitution of the People's Republic of Bangladesh, A. 41

In our penal code of Bangladesh, 1860, there are many articles that talk about punishment if someone interrupts a Religious Minority:

Section 295:

In this clause, it is stated that if a citizen insults another faith, he or she will be penalized by imprisonment of any sort for up to two years, a fine, or both. Here insult means if anyone destroys, damage, or defiles any worship place or by displaying any sacred object in an insulting manner to any religion, any class of people may be offended or the destruction, damage, or defilement of any class of persons is likely to be considered an insult to their religion by any class of persons. This section gives protection of religious minority communities' worship places from destroys, damage or defiles by other communities. Also, it abandons those people who try to insult religious minorities' religious believe.¹²

Section 295(A):

In section 295(a), It is defined as anybody who insults or attempts to insult the religion or the beliefs of any class of Bangladeshi people by words, written expressions, or visual representations offends that class's religious sensibilities. Shall be punished by imprisonment of any kind for a duration that may not exceed two years, a fine, or both. This section also gives protection if someone from the majority community cannot deliberately or maliciously insult or attempts to insult other religious belief, especially religious minority communities religious.¹³

Section 296:

Section 296 said, anyone who willfully interrupts any gathering legitimately engaged in religious service or celebration is breaking the law, shall be punished by imprisonment of any kind for a duration that may not exceed one years, a fine, or both.¹⁴

Section 297:

This section says that anyone who breaks the law in a place of worship, a place of burial, or a place set aside for funeral rites or to store the bodies of the dead will be punished, with the intent

¹²The Penal Code of Bangladesh, S. 295

¹³The Penal Code of Bangladesh, S. 295(a)

¹⁴The Penal Code of Bangladesh, S. 296

of wounding the feelings of any person or insulting the religion of any person, or offering any indignity. Shall be punished by imprisonment of any kind for a duration that may not exceed one years, a fine, or both.¹⁵

Section 298:

In this section, anyone who says something, makes a sound, gestures, or places something in someone else's line of sight with the intent to offend that person's religious sensibilities is considered to have violated the law. Shall be punished by imprisonment of any kind for a duration that may not exceed one years, a fine, or both.¹⁶

The Digital Security Act of 2018 about Punishment if Someone Interrupts Religious Minority Rights

Section 28:

Anything posted on a website or sent out electronically that hurts people's feelings or values It goes on to state that any individual or group who Intentionally or purposefully publishes or broadcasts something that is insulting to religious sensitivities on a website or electronic layout with the objective to offend religious sentiments or values, or to provoke. Will be considered to have violated this extremely vague provision. For first-time offenders of religiously offensive speech, the Digital Security Act imposes a prison sentence of up to seven years, and for subsequent offenses, up to ten years.¹⁷

2.4 Current Situation

In Bangladesh, The Minority community especially the religious minority feels so unsafe and afraid. This can be seen clearly if we see the percentage of Bangladesh religious people from 1974-2022:

Years	Muslim	Hindu	Buddhist	Christian	Others
1974	85.4%	13.5%	0.6%	0.2%	0.2%

¹⁵The Penal Code of Bangladesh, S. 297

¹⁶The Penal Code of Bangladesh, S. 298

¹⁷The Digital Security Act of 2018, S. 28

1981	86.6%	12.1%	0.6%	0.3%	0.3%
1991	88.3%	10.5%	0.6%	0.3%	0.3%
2001	89.1%	9.2%	0.7%	0.3%	0.1%
2011	90.4%	8.5%	0.6%	0.4%	0.1%
2022	91.04%	7.9%	0.6%	0.3%	0.1%

Table of 1974-2022 Population by Religion¹⁸

After the independent of Bangladesh, the religious minority are decreasing day by day, people are leaving the country wherever they got chance because their life is not secure as the majority people have. As the Bangladesh Constitution declares, Islam is the state religion of Bangladesh, though other religious people can practice their religion peacefully, but this section is violated every day. Many rights violation is happening with the religious minority and most of the incident is not reported due to the fear of the majority of people in Bangladesh.

