



**Australian Government**  
**Department of Foreign Affairs and Trade**



# **DFAT COUNTRY INFORMATION REPORT BANGLADESH**

30 November 2022

# MAP



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## ACRONYMS

AL	Awami League
ARSA	Arakan Rohingya Salvation Army – a Rohingya insurgent group
BEC	Bangladesh Election Commission
BNP	Bangladesh Nationalist Party
CHT	Chittagong Hill Tracts
CSO	Civil Society Organisation
DSA	<i>Digital Security Act 2018</i>
HRW	Human Rights Watch
ICT Act	<i>Information and Communication Technology Act</i> (first enacted 2006)
ILO	International Labour Organization
JI	Jamaat-e-Islami
LGBTI	Lesbian, gay, bisexual, transgender, and/or intersex
NGO	Non-government organisation
NIC	National Identity Card
RAB	Rapid Action Battalion
UNDP	United Nations Development Programme
UNHCR	The United Nations Refugee Agency
USD	United States Dollar

## GLOSSARY

<i>hartal</i>	General strike, a form of protest that intends to disrupt roads, businesses, etc.
<i>hijra</i>	A transgender identity in South Asia, typically a person who was assigned a male identity at birth but whose gender expression is female. <i>Hijra</i> in South Asia often live in communities and participate in social customs, particularly in relation to providing blessings at marriages and after the birth of a child.
lynching	Extrajudicial killing by a mob of bystanders or vigilante group
<i>madrasah</i>	Islamic school
<i>upazila</i>	Local government area and its government; a subdivision of a District
<i>yaba</i>	A methamphetamine-based drug taken in tablet form

### Terms used in this report

high risk	DFAT is aware of a strong pattern of incidents
moderate risk	DFAT is aware of sufficient incidents to suggest a pattern of behaviour
low risk	DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

#### official discrimination

1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)
2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures

#### societal discrimination

1. behaviour by members of society (including family members, employers or service providers) that impedes access by a particular group to goods or services normally available to other sections of society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues or service providers)

# 1. PURPOSE AND SCOPE

1.1 This Country Information Report has been prepared by the Department of Foreign Affairs and Trade (DFAT) for protection status determination purposes only. It provides DFAT's best judgement and assessment at time of writing and is distinct from Australian Government policy with respect to Bangladesh.

1.2 The report provides a general, rather than an exhaustive, country overview. It has been prepared with regard to the current caseload for decision makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.

1.3 Ministerial Direction Number 84 of 24 June 2019, issued under s 499 of the *Migration Act (1958)*, states that:

Where the Department of Foreign Affairs and Trade has prepared [a] country information assessment expressly for protection status determination purposes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.

1.4 This report is based on DFAT's on-the-ground knowledge and discussions with a range of sources in Bangladesh. It also takes into account relevant information from government and non-government sources, including but not limited to: those produced by the Bangladeshi Government and the US Department of State; relevant UN bodies and international organisations such as the World Bank, the Office of the UN High Commissioner for Refugees and the World Health Organization; leading human rights organisations and international non-governmental organisations such as Human Rights Watch, Amnesty International, Transparency International and Freedom House; Bangladeshi non-governmental organisations; and reputable Bangladeshi and international news organisations. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This updated Country Information Report replaces the previous DFAT Country Information Report on Bangladesh published on 22 August 2019.

## 2. BACKGROUND INFORMATION

### RECENT HISTORY

2.1 The United Kingdom partitioned its former colonial territory into the separate states of India and Pakistan in 1947. Pakistan was intended to be a home for Muslims and was divided into East Pakistan and West Pakistan. Tensions about language and identity led to civil war in 1971 and Pakistan split into Bangladesh (formerly East Pakistan) and Pakistan (formerly West Pakistan).

2.2 The Awami League (AL) governed the new country for the first few years on a platform of Bengali nationalism. Its President, Sheikh Mujibur Rahman (the father of current Prime Minister Sheikh Hasina), was killed in a military coup in 1975. Decades of military rule followed until democracy was restored in the early 1990s.

2.3 The Bangladeshi Nationalist Party (BNP) won the 1991 election under Prime Minister Khaleda Zia (widow of former president Ziaur Rahman, who was assassinated in 1981). Power alternated between the BNP and the AL between 1991 and 2006 with Bangladeshi politics being dominated by political violence and the rivalry between Zia and Hasina. After a brief period of caretaker/military rule, the December 2008 election was won by the AL, led by current Prime Minister Hasina, which has been in power ever since.

### DEMOGRAPHY

2.4 The CIA World Factbook estimates Bangladesh's population at just under 165 million people. Almost the entire population (98 per cent) is ethnically Bengali and 98.8 per cent of the population speaks Bengali (or 'Bangla'). There are an estimated 75 other ethnic Indigenous groups, 27 of which are officially recognised. Sixty-one per cent of the population lives in rural areas, especially the flood-prone delta areas. Dhaka, the capital, has over 21 million people. For religious demography, see [Religion](#).

### ECONOMIC OVERVIEW

2.5 The World Bank classifies Bangladesh as a lower-middle income country. According to World Bank figures, poverty declined from 43.5 per cent in 1991 to 14.3 per cent in 2016 based on the international poverty line of USD1.90 per day. Bangladesh is scheduled to graduate from United Nations Least Developed Country Status in 2026.

2.6 GDP growth has been strong in Bangladesh over the last several years despite the COVID-19 pandemic. According to the Asian Development Bank, growth of 8.2 per cent was recorded in 2019, dropping to 3.5 per cent in 2020 and rising again to 5.5 per cent in 2021.

2.7 About half of the population of Bangladesh is employed in the agriculture sector, with rice the most widespread crop. The services sector is also important to the Bangladeshi economy, as is the garment industry. Many international fashion labels have outsourced garment production to factories in Bangladesh, which are largely staffed by Bangladeshi women.



2.8 The economy recovered strongly from the COVID-19 pandemic. As elsewhere in the world, however, high inflation has caused significant pressure on Bangladeshis, particularly the poor. Fuel prices, for electricity generation and transport, as well as costs of raw materials, have increased, leading to higher prices for everyday goods and services.

## Employment and Social Welfare

2.9 Eighty-seven per cent of employed Bangladeshis work in the informal sector, according to the International Labour Organization (ILO). There are few limitations to obtaining informal employment, but conditions are poor. Informal work is usually physically demanding and often involves labouring on construction sites, breaking bricks, working in shipyards, transporting goods or pulling a rickshaw, selling goods, or working in services or hospitality.

2.10 There is significant social and often family pressure to obtain a university education. The ability to gain admission to university and to obtain good grades often relies on family connections or the capacity to pay bribes. A very large number of graduates are then unable to obtain employment; there are far more graduates than professional jobs. Vocational or trades education has limited availability and training can be poor quality. Trades education is seen as being of lesser status than university education – it is seen as an option for the poor and many Bangladeshis will not pursue it, even if the employment prospects are greater.

2.11 The garment industry has been very important in Bangladesh's economic growth and provides jobs to many poor Bangladeshi women. The industry is subject to international trends; for example, high inflation across the world in 2022 has caused reduced sales to Western countries as more Western consumers are delaying or refraining from garment purchases. The impact of this is not yet clear; job losses may occur.

2.12 Government welfare programs are limited. NGO programs assist the very poor with basic subsistence. Some government allowances, for example for the elderly, widows and people with disability, exist but monthly payments are very low – typically less than USD10 a month (about 33 cents a day, well below the international poverty line of USD1.90 a day).

2.13 Corruption and political patronage affect decisions about access to welfare. Processing errors that can result in non-payment can occur. Those without political capital, a powerful patron, or existing funds generally have worse access to social welfare. Programs run by NGOs are often more efficient and reliable, but the sheer scale of demand and limited funds mean that those programs are not available to everyone. Sources told DFAT that political pressure is sometimes applied to NGOs to prevent political rivals (see [Bangladeshi Nationalist Party \(BNP\)](#)) from receiving assistance from NGOs, but DFAT is unable to independently verify this and the scale of the problem is not clear.

## Corruption

2.14 Corruption in Bangladesh is widespread. In Transparency International's 2021 Corruption Perceptions Index, Bangladesh ranked 147 out of 180 countries, based on respondents' perceptions of corruption (where 1 is perceived to be least corrupt, and 180 is perceived to be most corrupt). Politics and governance are closely related to patronage (see discussion in the section: [Political Opinion \(Actual or imputed\)](#)). Corruption is widespread in the [police](#), [judiciary](#) and [prisons](#) and should be assumed to be a factor in much government decision-making.



## Health

2.15 Healthcare quality in Bangladesh is generally poor, but some expensive private clinics offer better quality services. Many healthcare facilities are provided through development partners and NGOs. Issues affecting access to healthcare include low staffing levels, lack of funding, mismanagement and corruption (bribes often need to be paid to access care), lack of facilities (especially outside of large cities), high out-of-pocket costs and high levels of poverty. Services in rural areas tend to be very limited or non-existent, and some people seek help from 'village doctors' who may have no medical training.

2.16 COVID-19 strained the Bangladeshi health system. Mass gatherings continued to occur, for example for religious festivals in mid-2021, and uptake of mitigation measures such as masks, hand-washing and social distancing was limited. According to Reuters data in July 2022, there had been almost 2 million infections and almost 30,000 deaths. The numbers are likely higher; data accuracy in a large country with developmental challenges can be difficult. Vaccines and oxygen were donated by development partners but were not available to all Bangladeshis.

## Disability

2.17 There are few services for people with disabilities, whether children or adults. Those services that do exist are often not physically accessible, for example because they do not have facilities for wheelchair users. There is some awareness about and services available for people with autism spectrum disorder. Prime Minister Hasina's daughter is a World Health Organization ambassador for autism.

2.18 Some disability services are provided by NGOs. For example, some NGOs run programs funded by development partners for people with sensory impairments such as blindness or deafness, or mobility restrictions. While these services provide welcome practical assistance and community education, access is not guaranteed, given funding and capacity constraints and high demand.

2.19 People with disability experience stigma, which may in practice limit access to services such as health care and education because people are reluctant to seek it out.

## Mental health

2.20 Mental health facilities are inadequate to meet demand. Funding is low and there are few mental health workers. A Bangladeshi Government national survey on Mental Health was conducted in 2019. It found that about 17 per cent of survey respondents had a mental health disorder, with depression and anxiety most common. The vast majority of those respondents were not receiving treatment for their illness. More recent studies found that the prevalence of mental health disorders increased during the COVID-19 pandemic.

2.21 According to a study published in the *BJPsych International* journal in August 2021, there are only 260 psychiatrists in Bangladesh. The same study found that basic psychiatric medications are generally unavailable. Sources told DFAT that there is a lack of dedicated mental health facilities. There are telephone helplines and private counselling available, but counselling services are cost-prohibitive to most people.

2.22 Sources told DFAT that 'stress and depression' are seen as a 'rich person's problem', and that the few services that are available are mostly targeted to these issues, where doctors have identified a market. Other mental health conditions, such as psychotic illnesses, are harder to treat in practice and there are fewer facilities and professionals available.

2.23 There is a strong stigma associated with mental health disorders in Bangladesh that can lead to ostracism from families and communities. Stigma can be characterised by disdain or aversion of people with

mental illness, or a sense of disgrace felt by the patient. Sources told DFAT that some people consider the mentally unwell as ‘mad’ or ‘cursed’.

2.24 DFAT is aware of some reports of ‘shackling’, chaining up, locking or hiding away family members because of the shame caused by their mental illness, but is not aware of the prevalence of such practices.

## Education

2.25 Twelve years of primary and secondary education is possible but, according to UNDP figures, on average students complete around six years of schooling. Less than half of adult males have some level of secondary education and less than 40 per cent of adult females have some secondary education. The literacy rate is about 74 per cent.

2.26 Many students, both boys and girls, receive a *madrassah* (Islamic school) education. The government has introduced reforms to ensure that *madrassah* education is of sufficient quality, so that graduates can gain jobs or university admission. Nevertheless, there is some social stigma for having received a *madrassah* education. In-country contacts told DFAT that *madrassahs* are of varying quality, tend to emphasise religion over skills that can lead to employment, and, in some cases, are involved in hate-preaching or are linked to terrorism.

2.27 According to sources, many students who had their schooling disrupted by the COVID-19 pandemic did not return to school after restrictions were eased. The situation affected boys as well as girls, with many families sending their sons to work. Girls were less likely to be sent to work, in part because of cultural norms about female employment and in part because of the risk of sexual assault in the workplace, which existed before the pandemic and continues to be a risk. In addition, many girls were married off by their parents as children in order to reduce household costs. (See also [Women](#)) As a result, schooling was cut short for both boys and girls from families living in poverty.

## POLITICAL SYSTEM

2.28 Bangladesh is a parliamentary democracy. The unicameral National Parliament and the largely ceremonial presidency both have five-year terms. Parliament comprises 350 seats, of which 300 are directly elected and 50 are reserved for female members nominated by political parties based on their share of elected seats. The most recent election was held in December 2018. The next election is to be held by January 2024.

2.29 Bangladesh is divided into eight administrative divisions, which are in turn divided into 64 districts headed by a District Council (Zila Parishad). Each district is in turn divided into numerous sub-districts (Upazila, formerly ‘Thana’), and councils at the village (Union Parishad), town (Municipal) and city (City Corporation) levels. Elections to five-year terms on local government bodies are conducted in phases.

2.30 Local governments, even at the Union Parishad level, can significantly influence the day-to-day lives of citizens. They have influence and run programs and departments that deal with matters of community development, social welfare and law and order within the limits of their administrative units.

## HUMAN RIGHTS FRAMEWORK

2.31 Bangladesh’s Constitution guarantees fundamental rights for citizens, including: equality before the law and the right to protection of the law (Article 27); the rights to life and personal liberty (Article 32);

freedom from discrimination based on religion, race, caste, sex or place of birth (Article 28); and the freedoms of religion (Article 41), movement (Article 36), assembly (Article 37), association (Article 38), thought, conscience and speech (Article 39), and profession and occupation (Article 40).

2.32 The National Human Rights Commission (NHRC) was established by legislation in 2009. It can investigate human rights violations by individuals, public servants, government agencies and other institutions of state, but not by police or the military, which limits its effectiveness in investigating human rights abuses. The NHRC can ask for a report from the police in response to a complaint. It can also visit prisons and places of detention, conduct mediations, and require government agencies to produce documents (with powers of a civil court to order production).

## SECURITY SITUATION

2.33 Security threats are largely centred around politically motivated violence, including violent clashes between rival groups, especially ahead of elections (see [Recent History](#)). There is a risk of violence at political rallies, which is covered in the section on [Political Opinion \(Actual or imputed\)](#).

2.34 Successive Bangladeshi governments have faced the challenge of dealing with extremist groups who plan or execute violence against a wide range of government and civilian targets. Authorities have taken a hard-line approach in responding to these attacks, which has included proscribing key militant groups and arresting hundreds of militants. Human rights groups have reported that security operations against militant groups have resulted in high numbers of extrajudicial killings (see [Extrajudicial killings](#)).

2.35 Between January 2013 and mid-2016, domestic militants (including some claiming allegiance to Islamic State (IS)) conducted a wave of attacks across the country. The most notable was the July 2016 Holey Bakery attack in which dozens of people were taken hostage in a bakery in Dhaka that was popular with foreigners. Twenty hostages and two police officers were killed. Authorities launched a crackdown on militants after the Holey Bakery attack and no attacks of the same scale have been reported since. While the incidence of terrorist attacks by violent extremists has decreased in recent years, the risk of violence remains.

2.36 Murder and assault, including sexual assault, are common crimes. Extortion, theft and violent robbery are significant threats on a day-to-day basis. GardaWorld, an international security consultancy, claims on its website that crime, especially sexual violence, increased during the COVID-19 pandemic lockdowns. Theft and sometimes violent robberies are also a day-to-day risk.

2.37 There are sporadic clashes in the Chittagong Hill Tracts (CHT) between Indigenous groups and settlers over land (see [Indigenous People](#)) that can be violent. Communal violence is also a security threat, see [Hindus](#) for recent examples. For information on security in Rohingya camps, see [Rohingya](#).



## 3. REFUGEE CONVENTION CLAIMS

### RACE/NATIONALITY

#### Indigenous People

3.1 Indigenous People live in different parts of Bangladesh, about a third of them in the [Chittagong Hill Tracts \(CHT\)](#) (see below). Indigenous groups are diverse but are generally visibly distinct from other Bangladeshis with their own dress, culture and language.

3.2 According to a study cited in the US Department of State Bangladesh 2021 Human Rights Report, while the national poverty rate was 20 per cent, it was 65 per cent in the CHT, and more than 80 per cent 'in the plains, where some Indigenous persons [sic] lived'. The same report notes 'severe food insecurity', poorer quality health care and a lack of government assistance in areas where Indigenous People live, which is often related to the remoteness of Indigenous areas.

3.3 Indigenous People, like many people who live in remote areas, sometimes move to cities like Dhaka to find work or access services. Sources told DFAT that this can be difficult without personal connections, and because of a reluctance to leave traditional lands and cultural practices, and simply because a city lifestyle tends to be more expensive than a rural one. Among Indigenous People living in cities, women in particular often work in garment factories or in personal services (housekeeping, beauty parlours), while men often work in security, as drivers or in manufacturing or sales. Sources told DFAT that Indigenous People sometimes experience conditions of modern slavery and are sometimes unable to leave work premises or (particularly for women) are subject to sexual violence.

3.4 Indigenous People living in cities sometimes experience discrimination and vilification, such as people yelling insults at them in the street, or people refusing to share food or drinks, cups, teapots or other utensils, or refusing to sit with them in waiting areas, for example. Indigenous children in mainstream schools are often bullied. Many children are unable to access schools in remote areas or education in their Indigenous languages.

3.5 Experiences of discrimination differ between individuals and Indigenous groups. For example, some Indigenous People report that they experience discrimination at police checkpoints, or in accessing goods and services, health care, education, justice (such as courts and policing services) and housing, while others say that that kind of discrimination is rare.

3.6 Some sources told DFAT that language barriers and physical remoteness can lead to inequity in accessing services, for example in healthcare settings, because many Indigenous People do not speak Bengali and because healthcare workers are unwilling to relocate to remote areas where many Indigenous People live. Government policy requires education to be available in five Indigenous languages but, in practice, Indigenous teachers who can speak those languages have not been recruited. Sources told DFAT that Indigenous issues are generally not covered in the mainstream media.

3.7 There are quotas for Indigenous People in education and government jobs. Sources told DFAT that these programs are not properly implemented, and that non-Indigenous students produce fake certificates claiming indigeneity to get those places. Bribes are often required to obtain positions and Indigenous People, often poor, may not be able to pay.

3.8 In areas outside the CHT (sometimes called the 'plains' or 'plainland'), Indigenous advocacy groups reported to the US Department of State for the Bangladesh 2021 Human Rights Report that deforestation to support Rohingya refugee camps and other commercial activities had degraded their land and livelihoods. While land grabbing, by fraud or force, is mostly associated with the CHT, Indigenous groups report that the practice occurs in other traditional Indigenous areas outside the CHT.

3.9 DFAT assesses that Indigenous People who move to big cities experience a moderate risk of societal discrimination and official discrimination in the form of not being able to access government services in their language.

## Chittagong Hill Tracts (CHT) Indigenous People

3.10 Various Indigenous groups live in the Chittagong Hill Tracts (CHT) in the southeast of the country. CHT people differ from the majority Bengali population in physical appearance, culture, social organisation and religion. Most are Buddhist but the number of Christians is increasing and there are small Hindu, Muslim and animist communities. Indigenous groups have their own languages, but many also speak Bengali.

3.11 A low-level insurgency ran in the CHT from 1977 until 1997, fuelled by local dissatisfaction over marginalisation and displacement resulting from high levels of transmigration by Bengali settlers from other parts of Bangladesh into the CHT. Activists at the time accused security forces of serious human rights abuses, including arbitrary detention, torture and extrajudicial killings. The insurgency led to both internal and external displacement, with tens of thousands of people fleeing across the border to India. The signing of the CHT Peace Accord between the Government and tribal representatives in 1997 formally ended the insurgency with undertakings by Government to ensure Indigenous representation and resolve land disputes.

3.12 Despite the Accord, land disputes persist and Indigenous People claim that Bengali settlers still practice 'land grabbing'. Land is 'grabbed' or stolen by physical force or by use of false documents claiming ownership. Sometimes it occurs when companies (such as hotels or agricultural businesses) lease land from the Government that is already in use by Indigenous People. The only possible recourse is the courts, which are often corrupt, inaccessible to the illiterate and can take decades to reach a verdict. Indigenous People have protested in the streets against these actions but it has not stopped the land grabbing. The Government has set up dispute resolution mechanisms that do not involve the courts, but Indigenous People claim that these are not effective and do not result in land being returned. In some cases, Indigenous People allege that police, security forces and other government authorities have been complicit in land grabbing or have grabbed it for themselves, sometimes using lethal force. Sometimes companies who want to use the land for commercial or tourism purposes take the land.

3.13 DFAT assesses that Indigenous People in the CHT face a moderate risk of official discrimination: they are unable to move freely, to elect their own representatives, or to access justice in cases of land appropriation or physical violence. They face a moderate risk of societal discrimination in the form of land appropriation and physical violence by settlers.

## Biharis (or ‘stranded Pakistanis’)

3.14 ‘Bihari’ refers to Urdu speaking Muslims who were not Bengalis and who migrated to the then-East Pakistan from India after the partition of India (see [Recent history](#)). They are not necessarily visibly distinguishable from the majority Bengali population and most of them speak both Urdu and Bengali. The term ‘Bihari’ may refer to the Indian state of Bihar, and the term is sometimes used for other non-Bengalis living in the country who are not part of the Bihari community. The number of Biharis is not clear, but the NGO Minority Rights Group International estimates there are 300,000 Biharis throughout Bangladesh, while an article on the German news website Deutsche Welle in 2019 estimated 400,000. Some Biharis have integrated into local communities but most live in impoverished camps in various parts of the country.

3.15 The Bihari community was strongly associated with the ruling regime during the 1947-71 East Pakistan period, and was widely perceived to have supported Pakistan during the 1971 conflict. Following independence, many Biharis faced reprisals, including violence. Some sources claim that discrimination against the group, grounded in historical events, continues. Laws intended to manage properties abandoned during the conflict were ineffective and resulted in many Biharis losing all of their possessions, forcing many into the camps where they reside as stateless persons.

3.16 In 2008, the Supreme Court ruled that the Bihari community satisfied the requirements for Bangladeshi citizenship, upholding a 2003 court ruling in a case brought by ten Urdu-speaking petitioners. The 2008 ruling compelled the government to issue National Identity Cards (NICs – see [Documentation](#)) to Biharis and to include them on electoral rolls. DFAT understands that most eligible Biharis have subsequently obtained NICs. However, many Biharis residing in camps have reported difficulties obtaining passports due to bureaucratic obstruction; passport applicants claim that having an address in a Bihari camp is used by authorities as a reason to deny applications. Many have also had trouble finding employment, particularly in government jobs, allegedly due to the address displayed on their NICs. However, DFAT notes that most Bangladeshis experience difficulties in gaining formal [employment](#) for structural reasons not related to race or nationality.

3.17 DFAT assesses that Biharis residing in camps are subject to a moderate level of official discrimination as they face bureaucratic obstruction while attempting to obtain passports and suffer discrimination when applying for government jobs due to their residential address. They are also subject to a risk of societal discrimination in relation to employment opportunities. The level of risk is difficult to define but they are likely to be able to access informal employment. Because they generally live together in camps, Biharis’ exposure to societal discrimination is far less within the camps. Outside the camps, because they are physically indistinguishable from other Bangladeshis, Biharis also face limited discrimination. If they are forced to reveal their address which is in a camp, they would likely be subject to official and societal discrimination.

## Rohingya

3.18 The Rohingya are an ethnic group from northern Myanmar who have sought refuge in Bangladesh for decades due to periods of violence in Rakhine State. Most recently, following violence in Myanmar’s Rakhine State in August 2017, over 700,000 Rohingya people fled across the border and now reside in 33 refugee camps in Cox’s Bazar, joining an existing Rohingya population of approximately 300,000. For further information on Rohingya in Myanmar and their flight to Bangladesh, please see the most recent [DFAT Country Information Report on Myanmar](#).