Hereby are some major reasons for decreasing Religious Minorities in Bangladesh:

2.4.1 Forceful Conversion to Islam

In the previous century it was the most common practice. In this century still, it is one of the major issues for other religious minorities in Bangladesh. There are still some religious minority people become targeted by Islam extremists. With the support of the local administration, political leaders, and religious leaders. To know more about the forceful conversion to Islam here is a case based on this, the malo cases of Madaripur Two Hindu girls were abducted by a group of Muslims from the same area, commanded by the Imam of the Madaripur Sadar Hospital Mosque. They were required to sign an affidavit stating that they were 19 years old and voluntarily want to convert to Islam. The police and law enforcement institutions neither protected the girls or their families nor apprehended the perpetrators. About this Advocate

¹⁸ “Bangladesh Bureau of Statistics” <<http://www.bbs.gov.bd/>> (accessed 06 October 2022)

Rabindra Ghose, President HRCBM, Dhaka, Bangladesh expressed his concern in the case: It is quite shocking to learn that the "No objection certificate" obtained by some police officers from the simple-minded and law-abiding guardians of the victims is largely unwarranted and without jurisdiction; and this deceitful effort on the part of any law-enforcement agencies is egregious and punishable by law. It is particularly shocking that when the victim girls were abducted from their home by the perpetrators, the police remained mute and enabled the perpetrators to hold religious processions in the area and encourage violence and intolerance.¹⁹

In many cases, religious minorities become targets of covert Islam for other reasons, which have some hidden agenda, if someone is being forced to convert to his religion, he often tries to escape the country, and some people want to do that because if they leave the country, it will be so easy to inherit their property so easily.

2.4.2 Violence Against Minority Women

Where only a few percentages of religious minority living in Bangladesh and the majority have most of the power in politics and locally, so there is much violence occurred by the powerful people of local where religious minority women become the number one target. Because people of religious minorities do not have the power to talk against the majority leader. There are only been a few cases reported in the last decades, and even though there are some cases reported somehow the case is either withdrawn by the enforcement of power or they got solved the scenario by the local leader. There are only a few cases that got justice in these recent years. Still to get the judgment they have to fight again everything around them.

One of them is the Purnima rani shil case: where On October 8, 2001, nearly 30 people raped Purnima Rani, a 12-year-old Hindu girl from the village of perbadelua in Bangladesh. Purnima's relatives discovered her unconscious three hours after she was gang-raped, one mile from the hamlet, in a field. Also, they looted the family salon of them also they beat miserably to her brother who was about to lose his eyes for the cause of beaten. And they threatened to murder her brother if they did not drop the complaint. They departed the village after receiving death

¹⁹*THE MALO CASE* (2002), < https://mm-gold.azureedge.net/human_rights/ethnic_clensing_Bangladesh.html > (accessed 06 October 2022)

threats. And "I want justice, not money," says Purnima, one of the few Bangladeshi victims willing to speak directly.

After almost 10 years of the case, the final judgment came on May 4, 2011, and sentenced 11 people to life imprisonment for gang-raping schoolgirl Purnima Rani Shil in 2001. The appointed Judge Osman Haidar rendered the judgment. The life-term imprisonment court also imposed a Tk 1 lakh fine on each member of the victim's family as restitution.²⁰

Another example of discrimination against women who belong to religious minorities is Gang-raped by a Hindu teacher at the school A 30-year-old Hindu schoolteacher was gang raped on August 17, 2017, while her husband was kept segregated in a different room, by some Muslim perpetrators. This incident took place in the Barguna District's Uttar Karuna of Betagi Upazila. Inquiry is being conducted by BDMW.²¹

2.4.3 Violence Against Religious Rights

Islam is the official religion of Bangladesh; however, everyone has the freedom to practice their own faith. In reality, most people break the law all the time, and religious temples have been destroyed by the local majority. This has become a common scenario in Bangladesh: Bangladesh According to the Hindu-Bouddha-Christian Oikya Parishad, 29 temples were attacked between April 2019 and May 2019. On October 24, 2018, a Buddhist temple was destroyed by criminals (as reported here), and a day before the probarana ceremony, an armored newly-erected Jatobonjatobon Buddhist temple and a Buddhal Buddha statue were destroyed. Also, Hindu temples, houses, and shops were trashed. On July 15, 2022, after prayer, the people of village of Sahapasaha hagara, Narail went to a Hindu man's sons, they alleged that the Hindu boy made a Facebook post and that hurt their religious feelings. After that, they trashed the Hindu store,

²⁰*PURNIMA RANI CASE* (2001) <<https://www.theguardian.com/uk/2003/jul/21/bangladesh>> (accessed 24 October 2022)

²¹"Hindu School Teacher Gang Raped"

<https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/MinorityIssues/Session10/Item5/AdditionalStatements/item5_-_Bangladesh_Minority_Council_.pdf> (accessed 24 October 2022)

home. lohagara police station visited the village and said forces have been deployed to prevent further attack on minorities.²²

Hindu temples set fire by criminals²³ this is the most recent which is reported in thakurgaon: were some criminals set fire to a temple and vandalized an idol of kali in pokati paschimapara village of thakurgoan sadar upazila.

There are a lot of reports of religious rights being violated, but most of them are never reported because of the extreme power of local leaders.

2.4.4 Loss of Land Rights

This is the biggest reason for to decrease in the percentage of the religious minority in Bangladesh. Before 1947 most people who lived in this area which is currently Bangladesh were Hindu. After the independence of India & Pakistan, Hindus become the minority in Pakistan this started in the Pakistan period when people of the majority community forcefully acquire Hindu land, and this continues after the independence of Bangladesh also. In the east Pakistan and west Pakistan wars, Hindus were one of the major targets for west Pakistan in wartime, lots of Hindu jomidar leave the country and their all property and land were taken over by the people the majority means Muslims. This continued after the independence of Bangladesh. Some people have the greed to take over the Hindu property as they did in the middle of the war. Somehow, they started to torture the minority and lots of reports have been published in the newspaper but still religious minorities facing the issue, and most often some are not being reported also.

2.5 Mass Attract on the Religious Minority Community

Here is some recent incident targeting specific religious minority:

2.5.1 Hindu

According to a collection of yearly reports published by human rights group ain o Salish Kendra covering the period from January 2013 to September 2021. On these reports says more than 2016

²²Correspondent,“Hindu temple, houses, shops vandalised in Narail” *The Daily Star* (Bagerhat,16 Jul 2022) <<https://www.thedailystar.net/news/bangladesh/crime-justice/news/hindu-temple-properties-vandalised-3071456>> (accessed 02 November 2022)

²³Star Report, “Hindu temple set afire in Thakurgaon” *The Daily Star* (Thakurgaon, 05 Nov 2016) <<https://www.thedailystar.net/backpage/hindu-temple-set-afire-thakurgaon-1309813>> (accessed 02 November 2022)

attacks happen on religious minorities house, shop and business, many were looted by the attackers. More than 1677 cases on vandalism. More than 26 incidents of grabbing homes and land of Hindu minorities. Also, more than 10 Hindu minority people dies and more than 862 people were injured in these years²⁴

2.5.2 Buddhists

Violence in September 2012 in Ramu was remarkable not just for its severity, but also for its religious overtones. The assaults started when a rumor circulated that a local Buddhist student had uploaded a picture of a burned Qur'an; however, an inquiry revealed that the individual in question was not involved. More than twenty Buddhist temples and forty residences were allegedly burned and ransacked. Even eight months after the tragedy, it was stated that Ramu inhabitants were still living in dread and that confidence between communities had not yet been rebuilt.²⁵

2.5.3 Christians

Bangladesh has been the scene of a number of incidents in which Christians have been the only victims of violent attacks. At least nine people were murdered and twenty others were wounded when a bomb detonated in a Catholic church in the village of Gopalgank in southern Bangladesh on June 3, 2001.²⁶ Violence against Christians has continued, aided in part by their disadvantaged standing in Bangladeshi society, despite the fact that this remains the deadliest single act of violence against the minority.

2.5.3 Others

Although atheism is not commonly viewed as a religion, its adherents have the same rights to religious freedom, the extreme Islamic organization has slain a large number of individuals. Due

²⁴Staff Correspondent, "3,710 attacks on Hindu community in last 9yrs" *The Daily Star* (Dhaka, 19 Oct 2021) < <https://www.thedailystar.net/news/bangladesh/news/3710-attacks-hindu-community-last-9yrs-2201861>> (accessed 24 November 2022)

²⁵Ashutosh Sarkar, "Eight Years of Ramu Attack: Buddhists still wait for justice" *The Daily Star* (Cox's Bazar, 29 Sep 2020) < <https://www.thedailystar.net/news/bangladesh/news/3710-attacks-hindu-community-last-9yrs-2201861>> (accessed 24 November 2022)

²⁶Staff, "Bangladesh church bomb kills nine" *BBC* (South Asia, 03 June 2001) < http://news.bbc.co.uk/2/hi/south_asia/1367073.stm> (accessed 26 November 2022)

to his anti-Islamic writings, Ahmed Rajib Haider was the first person to be murdered with a machete on February 15, 2013. And there are more scenarios about this.

2.6 Conclusion

Day by day religious minorities are leaving the country and a number of people are leaving, which could cause zero religious minorities in the near future. The government has so many laws for the religious minority but the implementation of these laws is nearly zero. Also, the religious minority communities always have a fear that if they file or sue against the majority it will cause more problems for them, that is why either they leave the country or accept the fact that they will be always harassed.