3.19 Rohingya living in camps experience high rates of poverty and crime, and are almost entirely reliant on humanitarian assistance. The number of arrivals has placed immense strain on infrastructure, services,



the environment and the host population. The camps are overcrowded and shelters are not made of durable materials that can resist extreme weather events. Cox's Bazar District is prone to natural disasters, like flooding and cyclones. According to *The Guardian*, 21,000 Rohingya were displaced by monsoon-related floods that hit in July 2021. A massive fire at a camp in Cox's Bazar in March 2021 destroyed hundreds of tents, health centres and other facilities and killed at least 15 people.

3.20 Conditions in camps worsened during the COVID-19 pandemic. The Government of Bangladesh placed restrictions on services to curb the spread of the virus. These restrictions remained in place until September 2021, and severely limited activities and the capacity of aid groups to offer services. Prior to the pandemic some children, especially young children, had received some education from aid groups and through community-led private tuition and learning centres. The Myanmar Curriculum Pilot, an initiative run by aid groups, was approved by the Government for Rohingya children in January 2020. It was not able to be implemented due to the COVID-19 pandemic, which severely disrupted schooling opportunities in the camps, and across Bangladesh more broadly. The implementation of the Myanmar Curriculum was able to commence in December 2021 following the lifting of most restrictions and additional approvals required by the Government. In March 2022, all learning centres in the Rohingya camps were allowed to re-open. Separately, privately run community schools (operating without legal status) which had been informally teaching Rohingya were closed by police in March 2022, which caused criticism from Amnesty International and other advocacy organisations. Sources told DFAT that schooling facilities are inadequate to meet demand, especially given the scale of the population and special needs of children who may have hitherto received no schooling at all.

3.21 Sources told DFAT that health and welfare services in the camps are inadequate to meet humanitarian needs. However, conditions may, in some circumstances, be better than in other parts of Bangladesh due to the presence of international aid agencies. Because of overcrowding, communicable diseases such as measles, acute watery diarrhoea, diphtheria, and skin conditions (such as scabies) are common. COVID-19 can spread rapidly in the camps. Mental health services are inadequate to meet high demand and the high prevalence of mental health problems.

3.22 Rohingya are not permitted to work. In practice some do work, for example in small shops or home-based enterprises in the camps, or through joining the local informal economy. Sources told DFAT that daily exit/entry for work outside the camps happens but there are fences and checkpoints around the camps that aim to prevent this. Some Rohingya are considered 'missing', assumed to have taken jobs in the informal sector in Cox's Bazar or elsewhere in Bangladesh, or to have travelled onwards by boat to Malaysia. Some Rohingya 'volunteer' through programs run by aid agencies in the camps. These programs are small but do provide limited cash-for-work opportunities for some Rohingya.

3.23 Some local residents have told DFAT that they resent Rohingya in Cox's Bazar, who they see as competition for jobs and resources. This has led to mass demonstrations in the past, for example there were violent anti-Rohingya protests in Cox's Bazar in 2019.

3.24 Violence, including gang violence, gun crime, and violence against women, such as domestic violence and sexual assault, is common in the camps – although the degree of prevalence at times appears to be exaggerated to support a particular political narrative. Sources told DFAT that the problem worsened during the COVID-19 pandemic when there were fewer international humanitarian workers present, more stress factors and lockdowns kept people isolated in sometimes violent homes. Prominent Rohingya community leader, Mohib Ullah, was assassinated in the camps by unknown gunmen in October 2021. Media reports suggest some camp residents have become involved in smuggling *yaba*, a methamphetamine-based drug, or weapons to supplement meagre incomes. Previously, the government has blocked mobile phone services in an effort to reduce violence or crime, but this can leave residents isolated.

3.25 Militants, often associated with Arakan Rohingya Salvation Army (ARSA) a militia from Rakhine State, are active in the camps and some men and boys fear kidnapping or extortion from these groups. In October 2021, ARSA militants attacked an Islamic seminary inside the camps killing seven and injuring 17. The attack was part of broader efforts to foment violence and establish military training camps. According to a November 2021 article in the *New York Times*, ARSA militants target activists who speak out against violence in the camps. ARSA denies these claims. According to the same article, security oversight during the COVID-19 pandemic was lessened, which allowed violent actors, including ARSA, to step up their violence.

3.26 Women and children in the camps are affected by religiously conservative community pressure that restricts their movement or ability to work, and sets expectations on clothing. According to sources, this conservatism appears to be organic, rather than influenced by outside radical groups, however, more recently DFAT is aware of examples of this having been influenced by religious conservatism and militia groups, including ARSA. Some women and girls report feeling unsafe in the camps, especially after nightfall when humanitarian workers are not present. Sources told DFAT that families sometimes seek marriages for their daughters overseas in the hope of paying a lower dowry in Indonesia or Malaysia than they would in the camps. Some Rohingya believe overseas marriages also offer security and protection for their daughters. Dowry is also increasingly viewed as a livelihood source for families as income sources in the camps are otherwise extremely limited.

3.27 The Government started relocating Rohingya to Bhasan Char, an island in the Bay of Bengal, in December 2020. The Government of Bangladesh has claimed all relocations were voluntary but some Rohingya and human rights groups claim that some moves were involuntary. While conditions are better than those in Cox's Bazar (with solid material shelters rather than bamboo and tarpaulin shelters), DFAT understands conditions are still challenging. Human Rights Watch reported in June 2021 that the island had food shortages, unreliable water sources, lacked schools and health care, and had 'severe restrictions on movement', including restrictions on leaving the island.

3.28 Bhasan Char, like Cox's Bazar, is vulnerable to natural disasters, especially cyclones and flooding. Human Rights Watch asserts that evacuation would be difficult or impossible from Bhasan Char in the event of a natural disaster due to lack of an appropriate airport and the fact that the island is built on unstable silt deposits. Evacuation of the Rohingya camps would also likely be difficult given the size of the population and lack of infrastructure. Following early relocations to the island, hundreds of Rohingya reportedly attempted to escape the island, which resulted in drownings and boat seizures. Since then, the Government has set up limited transportation for those needing to return to Cox's Bazar for health or family reasons. Media have reported Bhasan Char has violence problems, including militancy and sexual assault, but anecdotal reports to humanitarian staff indicated women on the island felt safer there than Cox's Bazar at night. The Government of Bangladesh has suggested it plans to relocate up to 80,000 Rohingya to Bhasan Char using its current facilities. This will only house a fraction of the total number of Rohingya in Cox's Bazar camps.

3.29 Some Rohingya have been trafficked by other Rohingya or Bangladeshis. Most trafficking is overland to Malaysia and Thailand but boat trafficking across the Andaman Sea towards Southeast Asia continues to be reported. At least 15 Rohingya asylum seekers died when a boat designed for 50 people, but carrying about 130, capsized in February 2020. On 4 October 2022, at least three Rohingya asylum seekers died when a fishing boat carrying 65 people destined for Malaysia, sank off the coast of Cox's Bazar.

3.30 This dangerous route is sometimes undertaken by people with no seafaring experience. The Bangladeshi Government has been largely successful in preventing boat launches but they do occur from time to time. According to UNHCR figures published in 2021, 218 out of 2,413 people (those known to have taken the journey; the number might be higher than the figures suggest) died or went missing making the journey in 2020.

3.31 Rohingya are difficult to distinguish from local Bangladeshis, particularly by people who are neither Rohingya nor from Cox's Bazar. There are some linguistic and cultural differences, but several local sources told DFAT some Rohingya are motivated to lessen these in order to obtain informal employment. Over time these cultural or linguistic distinctions sometimes simply diminish due to living in close proximity with Bangladeshis. Conversely, Rohingya customs can easily be adopted by non-Rohingya who are seeking aid or migration opportunities. Some Rohingya are also visually similar to some Indigenous groups in Bangladesh. Analysis of linguistic and cultural difference is not necessarily a reliable method of distinguishing Rohingya from Bangladeshis from Cox's Bazar.

3.32 DFAT assesses that Rohingya in Bangladesh are at high risk of violence within camps (often from other Rohingya) and in the broader community. They are also subject to a moderate risk of discrimination on the basis of both their ethnicity (noting that they are often able to blend into local communities and economies) and their lack of legal status in Bangladesh.

## RELIGION

3.33 According to the 2021 US Department of State International Religious Freedom Report on Bangladesh, 89 per cent of the population is Sunni Muslim and 10 per cent is Hindu. The remaining population is mostly Christian or Buddhist. Religious minorities are found throughout the country but especially in the Chittagong Hill Tracts among Indigenous People.

3.34 The ruling Awami League promotes religious pluralism and tolerance. The Constitution affirms Islam as the state religion but provides for religious equality and freedom. In practice, these laws are subject to constitutional provisions about public order and morality.

3.35 Family law (concerning marriage, divorce, inheritance and adoption) contains specific provisions for Muslims, Hindus and Christians, but the same secular courts hear cases for all religious communities. There is a separate civil family law for mixed faith families or adherents of faiths other than Islam, Hinduism or Christianity.

3.36 There are no laws prohibiting religious conversion, but the practice is nonetheless risky because families and communities might violently object. The US Department of State International Religious Freedom Report notes NGO claims that physical violence, harassment and social isolation are threats to Christians who have converted from Islam.

3.37 DFAT is aware of claims of rising influence of Islamist groups and moves by major political groups away from the country's secularist constitution. These claims do not broadly reflect the reality on the ground; there has been no significant change since the last DFAT Country Information Report on Bangladesh. The Awami League is by far the most influential political movement in the country. There has been no major shift in its ideology or in the extent that that ideology is significant in the day-to-day lives of Bangladeshis and Bangladeshi politics. For further information see [Political System](#), [Political Opinion \(Actual or imputed\)](#) and the relevant section about different religions below.

## Blasphemy, defamation of religion and atheists

3.38 There is no specific blasphemy law in Bangladesh but other laws are used to effectively prohibit blasphemy. The Penal Code include provisions that prohibit deliberate insults to religion and offences can attract fines or prison sentences of up to two years. The *Information and Communication Technology Act* and the *Digital Security Act* similarly have provisions that prohibit the use of online platforms to insult religion. Under those laws a ten-year prison sentence is possible.



3.39 Atheism is uncommon and unpopular. An atheist blogger, Avijit Roy, was killed in 2015 by members of the terrorist group Ansar al-Islam. His killers were sentenced to death in 2021 by an anti-terrorism tribunal. DFAT is not aware of more recent examples of harm coming to professed atheists.

3.40 According to New Humanist, the journal of the United Kingdom-based Rationalist Association, in 2017 after a 21-year-old blogger posted about dissatisfaction with Islam on Facebook, he received death threats, was expelled from his college and evicted from his home, and fled to India.

3.41 Religion, particularly Islam, is a central part of Bangladeshi culture and identity. Publicly professed atheism is very uncommon and could lead to violence, but DFAT is not aware of a pattern of incidents that can be analysed to assess risk. A publicly professed atheist would probably face social discrimination and violence, especially if they attempted to convince others to adopt their beliefs. Accusations of atheism can be used as a weapon to foment violence; acts of blasphemy are sometimes concocted and then blamed on innocent parties (see prominent example with [Hindus](#)), which may lead to mob violence or lynching.

## Hindus

3.42 Most Hindus are ethnically and linguistically Bengali and are not physically distinguishable from the majority Muslim population (many ethnic Bengalis also live in India, for example in West Bengal). Hindus can be identified by their dress including the wearing of red string on their wrists, certain bangles, *bindis* (a dot between the eyebrows, known as '*teep*' in Bangladesh), and *sindoor* – red colour placed in the hair of a married woman. Hindus are found throughout the country and are a majority in a small number of areas. DFAT understands that there are large Hindu populations in the south, east and north of the country, but reliable figures are not available and demographic trends are subject to change. Census data shows that the number of Hindus (and other religious minorities) is falling over time.