Chapter 3: Current Situation of other world and how international law is trying to help to achieve equal right and protection for religious minority

3.1 Introduction

The situation of religious minorities around the world right now is complicated and often makes people worry. Many religious minorities face discrimination, persecution, and even violence because of their beliefs. They may not enjoy fundamental rights and freedoms in certain nations, such as the right to worship, the right to practice their faith, or the right to attend school.

International law plays a crucial role in protecting the rights of religious minorities and promoting equality and tolerance. For example, Article 2 of the UDHR says that everyone has the right to practice their religion and express their beliefs.²⁷ The ICCPR also safeguards religious freedom and requires nations to respect the right to religious and belief freedom.²⁸

A declaration on the rights of national, ethnic, religious, and linguistic minorities. This proclamation declares minorities have the right to enjoy their own culture, believe in and practice their own religion, and speak their own language. Despite these legal protections, the reality is that religious minorities continue to face challenges and discrimination in many parts of the world. International law can help to promote equal rights and protection for religious minorities, but it is ultimately up to states to implement and enforce these legal protections. It is important for governments to respect and protect the rights of all individuals, including religious minorities, and to promote a culture of tolerance and understanding.

²⁷The Universal Declaration of Human Rights, A. 2 <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> (accessed 11 December 2022)

²⁸The International Covenant on Civil and Political Rights, A. 2 <<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>> (accessed 11 December 2022)

3.2 Current Situation of Religious Minority in European Union

The current situation of religious minorities in EU countries varies greatly. In some countries, such as France and the Netherlands, religious minorities face discrimination and persecution, with incidents of violence and hate crimes being reported regularly. Sweden and Finland have policies and regulations to encourage religious tolerance and diversity, which protects and accepts religious minorities.

Overall, the EU has achieved progress on religious minority' rights by implementing programs and laws to promote religious tolerance and prevent discrimination. However, there is still much work to be done to ensure that all religious minorities in the EU are protected and treated equally under the law.²⁹

EU has made initiatives to preserve religious minority rights and foster religious tolerance in member states.³⁰ Some of these steps include:

1. Adoption of the EU Framework Nation on National Minorities, which establishes a set of norms and principles for the protection and promotion of national minorities' rights, including religious minorities.
2. The formation of the European Court of Human Rights, which has the authority to examine cases involving violations of human rights, including religious minority rights.
3. The development of EU-level policies and initiatives to combat discrimination and hate crimes against religious minorities, such as the EU Action Plan on Combating Racism and Intolerance and the EU Framework for National Roma Integration Strategies.³¹
4. The establishment of the EU Agency for Basic Rights, whose mission is to promote and preserve the fundamental rights of all citizens, including religious minorities.

²⁹“Freedom of religion or belief” <https://www.eeas.europa.eu/eeas/freedom-religion-or-belief_en> (accessed 13 December 2022)

³⁰“EU Guidelines on the promotion and protection of freedom of religion or belief” <<https://www.eeas.europa.eu/sites/default/files/137585.pdf>> (accessed 13 December 2022)

³¹“EU Framework for National Roma Integration Strategies up to 2020” <https://commission.europa.eu/content/roma-equality-inclusion-and-participation-eu/eu-roma-national-strategic-frameworks-commission-evaluations-and-annual-reports_en#:~:text=The%20EU%20Framework%20for%20National,implementation%20of%20the%20EU%20Framework.> (accessed 15 December 2022)

5. The implementation of EU-wide programs and initiatives to promote intercultural and interfaith dialogue, such as the EU-funded Intercultural Cities program and the EU Platform for Intercultural Dialogue.

3.4 Current Situation of Religious Minority in Asia

The current situation of religious minorities in Asia is complex and varied. In some countries, such as China and North Korea, India, Pakistan, and Afghanistan—almost every country in Asia—religious minorities face severe discrimination, persecution, and repression, with little protection from the government, the same as in Bangladesh.

3.5 Current Situation of Religious Minority in United State

The current situation of religious minorities in the United States is going better than before, because The United States has taken a number of initiatives to preserve religious minority' rights and foster religious tolerance in the nation. Some of these steps include:

1. The adoption of the First Amendment to the United States Constitution, which provides for the freedom of religion, and prohibits the government from making any law by respecting a religious establishment or stopping people from practicing their faith freely. This amendment has been interpreted by the courts to protect the rights of religious minorities, and to prevent the government from discriminating against them.³²
2. The founding of the USCIRF, which was established in 1998 and has the responsibility to keep an eye out for breaches of religious freedom overseas and to provide suggestions to the President, the Secretary of State, and Congress on how to advance religious freedom. The USCIRF has been instrumental in promoting the rights of religious minorities in the United States, and has developed a number of initiatives and programs to support this effort.³³