3.43 In October 2021, anti-Hindu violence, sparked by allegations that Hindus had disrespected the Quran, led to at least four deaths, scores of injuries and more than 680 arrests. According to media reports and sources, a 35-year-old Muslim man placed a copy of the Quran in a Hindu temple during the festival of Durga Puja, and inflammatory messages were posted on social media, which led to the widespread anti-Hindu riots. At least 10 of the 64 national districts experienced violence, with the worst violence occurring in and around Dhaka. Muslim protesters attacked Hindu temples and places of worship. A Hindu group told the *New York Times* that at least 17 Hindu temples had been attacked and vandalised. Similar violence that targeted Hindu homes and temples occurred in 2016 and was fuelled by alleged blasphemous posts by a Hindu that were probably faked, spread on social media, especially Facebook.

3.44 After the 2021 violence Prime Minister Hasina condemned the attacks and told media that Hindus were Bangladeshi citizens whom the state would protect. Hasina's comments are consistent with the AL's secular principles, and some sources told DFAT that they believed that the government's sentiments about religious pluralism were sincere. Opinions are mixed: one source claimed that police did not effectively protect Hindus and that those who committed violence had done so with impunity, while another source told DFAT that police in general are responsive to anti-Hindu sentiment and protect Hindus. Some sources told DFAT that the violence was 'not a surprise' and that some Hindus feel unsafe all the time. Another pointed to about 20 different incidents of anti-Hindu violence over the last ten years. The government provides security personnel during religious festivals for all religious minorities.

3.45 The 2021 violence is not the first time that communal violence has affected the Hindu community. In the lead-up to and following the 2014 elections, [Jamaat-e-Islami activists](#) launched a wave of attacks against the Hindu community, killing more than two dozen, destroying hundreds of homes and businesses, and displacing thousands. In the aftermath of the violence, the High Court ruled that law enforcement agencies had 'seriously failed' to protect members of vulnerable groups, including Hindus. The government responded

by providing assistance to victims and helping communities restore religious and private property damaged in the violence. The 2018 election was not characterised by such communal violence.

3.46 As noted in the section on [recent history](#), Islamist militant groups, including some claiming links with the Islamic State terrorist organisation, conducted a number of small-scale localised attacks against minority religious and social groups across the country between January 2013 and mid-2016. These attacks killed or seriously injured several Hindus. Police were despatched to protect temples and clergy in response to the attacks and to death threats made by militants. Bangladeshi authorities conducted extensive counter-terrorism operations in response. These operations have reduced the capability of militant groups but have not eliminated the risk of further attacks.

3.47 Hindus often live in communities with other Hindus for the express purpose of avoiding discrimination and some move to larger cities where they perceive discrimination to be less likely due to a higher Hindu population, if they have enough money to do so. Sources told DFAT that some low-caste Hindus experience discrimination within the Hindu community, for example people may not wish to sit with a low-caste Hindu. Some sources told DFAT that some low-caste Hindus convert, especially to [Christianity](#), in order to avoid caste-discrimination.

3.48 As with some other minority groups, Hindus claim that they have been subjected to ‘land grabbing’, the forcible taking of land through violence or confected legal proceedings. A desire to ‘grab’ land may be a factor in communal violence (for example, violence is fomented under the pretext of religious hatred where the actual motivation is taking land), but mostly the intolerance is genuine and the main motivation.

3.49 Overall, DFAT assesses that Hindus face a moderate risk of societal and low risk of official discrimination, and a moderate risk of violence, evidenced by recent mob violence. Hindus who live in majority Indigenous areas experience risks as discussed in that section. Sporadic incidents of physical violence and verbal abuse are also possible. All religious minorities face a risk of sporadic violence, which can escalate into widespread communal violence as evidenced in 2021. For Hindus, this risk – and apprehension of risk – is magnified given the historic communal violence between Hindus and Muslims in South Asia. It is also compounded by the conflation of Hinduism and India by some Bangladeshis, which means that anti-Indian sentiments can be expressed as anti-Hindu sentiments.

## Buddhists

3.50 Buddhists are a small minority in Bangladesh. They are mostly Indigenous and live in the CHT. Muslim Bengali settlers and CHT Indigenous groups of minority religion (Buddhist or Christian) clash frequently, especially in relation to land ownership and usage. While some of these disputes take on religious or racial overtones, religion and race are not the main factors; rather, the main factor is land. See [Chittagong Hill Tracts \(CHT\) Indigenous People](#) for further information.

3.51 Buddhists may experience societal discrimination. As with other religious minorities, many Buddhists prefer to live in communities with people of the same faith to avoid discrimination. Buddhists are generally able to receive instruction in their faith as part of the school curriculum, but teachers are not necessarily Buddhist. Sources told DFAT that Buddhists can generally access health care and there are some junior Buddhist doctors. Sources also told DFAT that minorities, including Buddhists, sometimes need to pay more than others in bribes in order to access services.

3.52 Large-scale communal violence is possible and some Buddhists fear such violence. The anti-Hindu violence in 2021 also affected some Buddhist temples, for example. A machete attack that killed a Buddhist monk in the CHT reportedly occurred in May 2021. Violence notably occurred in 2012 when Islamists razed Buddhist homes in the Cox’s Bazar district and temples after a false Facebook post implicated Buddhists in

alleged desecration of a Quran. A subsequent investigation found that the person implicated had nothing to do with the incident. DFAT is not aware of more recent similar incidents against Buddhists, but notes a similar incident targeting [Hindus](#), suggesting that anti-religious minority violence based on false accusations of blasphemy remains a possibility.

3.53 DFAT assesses that Buddhists face a moderate risk of societal violence in the form of occasional localised incidents. The kind of communal violence that occurred against Hindus in 2021 cannot be ruled out against members of other religious minorities. Violence also occurs in the context of other events, such as communal disputes over land ownership and usage in the CHT, which may be the product of race or religious discrimination. Buddhists experience a moderate risk of societal discrimination, but it is difficult to distinguish between religious and racial discrimination, especially for Buddhists who live in the CHT.

## Christians

3.54 Christians are not always readily identifiable by cultural, language or facial traits, but some Indigenous People with distinct facial and cultural characteristics are Christian. Many Christians are descendants of 15<sup>th</sup> century converts who look like other Bangladeshis but have Portuguese surnames. See [Indigenous People](#). According to the 2021 US Department of State Religious Freedom Report, Christians live in communities across the country, with relatively high concentrations in Barishal City, Gournadi in Barishal District, Baniarchar in Gopalganj District and Monipuripara and Christianpara in Dhaka, as well as the cities of Gazipur and Khulna.

3.55 Christians are able to access schools, hospitals and other services provided by their churches. Churches run extensive social welfare, health and education facilities, which are open to non-Christians and often serve the poor. This reputation for care can help reduce social isolation and discrimination against Christians. However, DFAT understands from sources that such organisations experienced financial trouble during the COVID-19 pandemic, and some have been less able to provide services as a result.

3.56 Discrimination against Christians does nonetheless occur occasionally, for example the denial of goods or services or accommodation. The experience of discrimination depends on individual circumstances. Many Christians live in communities together and experience less discrimination as a result.

3.57 Some people convert to Christianity, mostly [lower caste Hindus](#) and Indigenous People, who often convert as a group, for example as an entire family or village community. Some experience discrimination and violence following that conversion, and some do not. According to sources, converts do not generally experience discrimination from families and communities – this can be in part due to the fact that conversion often takes place at the community or family level. The potential for family or community discrimination and violence cannot be ruled out; but it would depend on the individual family or community circumstances. Some sources told DFAT that baptisms sometimes occur in secret to avoid attracting attention and potential discrimination or violence, demonstrating that risk of violence and discrimination can attach to at least some conversions.

3.58 A potential for violence from anti-Christian Islamist groups exists. The state sometimes provides armed security at churches, especially around sensitive dates like Easter and Christmas. Sources told DFAT that they generally feel safe at church. According to the 2020 US Department of State International Religious Freedom Report, Christian families living in the Rohingya camps were attacked in January 2020. The reason is not clear, but the victims claimed that it was anti-Christian violence. Isolated incidents of death threats and murders have also been reported. As with Buddhists, because many Christians are Indigenous, violence may in fact be related to land disputes or race discrimination, rather than religious belief. DFAT is aware of one incident in July 2021, reported by PIME Asia News (a Catholic news website), in which Buddhists attacked Christian converts to try to get them to return to Buddhism.

3.59 Sources told DFAT that, while Christians mostly worship freely, many keep a low profile to avoid violence. For example, after Friday prayers at local mosques, some Christians try to conduct their church services quietly to avoid attracting attention.

3.60 DFAT assesses that Christians face a moderate risk of societal violence in the form of localised incidents and the possibility of mob violence. Like other minorities, Christians face a risk of sporadic attacks. The risk is higher for Muslims who convert to Christianity (or any other religion) in the context of a lone conversion without the support of their community or family, but the risk would then depend on individual circumstances. See also [Indigenous People](#) for Christians that live in Indigenous areas.

## Ahmadis

3.61 The Ahmadiyah movement takes its name from its founder, Mirza Ghulam-Ahmad, who lived in British India in the 19<sup>th</sup> century. Ahmad saw himself as a ‘renewer’ of Islam and his followers regard him as a messiah. Ahmadis worship in their own mosques but are generally physically indistinguishable from the majority of Bengali Muslims. The former BNP Government banned Ahmadi publications in 2004 but the ban was not enforced and was later lifted by the current Awami League Government, who impose no restrictions on Ahmadi worship.

3.62 Ahmadis identify as Muslims, but many Muslims in Bangladesh regard them as non-Muslim (and some would regard them as apostates) because they believe in an additional prophet who came after the prophet Muhammad. This has resulted in societal discrimination, harassment and violence, including physical attacks, boycotts of businesses and demands for the state to label Ahmadis as non-Muslims, as is the case in Pakistan. Recent attacks include a suicide bombing of a mosque in Rajshahi District in November 2015 that injured three people, and a physical attack on an Ahmadi imam by a group of *madrassah* students in Mymensingh on 8 May 2017 that left him with critical injuries. In addition, 50 people were injured in February 2019 in an attack targeting Ahmadis, in which homes and businesses were vandalised.

3.63 The *Dhaka Tribune*, among other major news outlets, reported in July 2020 that local residents exhumed the body of an Ahmadi infant that was buried in an Islamic cemetery and dumped it at the side of a road near Dhaka. This was because the infant’s family was considered to be ‘infidels’, according to the US Department of State Bangladesh 2020 International Religious Freedom Report.

3.64 DFAT assesses that Ahmadis face a moderate risk of societal violence in the form of occasional localised incidents. Like other minorities, Ahmadis face a risk of sporadic attacks or mob violence. The risk of violence is higher if Ahmadis engage in proselytising activities. Ahmadis face a moderate risk of societal discrimination, but this moderate risk is in a context where Ahmadis may deliberately try to conceal their religious identity.

## POLITICAL OPINION (ACTUAL OR IMPUTED)

3.65 Bangladesh politics have long been dominated by the Awami League (AL) and the Bangladeshi Nationalist Party (BNP). The AL has traditionally been broadly secular, liberal, rural-based and in favour of relations with India. The BNP has traditionally been broadly more accommodating of political Islam, conservative, broadly against relations with India and urban-based.

3.66 The relationship between the two parties is characterised by longstanding enmity. The rivalry is also deeply personal at the highest levels: the AL’s leader and Prime Minister, Sheikh Hasina, is the daughter of the ‘Father of the Nation’ Sheikh Mujibur Rahman. The BNP’s leader, Khaleda Zia, is the widow of the party’s



founder, former General and President Ziaur Rahman. Sheikh Mujibur Rahman and Ziaur Rahman were both assassinated in office, and their respective parties view them as martyrs.

3.67 Bangladeshi politics is heavily based on patronage; for most Bangladeshis, patronage of political figures is far more important than ideology. Loyalty, especially to Prime Minister Hasina and other key figures, is very important. In-country sources told DFAT that personal loyalties to local politicians or other influential people is critical; it can mean the difference between accessing basic goods and services (for example related to land, social welfare, jobs) or not accessing them.

3.68 DFAT is not aware of evidence of forced recruitment to political parties and considers it unlikely to occur. Parties hold membership drives each year and can get voluntary members through these. DFAT understands that the BNP is not currently holding membership drives but that forced recruitment to the BNP is also unlikely. According to a 2018 survey by the Asia Foundation, around four-fifths of Bangladeshis have limited interest in politics, and even those who have such an interest are not necessarily members of any party.

3.69 The AL has sought to restrict the activities of opposition political parties, particularly the BNP and Jamaat-e-Islami (JI) (see following sections). According to the 2021 US Department of State Human Rights Report, human rights groups and media have reported that 18 opposition figures were arrested or disappeared between January and October 2021, often in conjunction with political demonstrations. Human rights groups claim that security forces prevent opposition parties from holding meetings and demonstrations, and pressure opposition candidates to withdraw from elections, including through preventing them from submitting election nominations or by having them charged with political crimes like sedition.

3.70 Social media is monitored in Bangladesh and the government has been proactive in shutting down mobile data networks to prevent the forwarding of WhatsApp messages or viewing online content that has the potential to spark communal violence. It is not possible to predict accurately the kinds of social media or users who would attract such attention. Sources told DFAT that certain topics on social media are more likely than others to attract government attention. These include mention of corruption among senior people, mention of the family of senior figures or their personal lives (especially the 'Father of the Nation', Sheikh Mujibur), military affairs, and perhaps LGBTI issues or comments against Islam. The government does not have the capacity, nor perhaps the interest, to monitor all social media posts. The risk of a post being noticed and given adverse attention is greater for higher-profile people or where the post goes 'viral' and attracts a lot of attention, whether positive or negative. DFAT is not aware of a set formula or clear set of circumstances that would cause this to occur.

## Awami League (AL)

3.71 The Awami League (AL) was established in 1949, with Mujibur Rahman, the father of current Prime Minister Sheikh Hasina, playing a key role. It has been in power since 2009.

3.72 At the top of the party is the Central Committee, known as the Presidium. There are 15 members of this committee, including the Prime Minister. The Presidium is part of an 81-person Central Working Party and is supported by an advisory committee of technical advisers. Each district and *upazila* has its own committee and people join political auxiliary organisations and rise up through the ranks.

3.73 The AL has made efforts in recent years to increase social inclusion, including through the recruitment of minorities into the police and armed forces. Some minority groups in Bangladesh told DFAT that they had experienced less discrimination and violence under the AL in its recent terms (compared to

earlier periods) and less discrimination and violence than when the (now opposition) Bangladeshi Nationalist Party ([BNP](#)) was in power.

3.74 Internal party violence has been reported in the AL, including in the lead-up to the 2018 election, and during sub-national elections and student organisation elections. This violence is usually about disputes over candidate pre-selection or internal disputes between business people. While sometimes described as ‘factional’ violence, the ‘factions’ may in fact be personality or patronage-based rather than ideologically based. The party has strong disciplinary policies to deal with rogue candidates that can be activated in such circumstances to expel members from the party.

3.75 The party engages in recruitment activities throughout the year. Recruitment activities often have a festive atmosphere. DFAT considers it unlikely that people would be coerced into membership; there are many benefits to membership, such as political patronage, that mean volunteers are likely to join the party willingly.

3.76 Disputes between members have the potential to lead to violence. The extent of the violence, whether affecting a candidate or their supporters, would depend on the political and social profile of the disappointed candidate; and how much money and how many followers they have. High-profile political figures are more at risk of being involved in a violent dispute. Low-level figures who are not themselves engaged in violence are unlikely to experience violence from others. Overall, the AL occupies a privileged position in Bangladeshi society and DFAT assesses that AL supporters experience a low risk of official or societal discrimination or violence.

## Bangladeshi Nationalist Party (BNP)

3.77 The BNP is currently the main opposition in Bangladesh. It has formed government several times since Bangladesh was established in the 1970s. The party has significantly reduced in visibility in recent years. In part, this is because the BNP boycotted recent elections, claiming that they were fixed so that AL would win, a tactic the AL also used when the BNP was in power. In local government elections held in phases between 2020 and 2021, BNP candidates won 11 mayoral races (out of more than 800 across the nation) after boycotting most of the elections. The BNP traditionally has more support (but not power at present) in Sylhet, Rajshahi, Bogura, Noakhali, Comilla and Mymensingh.

3.78 The BNP Standing Committee is the top decision-making body of the party. Various ‘secretaries’ of internal committees have responsibility over political portfolios, such as foreign affairs or information. Various committees at the district and *upazila* level also exist. As with the AL, [Political Auxiliary Organisations](#) play an important part in the membership activities at the grassroots of the party.

3.79 The BNP has a large diaspora network and is very engaged with overseas Bangladeshis and people of Bangladeshi descent living in other countries, including Australia. BNP members who are not Bangladeshi citizens (but who live in diaspora communities) claim that they have had visas to visit Bangladesh denied. DFAT does not know whether diaspora organisations report back to the domestic party on activities of their members while in Australia.

3.80 BNP figures allege that they have been subjected to enforced disappearance. Typically, this allegedly involves houses being raided at night; however, daylight raids on party offices have also been reported. The BNP claims that its supporters have been arrested during protests for alleged criminal damage or assault on police. BNP members also allege that violence against them perpetrated by AL members occurs with impunity.

3.81 The former BNP Prime Minister, Khaleda Zia, was convicted in February 2018 on graft charges and sentenced to five years in prison, and to another seven years on a separate corruption charge in October

2018. The BNP claims that the charges against Zia are politically motivated. At the time of writing, Zia is still imprisoned and DFAT is aware of media reports that suggest that she is unwell. Zia has been allowed to serve her sentence at home and is receiving treatment in Bangladesh, but has not been allowed to go abroad for treatment. Protests in November 2021, demanding that Zia be allowed to go overseas to seek treatment, attracted thousands, according to Al Jazeera, demonstrating BNP's continued capacity to attract supporters.

3.82 There are fewer examples that demonstrate a pattern of violence or discrimination against low-level BNP members, than for higher level BNP leaders. Those who engage in low-level BNP activity (for example attending rallies or attempting to convince others to join the party) are less likely to be arrested than are higher profile actors. For low-level actors, the nature of their activities is unlikely to attract attention in the first place. Those with seniority and reputation are more likely to attract government attention but any member could, in theory, be arrested on charges of violence, obstructing police, corruption or other charges. One source told DFAT that it would be necessary to hold an official position in the party to be arrested. This may be a useful distinction but does not rule out potential arrest of a person who does not hold an official position, even if it is unlikely.

3.83 False criminal charges and vexatious civil court procedures are used to harass members of the BNP. As outlined in the section on the [judiciary](#), the Bangladeshi court system is difficult and expensive to navigate, as well as slow and subject to corruption. It is possible that charges, particularly related to violence, are genuine – protests in Bangladesh are often very violent. It is difficult to apply an overall assessment to various circumstances, particularly if a charged person denies being engaged in violence.

3.84 The patronage-based nature of Bangladeshi politics means that the BNP has lost support (it has less to offer members), and thus influence and capacity, to hold mass demonstrations, further reducing its visibility. DFAT understands from sources that the party is not actively recruiting new members at this time, but notes that this could change in the lead up to the national elections (due January 2024). DFAT assesses that allegations of violence against BNP figures are credible. Reports of violence by BNP activists are also credible. High profile figures are more likely to be targeted by politically motivated charges; however, DFAT assesses that any BNP member who actively opposes the government, and especially if they are involved in violent protests, can be targeted through criminal charges.

## Jamaat-e-Islami

3.85 Jamaat-e-Islami (JI) is an Islamist political party that supported the Pakistani army during the independence war in 1971. JI was banned from participation in the 2014 election based on its anti-secular views. Its members contested a small number of seats in the 2018 election under the banner of the Jatiya Oikya Front, which also included the [BNP](#). While officially de-registered as a political party, JI remains in an alliance with the BNP. But media reports in October 2021 suggested that the BNP was reconsidering the alliance with senior leaders pointing to ideological differences. DFAT understands discussions about the relationship between BNP and the Jatiya Oikya Front are ongoing.

3.86 Generally speaking, journalists are reluctant to report on the party (see [Media](#)) and this limits the amount of information that is publicly available. People who are perceived as being supporters of JI claim that they have been followed or intimidated by people they allege to be connected to the government, including when overseas, and sources told DFAT that sometimes affiliation with JI is used as a slur.

3.87 JI followers generally keep a low profile and they do not campaign actively or publicly, but DFAT understands that they are able to recruit new members, albeit in a clandestine manner through personal connections. The size of the party has shrunk in recent years and many former members instead joined other parties, including the AL, though some have joined other Islamist movements, which may or may not be similar. DFAT understands that the party is still well-organised and has some influence in political circles,

even if it is not widely discussed in media. Supporters of JI strongly link their religious and political identities, which often results in very strong personal, grassroots support.

3.88 In October 2021, the *Hindustan Times* accused JI of being behind communal violence directed at Hindus in southern Bangladesh. The newspaper quotes unnamed diplomats as their source.

3.89 Members and supporters of JI keep a low profile. Those who do not keep a low profile would be subject to attention from authorities and thus experience a moderate risk of official discrimination. DFAT is not aware of societal discrimination against JI members (in fact, their broadly conservative Islamist views are often popular in their home communities) but, as with members of the BNP, members of JI may experience fewer employment and business opportunities due to the underground nature of their personal and professional networks.

## Political auxiliary organisations

3.90 Both the AL and BNP (and other Bangladeshi political parties) have large auxiliary organisations, including wings for students, volunteers, youth, professionals (such as doctors, lawyers), and labourers. These organisations are sometimes known by other names, such as ‘fronts’, ‘wings’ or ‘leagues’. The largest of these are the student wings, of which many former students are still members. AL’s student wing, the Bangladesh Chhatra League (BCL) has millions of members. The BNP version, the Chhatra Dal, is also active and has been involved in violence in the past. The two sides periodically engaged in violence, for example around Dhaka University and the Dhaka High Court in April and May 2022. Shopkeepers claimed that they had been subjected to extortion by the BCL, protest against which formed part of the reason for the 2022 violence. Protesters used weapons such as machetes and batons.

3.91 The sheer size of the auxiliary organisations means that, in practice, the central leadership of the relevant political party exercises only a limited amount of control over their activities.

3.92 There are strong incentives to join an auxiliary organisation. For student organisations, members have access to better university accommodation, jobs upon graduation or business opportunities. Patronage is an important factor – attending protests or supporting a locally powerful person or politician offers protection. The poor are more vulnerable to these pressures – the rich can get opportunities without such networks. While political patronage and connections can be helpful, it does not guarantee opportunities or services; Bangladesh is a developing country with limited government services and a surplus of graduates for limited graduate jobs.

3.93 DFAT notes strong societal pressure for students in particular to join an auxiliary organisation in order to obtain patronage. Auxiliary organisations are often involved in significant violence. There is some element of choice involved; joining a university and becoming affiliated with a violent movement is not compelled by law or threat, but success in university and obtaining a job often depends on such engagement. DFAT assesses those who engage in auxiliary organisations are at a moderate risk of violence, even if they are members of an AL organisation, due to factional infighting.

## Protesters – online and street demonstrations

3.94 Street protests, strikes and blockades are a common occurrence in Bangladesh that sometimes result in or from communal violence. Protests are often organised on social media. The Digital Security Act 2018 (DSA) is sometimes used by authorities to review social media communications, and the provisions of the law have been used to impede or punish organisers and journalists who cover the protests. Some sources claim that convictions under the DSA are uncommon (DFAT is not aware of accurate figures) but the



threat of its use may be enough to silence critics, and the process of going through [court proceedings](#) is difficult, which may also act as a deterrent.

3.95 Widespread protests occurred in April 2021 against a visit by Indian Prime Minister Narendra Modi. The protests were held across several districts, and shut roads, schools and other facilities. The protests were led by Hefazat-e-Islam (HeI). HeI is not a political party but it is influential because it runs a large number of *madrassahs*. Thirteen HeI members died when police opened fire on the protests.

3.96 ‘*Hartals*’, sometimes called ‘general strikes’, are a form of protest common in Bangladesh in which protesters attempt to shut down roads or businesses to bring attention to their cause. Leftist parties called a *hartal* against inflation in March 2022, for example. The BNP held a *hartal* in February 2020 against mayoral election results.