³²“the First Amendment to the United States Constitution” <[³³“United States Commission on International Religious Freedom” <](https://www.whitehouse.gov/about-the-white-house/our-government/the-constitution/#:~:text=The%20First%20Amendment%20provides%20that,the%20right%20to%20bear%20arms.> (accessed 15 December 2022)</p>
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3. The application of several federal laws and regulations, such as the Religious Freedom Restoration Act of 1993 and the Civil Rights Act of 1964, to stop discrimination and persecution based on religion. The rights of religious minorities have benefited from these laws and policies, which have also helped to avoid and remedy religious prejudice and persecution.³⁴
4. The development of programs and initiatives to promote intercultural and interfaith dialogue, Interfaith Campus Challenge and Interfaith Youth Core. These activities and efforts have promoted better understanding and collaboration among religious groups and a more inclusive and tolerant society.

3.6 How the International Community is Trying to Make Sure Religious Minorities Get Equal Rights and Protection

The international community and UN have been working to ensure that religious minorities have equal rights and protection for many years. This is a UN priority since religious minorities are vulnerable and disadvantaged, and are therefore at greater risk of discrimination, violence, and persecution.

The UN has established a variety of legislative instruments and measures to promote the rights of religious minorities and protect them from discrimination and persecution in order to address this problem. Some of these initiatives include:

1. Adopted by the UN in 1948, the UDHR serves as the basis for many of the UN's initiatives to promote human rights. This right encompasses the freedom to change one's religion or belief, as well as the freedom to display one's religion or belief in worship, observance, practice, and teaching, according to the Universal Declaration of Human Rights.³⁵
2. The International Covenant on Civil and Political Rights, established by the United Nations in 1966, offers further legal safeguards for the rights of religious minorities. The

³⁴“The Religious Freedom Restoration Act of 1993” <<https://www.congress.gov/bill/103rd-congress/house-bill/1308#:~:text=Religious%20Freedom%20Restoration%20Act%20of%201993%20%2D%20Prohibits%20any%20agency%2C%20department,government%20may%20burden%20a%20person's>> (accessed 15 December 2022)

³⁵“Universal Declaration of Human Rights”<<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> (accessed 15 December 2022)

International Covenant says that everyone has the right to freedom of opinion, morals, and religion. This right includes the freedom to have or choose a religion or belief, as well as the freedom to worship, observe, practice, and teach one's religion or belief.³⁶

3. The UN's 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief reaffirms religious minorities' rights to freedom of religion and belief, and to be free from discrimination and persecution. In addition, the Declaration urges nations to resist prejudice and violence against religious minorities and to foster intercultural and interfaith communication.³⁷
4. Adopted by the United Nations in 1992, the Resolution on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities asserts the rights of religious minorities to equality before the law and to the enjoyment of their own culture, religion, and language. In addition, the Resolution urges nations to preserve the rights of religious minorities and encourage their full and effective involvement in society.³⁸
5. The 1993-established UN Office of the High Commissioner for Human Rights is charged with promoting and protecting the basic rights of all citizens, including religious minorities. The OHCHR has been instrumental in promoting the rights of religious minorities and has developed a number of initiatives and programs to support this effort, such as the UN Voluntary Fund for Victims of Torture and the UN Voluntary Fund for Victims of Discrimination or Violence on the Basis of Religion or Belief.³⁹
6. The UN Special Rapporteur on freedom of religion or belief, which was established in 1986 and is responsible for monitoring and promoting the rights of religious minorities. The Special Rapporteur has been crucial in advancing the rights of religious minorities

³⁶International Covenant on Civil and Political Rights” <<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>> (accessed 24 November 2022)

³⁷“Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief” <<https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>> (accessed 15 December 2022)

³⁸“Resolution on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities” <<https://www.oas.org/dil/1992%20Declaration%20on%20the%20Rights%20of%20Persons%20Belonging%20to%20National%20or%20Ethnic,%20Religious%20and%20Linguistic.pdf>> (accessed 15 December 2022)

³⁹“UN Office of the High Commissioner for Human Rights (OHCHR)” <<https://www.ohchr.org/en/about-us>> (accessed 24 November 2022)

via a series of findings and recommendations. He or she has played a pivotal role in increasing awareness about the plight of religious minorities.⁴⁰

In addition to these programs, the United Nations has supported a number of regional and national efforts to safeguard religious minorities from discrimination and persecution and to advance their rights. For example, The United Nations has supported a number of regional authorities, like the African Commission on Human and Peoples' Rights, which have played a significant role in advancing the rights of religious minorities. The United Nations has also supported national human rights institutions, such as the National Human Rights Institutions of South Africa and the National Commission on Human Rights of Indonesia, which have worked to promote the rights of religious minorities in their respective nations.