3.97 Local experts told DFAT that protests related to labour disputes, especially in garment factories, are monitored by police, with [enforced disappearance](#) alleged. Violent protests against unpaid wages, and demanding pay rises or bonuses, occurred in Dhaka in April and June 2022 with police using tear gas and protesters throwing projectiles. According to a report in *The Guardian*, police charged at a peaceful protest in Dhaka of 700 garment workers protesting against unpaid wages in the wake of COVID-19 shutdowns in December 2020. Police opened live fire at protesters demonstrating outside a power plant in Chittagong in April 2021, killing five.

3.98 With regard to online protest activity, sources told DFAT that certain topics on social media are more likely than others to attract attention from authorities. These include corruption and personal lives of powerful people (including historically powerful people), issues promoting religious disharmony and LGBTI issues. Journalists and others with a profile are much more likely to have their social media targeted.

3.99 Low-profile social media users are less likely to be targeted, although it does happen occasionally. For example, a social media user and university student was beaten to death by the Bangladesh Chhatra League, the student wing of AL (see [Political auxiliary organisations](#)), in October 2019. The posts he made were about India-Bangladesh relations and were not about the AL as such.

3.100 A teenager was arrested under the DSA in April 2021 after posting a music video that mocked Prime Minister Hasina and visiting Indian Prime Minister Narendra Modi. Hundreds of people who have posted anti-government messages online have been arrested under the DSA.

3.101 Those who use online platforms to organise street protests or use social media as a platform for protest are monitored. These incidents should be understood in the context of a very large number of protests, many of which are violent. There is not a clear pattern by which to determine which protests will attract government attention. The profile of protesters matters – the sheer size of most protests means that authorities are unable to target most attendees but organisers are more likely to be targeted. DFAT assesses that those involved in organising protests or using social media platforms to protest against the government face a moderate risk of official discrimination. Those attending protests in-person face a low risk of official discrimination but a moderate risk of violence. However, violence among attendees, including low-level attendees, is common, which may increase government attention.

## GROUPS OF INTEREST

### Civil society organisations (CSOs)

3.102 Article 38 of the constitution guarantees citizens the right to form associations or unions, provided they have objectives consistent with the constitution and are not formed for the purpose of destroying

religious, social or communal harmony, for creating discrimination on any grounds, or for organising terrorist or militant activities. Bangladesh has an active civil society sector that conducts activities on a wide range of social, cultural, political and economic issues. All civil society organisations (CSOs), including religious organisations, are required to register with the Ministry of Social Welfare. The NGO Affairs Bureau, which sits within the Office of the Prime Minister, regulates the activities of CSOs in the country.

3.103 CSOs working on sensitive topics or groups (including religious issues, human rights, Indigenous People, LGBTI issues, Rohingya refugees, corruption, and workers' rights) report formal and informal government restrictions. This includes repeated audits or delayed approvals by the National Board of Revenue, harassment via legal action under the Information and Communication Technology Act and DSA, the temporary freezing of bank accounts, overt monitoring by intelligence agencies, disruption of planned events, and delays in/withholding approvals such as NGO registration. Some CSOs have developed strategies for working with the government in a way that maintains independence and avoids conflict.

3.104 According to Freedom House, members of CSOs and trade unions advocating labour rights face dismissal from employment or physical intimidation. [Protests](#) against low wages, poor conditions and poor safety standards are particularly common in the garment industry. In-country sources allege that those advocating for labour rights have been arbitrarily arrested and tortured.

3.105 In general, CSOs in Bangladesh are experienced and skilled in using language and actions that are less likely to attract government attention. In some cases, this means self-censorship. NGOs involved in politically sensitive activities face a moderate risk of official discrimination. DFAT is aware of allegations of violence but is unable to confirm that violence occurs against NGO workers specifically. DFAT is not aware of societal discrimination against CSOs or their members.

## Media and journalists

3.106 Bangladesh has a wide variety of traditional and electronic media. Media outlets tend to align themselves with one of the main political parties or factions within them. Many private television networks exist alongside a nationwide public broadcaster. As in many countries, the influence of mainstream media has been declining in recent years with the take-up of social media, Facebook in particular.

3.107 *The Digital Security Act* allows law enforcement to search and seize journalists' devices and arrest people without warrant for comments that they have shared that are critical of the government. Both Freedom House and Reporters Without Borders (RSF) claim that journalists have been beaten by security forces for reporting negative news about the government. The Committee to Protect Journalists (CPJ), an international NGO, reported that in 2020 and 2021, seven journalists were imprisoned and two were killed in Bangladesh.

3.108 According to CPJ, in September 2021 the Dhaka Cyber Tribunal accepted a charge sheet for three men – a cartoonist, an editor of a Sweden-based news website and a photographer. The men claimed that they did not know that there was a warrant against them and that the charges related to criticism of local political leaders on Facebook. Another man, Mushtaq Ahmed, was arrested in 2020 for criticising the government's response to COVID-19. He died in prison in February 2021, sparking protests.

3.109 Media outlets that are critical of the government do exist, but generally self-censor. A media licence is required to operate a public television channel, and DFAT is aware of reports of government pressure being applied to licence holders who present anti-government views, and preferential treatment of 'loyal' licence holders. Instances of traditional and social media being blocked have been reported. For example, cable television networks and even Skype, a video chat and messaging service, have been blocked on

occasion for allegedly political reasons. Telecommunications networks have been shut down for various reasons, including to prevent cheating on exams or to allegedly prevent political communication.

3.110 According to media and human rights group reports, Bangladeshi journalist Shafiqul Islam Kajol was imprisoned in 2020 after a 53-day disappearance. He was charged under the DSA after he published a story about an alleged sex trafficking ring run by an AL official. A female journalist was charged with breaching the *Official Secrets Act* after reporting on corruption in May 2021. She was granted bail later that year. Her case was still ongoing at the time of writing.

3.111 DFAT assesses that journalists attempting to report on military, judiciary or religious affairs, or whose reporting is critical of the government, are likely to feel pressured to self-censor their reporting to avoid the risk of legal sanction, arrest, threats, harassment and physical violence. Those that publish critical views face a moderate risk of official discrimination. DFAT is not aware of societal discrimination against journalists. This assessment applies to all such journalists, both rural and urban and regardless of gender.

## Women

3.112 Women's workforce participation has been rising quickly in the last several decades thanks to the rise in the ready-made garment industry in Bangladesh. Participation is still low by global standards. According to World Bank and ILO data the labour force participation rate for women was 36.37 per cent in 2019, before the COVID-19 pandemic. By comparison, Australia's rate was 60.82 per cent in the same year.

3.113 Rape, sexual harassment and other forms of gender-based violence occur frequently. Ain O Salish Kendra, an NGO, reported that between January and September 2020 about 975 women had been raped in Bangladesh, 200 had escaped from a rape attempt, 43 women died in the commission of a rape, and 12 others committed suicide after being raped (DFAT assesses that these figures under-report the prevalence as many women do not report sexual violence). Marital rape is not illegal. According to the US Department of State's 2021 Human Rights Report on Bangladesh, as well as DFAT's sources, many victims did not report rape because of a lack of access to legal services, social stigma, fear of harassment and the process of proving the rape using medical evidence.

3.114 Women often do not report violent crimes, including rape, to police because prevailing attitudes towards women mean their complaints may not be taken seriously. Police are likely to demand bribes for accepting reports. A woman's 'immoral character' can be introduced in evidence against her in rape cases. The conviction rate for rape cases is about 3 per cent, according to a 2021 article in *The Guardian*.

3.115 Women commonly experience sexual harassment or violence, including in public. The term 'eve teasing' is commonly used to describe this phenomenon, but that term is reductive; harassment is often violent and not 'teasing'. Women who do not cover themselves, for example with a hijab (and increasingly face coverings such as a niqab) experience greater levels of harassment from men in the street. Although Muslim head coverings such as hijab are not as commonly associated with Bangladesh as they are with other countries, some women wear hijab because they believe it reduces the risk of violence. Sexual harassment and assault is also reported in the garment industry, both at factories and on commutes.

3.116 Domestic violence is widespread. The *Domestic Violence (Prevention and Protection) Act (2010)* criminalises domestic violence. Under the Act, protection orders can be issued that operate in a similar way to 'Apprehended Violence Orders' in Australia, with penalties of between six months and two years in prison for breaches. Human Rights Watch (HRW) accused the Act of falling 'drastically short' in practice. In their 2020 report, HRW quoted BRAC, a major non-government aid organisation, which said there had been a 70 per cent increase in reported incidents of domestic violence during the COVID-19 pandemic. A much larger

survey of 65,000 women found that about two-thirds had experienced domestic violence before the onset of the pandemic.

3.117 Although less common than in the past, acid attacks against women in the name of ‘family honour’ remain a problem. Men are also affected in ‘honour’-related violence. Most acid attacks are reportedly related to marital, family, land, property or money disputes, or to a woman’s refusal to accept a marriage proposal.

3.118 Single women are likely to encounter social and economic difficulties. It is possible for a woman to be head of a household in the event her husband has died or left her (such households exist in practice, both in urban and rural areas) but the ability to do so successfully would depend on a woman’s capacity to support herself financially.

3.119 Sources told DFAT that women who are heads of households would not face discrimination in employment or health care, for example, but securing sufficient work and childcare would nonetheless be difficult. Being single by choice is virtually unheard of due to social stigma related to being a single woman. Remarriage is often considered socially unacceptable, for both widows and divorcees due to conservative societal attitudes toward marriage. Most women are married very young, including as children, and face significant family and societal pressure to get married.

3.120 DFAT assesses that most Bangladeshi women face persistent societal discrimination and the threat of gender-based violence. Longstanding traditional values and gender roles continue to restrict the participation of women in the workforce and community. NGO services and shelters for victims of domestic violence exist but are inadequate; there is not enough coverage for the sheer number of women who experience violence. Police services are inadequate to protect victims of violence and cultural norms prevent women from seeking help or safety even if it were available.

## Sexual orientation and gender identity

3.121 Male same-sex relationships are taboo but there is a general lack of awareness of female same-sex relationships. Almost all LGBTI people in Bangladesh keep their sexual orientation or gender identity secret. There is strong family and social pressure on gay men and lesbians to enter heterosexual marriages. LGBTI people must be very security aware; threats against them, including by religious extremists, are common. Homophobic hate speech is common on social media.

3.122 Sex between two men is illegal under section 377 of the Penal Code and carries a life prison term. Prosecutions are rare, which is probably because the LGBTI community is so hidden. Police use that law to harass men perceived to be effeminate. Laws against pornography, drug or alcohol offences are often used to target gay men. Harassment includes using the Penal Code as leverage to extort bribes from individuals under threat of arrest, and to limit registration of LGBTI organisations.

3.123 In April 2016, Islamist militants murdered LGBTI activists Xulhaz Munnan and Mahbub Toney in their apartment. Six members of the Islamist group, Ansar al-Islam were convicted of the crime and sentenced to death in August 2021. The court acknowledged that the crime was motivated by hatred of gay people. Media reporting of the incident generally referred to the two victims as ‘human rights activists’ and other euphemisms, avoiding mention of their LGBTI advocacy.

3.124 Social and cultural opportunities for LGBTI people in Bangladesh are limited, and many LGBTI people with the capacity to do so flee overseas. Those who remain use unique slang due to cultural taboos that prohibit open discussion of LGBTI issues. English words to describe LGBTI issues do not have equivalents in Bengali and slurs may be used in translation either through lack of alternatives or because of the



homophobia of the translator. Highly educated and wealthy LGBTI people are more likely to understand words and concepts or use English to describe them.

3.125 As with all women, LGBTI women are less likely than men to have social and economic independence. LGBTI women are pressured to enter heterosexual marriages in which the male partner of the relationship would exercise considerable social control and ‘protection’ over a woman, preventing any real prospect of her self-expression. Many girls are married young, limiting avenues for expression of sexuality and gender identity outside the norm.

3.126 Some limited services for LGBTI women (not transgender women, see below) exist, including a helpline for women. Social gatherings for LGBTI women do not exist publicly, though women communicate with each other using encrypted messaging services or social media. In general, the strong taboo against LGBTI people and patriarchal attitudes towards women generally lead to invisibility of LGBTI women and, as a result, information is difficult to obtain. DFAT is not aware of criminal prosecutions for lesbian sex.

3.127 A male-to-female transgender identity known as ‘*hijra*’ has existed in Bangladesh for hundreds of years. Many *hijra* live in organised communities, which have sustained themselves over generations by ‘adopting’ children who have been rejected by, or have fled, their family. While they have an established role in Bangladeshi society, *hijra* remain marginalised. Few mainstream employment options are open to *hijra*, and many obtain income through informal and sometimes criminal means, including extortion, performing at ceremonies, begging or sex work. Acceptance of *hijra* family members among relatives is generally low, and they lack inheritance rights under *sharia* (Islamic law) provisions governing personal status matters (see [Personal status laws](#)). *Hijra* are vulnerable to violence from both the community and law enforcement.

3.128 The term ‘*hijra*’ is not synonymous with the term ‘transgender’, which can refer to male-to-female or female-to-male transgender people and it is possible to be a transgender woman who is not part of *hijra* culture or living in a *hijra* community. Human Rights Watch (HRW) attempted to interview female-to-male transgender men in 2018 and reported that people were reluctant to be interviewed for fear of reprisal by religious hardliners. HRW reports that transgender people experience bullying, harassment and denial of services, including education. DFAT understands that few transgender people who are not *hijra* would openly identify as such and that those who do would be subject to violence.

3.129 DFAT assesses that LGBTI people, without distinction of different LGBTI identities, face a high risk of violence and societal and official discrimination.

## Victims of loan sharks and usury

3.130 Many Bangladeshis do not have access to formal banking facilities, which increases the risk of being victims of informal lenders and, in turn, loan sharking. DFAT understands that microcredit, often using digital platforms, is available in most parts of the country. Reputable and safe microfinance facilities are offered to the very poor, for example by BRAC, a Bangladeshi development NGO. Less reputable facilities also exist, and these facilities can be loan sharks in practice. Sources in Bangladesh told DFAT that the difference between reputable and un reputable providers was not always clear in practice.

3.131 Loan sharks are unlikely to lend money to people without capacity to pay the money back or some other form of recoverable capital. Disputes over loans are a matter of contract law and the [courts](#) are slow in Bangladesh, giving both debtors and lenders few avenues of redress. Thus, there is a potential for violence.

3.132 Conversely, some people borrow money through family, including extended family, which reduces the likelihood of violence, but this differs from family to family. Sources told DFAT that they were not aware of instances of family-lenders resorting to violence.

3.133 For migrant workers, a person's capacity to migrate overseas and send remittances is considered by lenders as a form of security against a loan and therefore money lending is particularly associated with migration, particularly to the Middle East. People borrow money to pay 'middlemen' who can be travel agents, people who organise employment or people smugglers. Those intending to migrate - including to Australia - may obtain various loans in small amounts of money from different sources, including extended family and other members of the community. Amounts paid to middlemen can range from the equivalent of several thousand dollars to several tens of thousands of dollars, depending on the middleman used and the destination. If attempts to migrate and send sufficient remittances to cover the debt are unsuccessful and the person returns to Bangladesh without having sent back sufficient remittances (for example, a failed asylum seeker), aggressive attempts to recover the money may be made. However, DFAT understands that lenders are more likely to lend more money to fund a further attempt to migrate than they are to use violence to recover the debt. From a lender's perspective, violence will not lead to money being repaid whereas another migration attempt might.

3.134 DFAT assesses that the very poor are at risk of being targeted by loan sharks. Violence is possible, but DFAT is not aware of enough evidence to conclude that it is a typical pattern. Bangladesh has a strong outward migration culture that is largely funded by debt, and violence is not a common consequence of that debt-funded migration.

## 4. COMPLEMENTARY PROTECTION CLAIMS

### ARBITRARY DEPRIVATION OF LIFE

#### Extrajudicial killings

4.1 Extrajudicial killings are reported in Bangladesh, particularly associated with the Rapid Action Battalion, a counter-terrorism paramilitary unit. Human rights groups allege that these killings are ‘encounter killings’; confected conflicts set up by security forces that result in the death of the victim and plausible deniability for the perpetrator. Media outlets sometimes call such incidents ‘crossfire’ or ‘gunfights’ instead. Another alleged method is taking a suspect to the scene of an alleged crime where they are then executed, with police claiming that the suspect attacked first and was shot in self-defence.

4.2 The COVID-19 pandemic has slowed the rate of alleged extrajudicial killing. Ain O Salish Kendra, a Bangladeshi legal and human rights NGO, found that there was a decline in the number of such incidents between August and October 2020, the first year of significant COVID-19 restrictions around the world.

4.3 There is little recourse for the families of the victims. They will generally not take legal action or complain because of fears for their safety (whether that fear is well-founded or not).

4.4 Extrajudicial killings by vigilante groups are also reported. In their July to September 2021 report, Odhikar, a Bangladeshi human rights NGO, reported that there were seven lynchings across the country in that period. The report gave an example of a woman who was beaten to death by a gang of bystanders after being accused of stealing a necklace.

#### Enforced or involuntary disappearances

4.5 International and local rights groups concur that enforced and involuntary disappearances occur in Bangladesh, and particularly target individuals associated with opposition political parties but may also include journalists or government critics. Disappearances have also been alleged in relation to street protests, such as those protesting about pay and conditions in the garment industry. Disappearances allegedly mostly occur at night, but daytime and public place disappearances are reported. Police officers, often from the Rapid Action Battalion (RAB) and wearing plain clothes, are accused of conducting disappearances. DFAT is aware of claims that the RAB is sometimes ‘hired’ by private individuals to carry out that work. In cases where prisoners are not able to contact their families and friends, these people are assumed to be ‘disappeared’. Arrests can be related to a range of matters, but local sources claim that the *Digital Security Act* and ICT legislation are commonly used.

4.6 The International Federation for Human Rights (FIDH) said in a statement to the 45<sup>th</sup> session of the United Nations Human Rights Council that law enforcement agents in Bangladesh often deny the arrest or detention of a disappeared person, and family and friends sometimes only learn of the fate of a person when

the matter is heard in court. Families and friends are sometimes also threatened with violence if they attempt to prevent an arrest or make enquiries about the fate of a disappeared person.

4.7 BNP leaders claim that the rate of enforced disappearances increased in the lead-up to the 2018 election. BNP leaders claim that a campaign of disappearances was used to humiliate senior leaders, and to intimidate other BNP members and discourage them from publicly supporting the party.

4.8 In 2019 Bangladesh's Law Minister claimed that enforced disappearances were not frequent in Bangladesh. He claimed that there was a 'tendency' to claim that all missing persons are disappeared and that this was done to 'malign' the government.

## Deaths in custody

4.9 Deaths in custody are usually attributed to poor conditions or police violence. See [Extrajudicial Killings](#), [Police](#) and [Prisons](#).

4.10 Unresolved deaths where the cause of death is not clear are also reported. In a recent prominent example, Mushtaq Ahmed was arrested in May 2020 after making a Facebook post critical of the government's COVID-19 response and reposting a cartoon critical of the government. Ahmed was charged under the *Digital Security Act* and his lawyers allege that he was tortured. Ahmed appeared to be in poor health at a court appearance. His supporters claim that he did not receive adequate care in custody. Ahmed died in uncertain circumstances in February 2021 - the government's claim that the cause of death was a heart attack has been disputed by his supporters.

## Death penalty

4.11 Courts impose the death penalty for various offences, including murder, terrorism, sedition, espionage, treason, rape, kidnapping and drug trafficking. Sexual assault was added to this list in 2021 after a string of attacks on women that were shared on Facebook led to widespread protests. The Death Penalty Project, an international NGO, in collaboration with Bangladeshi NGOs and the University of Dhaka, reported that there were 2,000 people on death row in June 2021. According to Amnesty International, two executions were carried out in 2020 and five in 2021.

## TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

4.12 Torture is unlawful, but human rights groups allege that it is common, especially perpetrated by the police, intelligence officers and the Rapid Action Battalion. According to sources and organisations like Human Rights Watch, methods of torture include beatings with iron rods and other weapons, electric shocks to the ears and genitals, fingernail removal, waterboarding, hanging from ceilings, shooting to maim, kneecapping, prolonged exposure to loud music or light, mock executions and enforced nudity.

4.13 According to Odhikar, a Bangladeshi human rights NGO, torture can be used to extract confessions which are then admitted in court. According to human rights organisations, torture is most common when a suspect is on remand. In other cases, prisoners are recruited to torture other prisoners.

4.14 The 2021 US Department of State Human Rights Report quotes sources who claim that torture is used for the solicitation of bribes. Odhikar alleges that the Indian Border Security Force have killed, tortured



and raped Bangladeshi nationals at the border between India and Bangladesh. Odhikar's July to September 2021 report alleges that five people were tortured and killed in that period.

4.15 According to the 2021 US Department of State Human Rights Report, three police officers were sentenced to life in prison for torture in 2021. DFAT understands that investigations into torture are rare and that torture is often carried out with impunity.

## Arbitrary arrest and detention and criminal procedure

4.16 Arrests need to be made on authority of a warrant under the law. In practice there are many exceptions to this rule and widespread police impunity. Arrestees should, as a matter of law, be taken before a magistrate within 24 hours of arrest, but this does not always occur. Bail is available but may mean little in practice; police often arrest people as soon as they are out on bail to begin the entire procedure again.

4.17 BNP activists claim that they have been subject to mass arrests, telling Human Rights Watch in 2021 that 300,000 of their 'leaders and activists' were accused in 'false and fabricated' cases. See [BNP](#). Arbitrary arrest of other critics of the government has also been reported. See relevant sections on [media and journalists](#), [civil society organisations](#), and [protesters](#).

## 5. OTHER CONSIDERATIONS

### STATE PROTECTION

#### Police

5.1 Bangladesh Police is the country's primary law enforcement agency. There are several branches of the police such as the Metropolitan Police, Railway Police, Highway Police, Industrial Police, River Police, Tourist Police and others. These all fall within the same structure of the Bangladesh Police and the distinction is unlikely to be important in a day-to-day sense for most Bangladeshis.

5.2 Professionalism varies across the police service. Senior officers are relatively well trained and well paid. Those in lower ranks by contrast are poorly paid, poorly trained and poorly equipped. Low incomes encourage corruption and solicitation of bribes is common. Rules designed to ensure accountability and probity (for example, limits on police arrest or ability to hold suspects, see also [Arbitrary arrest and detention and criminal procedure](#) and [Enforced or involuntary disappearances](#)) are not always adhered to.

5.3 Bribes are sometimes paid to influence outcomes of investigations, or to cause an investigation to occur, or not to occur. Allegedly, demands for bribes, or the threat or act of violence, may also be used to apply political pressure, according to sources. Political patronage may also affect outcomes of police complaints; for example, a complaint is more likely to be investigated if an influential person intervenes on behalf of the complainant.

5.4 Police systems are highly bureaucratic, and this can lead to slow or ineffective responses to crime. DFAT understands that the national system of policing can be effective, for example in finding suspects in different parts of the country, but that this is not always the case for the reasons mentioned above. Whether or not a person who flees to another part of the country would be found by police depends on the nature of the crime and how motivated the police were to find them, and could be affected by corruption and levels of professionalism.

5.5 Most people do not trust the police, given their reputation for corruption and violence. Some religious minorities, for example, have benefited from police presence, but most people that DFAT spoke to had a negative view of police. GAN Integrity, a United States consultancy, notes 'Businesses ranked the Bangladeshi police as one of the least reliable in the world and noted business costs due to crime and violence.' DFAT assesses that most Bangladeshis, whether in business or not, would avoid contact with police for similar reasons.

#### Judiciary

5.6 The Bangladeshi judiciary is based on the British Common Law system (similar to Australia) with a Supreme Court and subordinate courts, including the High Court, district and local courts and tribunals. The Supreme Court includes its Appellate Division and High Court Division. The High Court has authority over

subordinate courts. Lower courts are presided over by a hierarchy of magistrates that includes first- to third-class magistrates and subordinate ‘additional magistrates’.