3.7 Conclusion

The European Union, the United States, the United Nations, and other international communities hold the rights of religious minorities in the highest regard. Despite these efforts, religious minorities in Europe, the U.S., and globally continue to face challenges and barriers to the enjoyment of their rights.

⁴⁰“UN Special Rapporteur on freedom of religion or belief” <<https://www.ohchr.org/en/documents/thematic-reports/a77514-interim-report-special-rapporteur-freedom-religion-or-belief>> (accessed 15 December 2022)

Chapter 4: Scope of Improvement for Bangladesh Ensuring Equal rights of Religious Minority

4.1 Introduction

The Bangladesh constitution says every citizen of Bangladesh is equal, but in reality, we see many differences, especially when it comes to religion. But to guarantee that every Bangladeshi citizen has equal access to religious liberty. For this, Bangladesh must improve, and the government, along with other citizens of Bangladesh, must be more aware of this to change Bangladesh, make life equal, and enjoy everyone's rights. The government and citizens must both play a vital role in protecting religious minorities, which will help to keep Bangladesh a diverse country.

Regarding the Bangladeshi government

4.2.1 To Ensure The Protection of Religious Minorities

Legislators, political police, and local government officials should send a clear message that protecting the civil freedoms of vulnerable groups is a top concern. There needs to be a bigger focus on learning about and talking about things that could lead to violence, like getting a property or stealing from a neighbor, having political disagreements, and spreading harsh ideas through speech that is influenced by politics. Therefore, we may take safeguards before any maltreatment. To do this, the political deadlock must be broken. Nation, with a focus on making sure everyone is safe and protected from the most religious minority community in Bangladeshi society. In addition to protecting the rights that the Bangladeshi Constitution gives to all citizens, the government should pass anti-discrimination laws that target religious minorities, with a focus on how discrimination affects women and Dalits, who are already at a disadvantage in their communities. Also, the government needs to look into unfair parts of the legal system, like how Islam is the only official religion and secular writers and activists are limited in many ways. Also, the government should strengthen ways to keep an eye on human rights, so that it can better respond when minorities' rights are violated.

4.2.2 To Ensure Justice for Religious Minority Victims of Targeted Rights Abuses

To put a stop to this, the government should implement a society where wrongdoings are not punished because of the widespread acceptance of a culture of impunity. Detection and response to the problem were accomplished by the judiciary. When political corruption is involved, the law, lawmen, and other state representatives must ensure that individuals who have been harmed and offenders who have been brought to justice receive full and permanent restitution. Authorities need to take several steps, including the ones listed below: comprehensive instruction in legal and police struggles for minority rights; government representatives; providing education about sexual harassment, the pay gap, and sexism; these are just a few of the issues women and girls face. Including but not limited to physical violence, kidnapping, and marital coercion. Besides, the authorities are required to carry out legal and institutional changes. In addition to this, we should implement a more comprehensive set of policies to combat it. Elements of minority status that have a long-term structural basis in marginalization. In addition to this, steps should take one to address the issues of social discrimination and prejudice. Reducing the effects of stigma through educational programs, efforts to raise public awareness, and projects involving the media, cultural platforms, and the internet to celebrate the good things that people from religious minorities have done for the country.

4.2.3 The Role of The National Human Rights Commission (NHRC)

By the need that was outlined in the NHRC Act 2009, the NHRC shall be provided with the following: more independence in conducting investigations over allegations of rights violations and breaches; and making the administration accountable for its transgressions. A connection must be established with the central office to communicate with policy officials about documented rights violations against religious minorities. For better access to resources and to enable the NHRC's operations, people have to be assigned to them. For it to carry out its duties effectively. We also have to make sure writers, campaigners, and lawyers are permitted to freely research legal issues. Undertake awareness-raising activities, stop abuses, and get people in the community involved without worrying about extreme violence or intimidation. In actuality,

authorities should put a stop to the situation right away and stop all governmental arrests that harass activists by coercion and other means. In addition, officials must also help groups fighting for human rights, which includes providing safeguards and financial assistance.

4.2.4 By Improving Legal Framework Regarding Religious Minority

Several steps can be taken to ensure justice for religious minority victims of targeted rights abuses. Some of these steps include:

1. Providing legal assistance and support to the victims, including access to lawyers, legal aid, and other resources that can help them pursue justice and seek redress for their rights abuses.
2. Ensuring that law enforcement and judicial authorities are trained and equipped to investigate and prosecute cases of targeted rights abuses and that they are held accountable for their actions.
3. Establishing and strengthening mechanisms for monitoring and reporting on rights abuses, including through the creation of independent human rights organizations and other civil society groups that can help bring attention to these issues and advocate for change.
4. Engaging with and supporting religious minority communities to help them defend their rights and advocate for justice. This may include providing support for community-led initiatives and organizations, as well as working with religious leaders to raise awareness and promote dialogue.
5. Ensuring that the perspectives and concerns of victims from religious minority groups are heard and considered in policy-making and decision-making processes, and that their rights are safeguarded and promoted in law and practice. This may include the establishment of advisory or consultative mechanisms to guarantee religious minority opinions are reflected in pertinent policy discussions and decisions.

Regarding the Bangladeshi Citizens

4.3 How Citizens can Help Religious Minorities Achieve Equality

Citizens can play a crucial role in ensuring equality for religious minorities by speaking out against discrimination and standing up for the rights of these communities. This can include

speaking out against hate speech and discriminatory policies and supporting initiatives that promote interfaith dialogue and understanding.

Citizens may also assist organizations and advocacy groups that seek to defend religious minority rights, such as by volunteering their time or donating money to these organizations. In addition, they can educate themselves about the beliefs and practices of different religions, and work to promote a more inclusive and understanding society.

Ultimately, each person is responsible for contributing to a more equal and inclusive society. By standing up for the rights of religious minorities, working to promote understanding and acceptance, citizens can help to ensure that these communities are treated with respect and dignity.

Ensuring equality for religious minorities requires a collective effort from both the government and the broader community. As citizens, we can play a key role in this effort by speaking out against discrimination and standing up for the rights of religious minorities. This can involve speaking out against hate speech and discriminatory policies and supporting initiatives that promote interfaith dialogue and understanding.

In addition to speaking out against discrimination, we can also take concrete steps to support and empower religious minority communities. This can include volunteering our time and resources to organizations that work to protect the rights of these communities, such as by providing legal assistance, education, or other support. We can also support religious minority-led organizations and businesses, and work to create opportunities for these communities to thrive and prosper.

Moreover, we can educate ourselves about the beliefs and practices of different religions, and work to promote a more inclusive and understanding society. This can involve learning about the history and traditions of different religious communities and working to break down stereotypes and misconceptions. By doing so, we can assist in establishing a society in which religious minorities are accorded respect and decency, and can fully participate and contribute to the life of the community.

Here are some additional points that could be included in a discussion of how citizens can help to ensure equality for religious minorities:

1. One key way for citizens to support religious minority communities is by advocating for fair and inclusive policies. This can involve contacting elected officials and supporting organizations that advocate for equal rights of religious minorities, such as by signing petitions, attending rallies, and participating in other forms of civic engagement.
2. Another important step is to challenge discrimination and bigotry when we see it. This can include speaking out against hate speech and bigotry and standing up for the rights of religious minorities. By doing so, we can help to create a more inclusive and accepting society and show that discrimination will not be tolerated.
3. Citizens can also support initiatives that promote interfaith dialogue and understanding, such as attending interfaith events, participating in interfaith service projects, and learning about the beliefs and practices of different religions. By doing so, we can help to build bridges and foster greater understanding and acceptance among people of different faiths.
4. Finally, we can support and empower religious minority communities by building relationships and connections with these communities. This can involve attending religious services or events, getting to know individuals from different religious backgrounds, and showing respect and understanding for the beliefs and practices of these communities. By doing so, we can help to create a more inclusive and supportive society for all.

Regarding the Bangladeshi Media

4.4 How Media can Help Religious Minorities Achieve Equality

The media can play a crucial role in helping religious minorities achieve equality by raising awareness about the issues and challenges facing these communities and promoting understanding and acceptance. This can involve reporting on instances of discrimination and bigotry, and highlighting the contributions and achievements of religious minority groups.

In addition, the media can provide a platform for religious minority voices and perspectives, and can help to challenge stereotypes and misconceptions about these communities. This can include featuring stories and interviews with members of religious minority groups and offering a conversation forum and dialogue about issues that are important to these communities.

Furthermore, the media can support and amplify the voices of religious minority leaders and advocates and can help to bring attention to their efforts to promote equality and justice. This can involve providing coverage of events and initiatives organized by religious minority groups, and highlighting the efforts of people and groups striving to safeguard these communities' rights.

Overall, by providing accurate and fair coverage of issues related to religious minorities and promoting understanding and acceptance, the media can play a crucial role in helping these communities achieve equality and justice.