5.7 The court system has several systemic challenges. Corruption is widespread. Sources told DFAT that the problem is worse in the lower courts. According to sources, cases can continue if bribes are not paid, but it makes an already slow process much slower. Other sources told DFAT that cases can get ‘stuck’, possibly indefinitely, without bribes.

5.8 Political bias is alleged, including in relation to bail applications. Alleged interference involves judicial appointments and judges referring to political matters in making decisions. According to sources, the problem is worse in the lower courts than the higher courts.

5.9 There is a large backlog of cases across the court system and some cases take over ten years to resolve, a situation of which vexatious litigants take advantage, to extend legal rulings indefinitely. Having to return to court for various hearings or intermediate proceedings can be particularly difficult for the poor, who must take time off work and pay for travel. The same applies to criminal cases, where prisoners are sometimes held on remand for long periods, or bailed then rearrested in quick succession. Bribe payments can affect these outcomes. Whether long-running cases are eventually dismissed differs from case-to-case. A ruling from a higher court would be necessary to reverse or quash a decision, but this is cost-prohibitive for most Bangladeshis.

5.10 Cases can proceed in absentia, for example, if the defendant is in Australia making an asylum application. DFAT understands that court cases where the defendant is absent only occur in exceptional cases involving very large amounts of money or serious charges. Because of corruption and poor information technology infrastructure, DFAT assesses that it is possible that a person facing court would be able to flee Bangladesh, but this is less likely for a person who is facing serious charges or who is of interest for their political activity as immigration authorities would likely be alerted to such cases (see [Exit and Entry](#)).

5.11 The poor are unlikely to be able to access the courts due to the high costs involved and the need to pay bribes. Court processes are largely paper-based, the bureaucracy is slow and bureaucrats demand bribes merely for moving papers between offices or actioning simple processes. This in turn creates delays and difficulties in verifying documents. It is possible to obtain documents if one is willing to pay (fees and bribes) but [widespread fraud](#) also frustrates this process. Court infrastructure (buildings, equipment) is often in poor condition, leading to poor storage and access to records.

5.12 Legal aid is theoretically available to the poor. This is provided by the government through legal aid officers in every District Court. NGOs also provide legal aid. However, due to funding constraints or other practical difficulties it may not be available to all defendants.

5.13 There are hundreds of ‘village courts’ located throughout Bangladesh. Village courts operate under the Village Court Act 1976 and play a central role in providing access to justice for a significant portion of the population. Village courts apply a broad range of traditional rules, often heavily influenced by traditional religious or customary law, and are also subject to traditional power structures in communities – powerful litigants and their families are more likely to get a favourable outcome.

5.14 DFAT is not aware of cases of double jeopardy. In this context, double jeopardy would mean that a Bangladeshi national had been tried for a crime overseas and then tried again in Bangladesh on return. Laws, including the constitution, prohibit double jeopardy.

## Detention and Prison

5.15 According to the World Prison Brief, Bangladesh had 83,107 prisoners across 68 prisons in March 2021, of whom 81 per cent were on remand, and 3.9 per cent were female. The 2020 US Department of State Human Rights Report on Bangladesh assessed prison conditions as ‘harsh and at times life threatening due to severe overcrowding, inadequate facilities and a lack of proper sanitation’.

5.16 In their July to September 2021 report, Odhikar reported corruption and torture (not further described) of inmates as key concerns facing the prison system. According to their report: corruption is an ‘open secret’, recognised by authorities; prison guards hire other prisoners to ‘run’ prison wards, collect bribes and torture inmates; and prisoners must pay for food, water, blankets and hospital treatment.

5.17 Not all prisons are the same and the profile of the prisoner should be considered when assessing information about Bangladeshi prisons. While overall prison conditions are very poor, there are some new ‘model’ prisons that have been opened in the last five to eight years that have better facilities. Some of these model prisons offer opportunities for rehabilitation, access to education, opportunities for prisoners to make some money through the sale of products made within the prison, and more regular access to medical care. Former politicians, high-profile individuals and, often, Western foreigners and dual nationals (where the other nationality is Western) are usually held in these prisons, within a “foreigners” wing that is separate from the general prison population. Some prisons separate prisoners of opposing political views to reduce violence.

## INTERNAL RELOCATION

5.18 Article 36 of the constitution guarantees citizens the right to move freely throughout Bangladesh, to reside and settle in any place therein, and to leave and re-enter Bangladesh. There is no legal impediment to internal movement within Bangladesh (except for the CHT), and Bangladeshis can and do relocate for a variety of reasons. Major cities, such as Dhaka and Chittagong, are seen as offering greater opportunities for employment. DFAT assesses that women without access to family or other support networks are likely to face greater difficulties in relocating than men, particularly if they are poor, single or have suffered gender-based violence.

5.19 As noted in Indigenous People, the CHT is a heavily militarised area. Access to large sections of the CHT is restricted, and military checkpoints prevent free movement in the CHT even by local people. Sources report that many Indigenous People have left the CHT to live in other parts of the country but note that this can be difficult due to the costs involved and connection to communities and land.

## TREATMENT OF RETURNEES

### Exit and Entry

5.20 The Department of Immigration and Passports conducts immigration checks and maintains a list of convicted criminals and persons wanted by security forces and intelligence agencies (exit control list). The department mostly uses the list to determine whether to issue passports but may also use it to prevent people from leaving the country. Authorities can also refuse to issue passports but the reasons that might prevent a person from leaving the country are not publicly available. DFAT is aware of people being detained trying to leave Bangladesh, including cases in which authorities have prevented both senior members of the BNP leadership and ordinary BNP members from leaving the country.



5.21 The Overseas Employment and Migrants Act (OEMA) 2013 makes it an offence to depart from Bangladesh other than in accordance with the procedures laid down in the Act. Bangladeshis require a valid passport and visas (depending on the destination country) to depart Bangladesh. The OEMA (like the previous 1982 ordinance) is designed to protect Bangladeshis from human trafficking (rather than to prosecute illegal exit or prosecute failed asylum applications, for example) and even those provisions are rarely enforced. It is unlikely that any person returning after a failed asylum attempt in Australia would be prosecuted under the legislation or the previous 1982 ordinance and DFAT is not aware of any cases of this happening.

5.22 Bangladesh is largely surrounded by India and many land border crossings exist, while only one crossing exists at the border with Myanmar. Some parts of the Bangladeshi border are fenced and some parts are open. Borders are patrolled by both Indian and Bangladeshi forces, who may rebuff attempts at crossing.

5.23 Rohingya need exit permits to leave Bangladesh, including for the purposes of going to third countries for non-asylum migration. In practice, some do leave anyway, sometimes on boats across the Andaman Sea and possibly facilitated through corruption. They sometimes then return to Bangladesh for marriage, for example, and become unable to leave the country for lack of exit permit. Laws are not necessarily applied consistently and different experiences are possible.

## Conditions for Returnees

5.24 It is possible that a person who is involuntarily returned by a foreign government after travelling on a fraudulent document will be detained and questioned by police once back in Bangladesh. However, these are isolated and high-profile cases and DFAT is not aware of a substantial pattern of holders of fraudulent passports being detained or questioned in this way.

5.25 Bangladesh is a country with a very large diaspora and a strong outward migration culture, and tens of thousands of Bangladeshis exit and enter the country for employment each year. The government does not have the capacity or interest to check or monitor each of these people. If they have a particular political profile, their entry into Bangladesh could be noted (see [Bangladesh Nationalist Party \(BNP\)](#)); however, this is unlikely for the vast majority of returning Bangladeshis and DFAT is not aware of any instances of returnees being detained at the country's borders for overseas political activities.

5.26 DFAT assesses that most returnees, including failed asylum seekers, are unlikely to face adverse attention regardless of whether they have returned voluntarily or involuntarily. Authorities take an interest in high-profile individuals, but the vast majority of returning Bangladeshis would not attract such interest.

## DOCUMENTATION

5.27 Documents from Bangladesh are difficult to verify. Document verification can involve a difficult, resource intensive and long bureaucratic process that is often not successful. Some documents can be verified more easily – for example birth, marriage and death certificates can be verified online – but such 'verification' is not necessarily an indication that the document is genuine. Even in those cases, verification is sometimes not possible. Verification of Rohingya documents is usually impossible.

5.28 It is not uncommon for documents related to the same person (for example a birth and a marriage certificate of the same person) to have different details recorded, for example a variation in the spelling of a name or a different date of birth. This can be related to fraud but could also be caused by poor record-keeping practices or poor clerical practices (for example, typing or transcription errors).

## Birth Certificates

5.29 Birth registration is compulsory but not all births are registered. Birth certificates are required for someone to attend school, vote, be employed in government or NGOs, and to register marriages. DFAT understands that not all service providers routinely demand birth certificates even when this is required by law. Since 2001 the online Birth and Death Registration Information System (BDRIS) has recorded births centrally but people can still apply for birth certificates without any supporting documentation.

5.30 There is a high prevalence of document fraud among birth certificates. Issuance does not necessarily follow established processes and certificates have low reliability. Birth, death and marriage certificates (especially pre-BDRIS) are held in paper-based records in various parts of the country and are very difficult to verify.

## National Identity Cards (NICs)

5.31 All citizens aged over 18 must have a National Identity Card (NIC) issued by the Bangladesh Election Commission (BEC). NICs are valid for 15 years and are required for a wide range of transactions including voting, banking, obtaining a passport, purchasing property and other major transactions. To obtain a NIC applicants must provide their electoral roll serial number, personal particulars (parents' names, date of birth and residential address), thumbprints, photograph, and signature. The BEC crosschecks these details against applicants' electoral roll details. Applicants can provide proof of residence using a range of official documents, including drivers' licences and utility bills. Cardholders are not required to update their residential addresses should they move.

5.32 'Smart NICs' have been issued since 2016. The cards are machine-readable and contain various biometric information about a citizen embedded in a microchip. Smart cards have security features including photographs and electronic chips. Many older cards without security features are still in use. People in urban areas are more likely to have a Smart NIC, but, at the time of writing, older style NICs were still valid.

## Other documents

5.33 Drivers' licences are issued as 'learner', 'amateur' and 'professional'. Licences should not be used as conclusive evidence of identity. They are commonly fraudulent, either manufactured by a specialist fraudulent manufacturer or as fraudulently obtained genuine documents. Licences are difficult and resource intensive to verify. Education certificates are more reliable because they can often be verified with the institution or even on government websites. Police documents and verifications are difficult to obtain and verify, and police are susceptible to corruption, making credibility uncertain.

## Passports

5.34 Adults applying for a passport must have a valid NIC or birth registration certificate with a 17-digit birth registration number. Applicants must provide biometric data (fingerprints and photographs) to a passport office before lodging their application. Applicants can obtain a birth registration number by declaring their date of birth in person or via the BDRIS system. While the government introduced machine-readable passports and established a passports database in 2010, DFAT understands that there is still a high prevalence of document fraud in relation to passports.

5.35 There is a police verification process involved in passport issuance. In theory, this reduces fraud (police physically check the person's residence) but also in theory can lead to the denial of a passport for a

person who is wanted by police (police check official records for court orders and probably also police databases). Such checks are less likely for a passport renewal than a new passport, and fraud and corruption also affect these processes. The fact that a person is issued a passport is not conclusive evidence that they are not wanted by police or facing court matters.

## Rohingya Documents

5.36 Some earlier Rohingya arrivals who have lived in Bangladesh since the 1990s were registered at the time and have several forms of identification, including UNHCR identity cards, birth certificates, World Food Programme Cards and other documents. A 2016 voluntary census registered many more arrivals and these people received a laminated biometric identity card.

5.37 As with all people living in Bangladesh, Rohingya might be able to access false passports, which could ostensibly demonstrate Bangladeshi citizenship. Such passports are also known to be held by Rohingya overseas. These passports are sometimes entirely fraudulent, having been forged by people smugglers, rather than being fraudulently obtained genuine documents. Some applicants arrive in Australia on genuinely issued Bangladeshi passports then claim the document was fraudulently obtained before claiming to be a stateless Rohingya.

5.38 People smugglers sometimes offer other countries' false passports, for example Pakistani, Indian or Nepalese passports. These passports allow Rohingya to travel overseas for employment (or potentially be smuggled by people smugglers).