The media plays a powerful role in shaping public opinion and attitudes, and can therefore be a crucial ally in the effort to promote equality for religious minorities. By providing fair and accurate coverage of the issues and challenges facing these communities, and by highlighting the contributions and achievements of religious minority groups, the media can help to raise awareness and promote understanding and acceptance.

One key way that the media can support religious minorities is by providing a platform for their voices and perspectives. This can involve featuring stories and interviews with members of religious minority groups, and offering a conversation forum and dialogue about issues that are important to these communities. By doing so, the media can help to challenge stereotypes and misconceptions and can provide a valuable source of information and insight into the experiences and perspectives of religious minorities.

In addition, the media can support and amplify the voices of religious minority leaders and advocates. This can involve providing coverage of events and initiatives organized by religious minority groups. By doing so, the media can help to bring attention to the efforts of these groups and individuals and can help to support their efforts to promote equality and justice.

Furthermore, The media may play a significant role in uncovering and criticizing incidents of religious minority prejudice and intolerance. This can involve reporting on instances of hate crimes and discrimination, and highlighting the impact of these actions on the lives of religious

minority individuals and communities. By doing so, the media can help to hold those who engage in discriminatory behavior accountable and can help to create a more inclusive and accepting society.

Overall, by providing fair and balanced coverage of issues related to religious minorities and promoting understanding and acceptance, the media can play a crucial role in helping these communities achieve equality and justice. By doing so, the media can help to create a more inclusive and equitable society for all.

4.5 Conclusion

In conclusion, Bangladesh must take efforts to improve the position of the country's religious minorities. By adopting new laws and policies to protect religious minorities, establishing national agencies and courts to address human rights violations, and promoting intercultural and interfaith dialogue, Bangladesh can create a more inclusive and just society for all. While these steps will not be easy, they are essential for ensuring that all religious communities are treated equally and with respect in Bangladesh.

Chapter 5: Conclusion

5.1 Findings

After researching all the information about the current scenario of Bangladesh's Religious Minority Here:

1. The Current Legal Framework in Bangladesh is not flexible for the religious minority community.
2. Current Legal Framework not giving the equal rights to religious minority as religious majority community are enjoying.
3. Asian people face more discrimination when talks about religious minority compare to Europe, America and other country.
4. There are many legal frameworks available in international community to fix up the issue with religious minority and majority people.
5. Political party often use religious create issue which leads more clash with minority and majority.
6. Existing Legal framework about religious minority is not being fully used.
7. No special Tribunal for religious minority which cause the longtime of any judgment about religious minority.
8. The idea of an Islamic country also become one of biggest issue of decreasing religious minority community percentage.
9. Government is taking less initiative to find out why religious minority percentage are decreasing year by year.

10. This study also finds that Most of the time religious minority community people does not want to file a case against any majority people or community, there are less protection given to them. Also taking a justice takes year to year.

5.2 Recommendations

The recommendation for not only for the government of Bangladesh but also the whole citizens and the mainstream media of Bangladesh:

1. The first recommendation should implement of a special tribunal for religious minority where religious minority can get justice quickly.
2. Government should make sure they are being more focused on the security on religious minority community.
3. Government should implement long term plan for the protection of religious minority
4. Government has to make sure politics should not be based on religious.
5. Government should ensure every law and right are being implement based on religious minority.
6. Government should take more initiative step to promote religious minority toward to majority people
7. Citizens of Bangladesh should be more flexible and respectable toward to another religious minority.
8. Citizens of Bangladesh should be also helpful and kind toward to religious minority
9. Media should be normalizing every other religious and make sure they are not broadcasting any negative news that may impact religious minority.
10. Media also can help to find out and help government by suggestion what can make sure religious minority are getting equal rights as the majority people in bangladesh.

5.3 Conclusion

In the whole process of my research, I realize how badly religious minority communities are being treated.

In conclusion, to change the current situation, to make sure Bangladesh is being happy country we have to take many steps. Despite some efforts by the government to address this issue, such as the creation of the National Human Rights Commission, much more needs to be done to ensure that religious minorities can enjoy the same rights and protections as the majority Muslim population. This includes taking stronger action to prevent and punish instances of discrimination and violence, as well as promoting interfaith dialogue and understanding.

Also Bangladesh need to implementing law even they can seek help from un to make sure they are addressing the most importance issue to make sure every citizens of Bangladesh are getting equal rights. While progress has been made in some areas, much more needs to be done to ensure that all citizens, regardless of their religion, can enjoy the same rights and protections under the law. We hope to achieve this important goal by working together, both within Bangladesh and internationally.

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