

# Electoral Violence Against Bangladesh's Religious Minorities: Challenges and the Way Forward

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## Introduction

Systematic attack and violence against religious minorities and indigenous people were widespread before, during and after the Parliamentary election in 2001 by right-wing religious groups in Bangladesh. As a result, past incidents created growing fear that the 11th Parliamentary Elections scheduled to be held in December 2018 will incite a fresh round of persecution. Several Ministers<sup>1</sup> have already expressed apprehension that the Hindu community might be targeted ahead of this year's elections, while leaders of religious minority communities have urged the government to ensure the safety of minority communities.<sup>2</sup> Foreign diplomats have already become active in preventing another round of communal violence during the upcoming national elections in Bangladesh. An Indian journalist said the role of Hindu voters will be crucial in the elections.<sup>3</sup>

## Background

According to the official census report by the Bangladesh Bureau of Statistics, the Hindus are the second largest religious groups in Bangladesh, constituting 10.7 per cent of the population.<sup>4</sup> The number of Buddhists is 0.6 per cent, while Christians are make up 0.3 per cent of the population.<sup>5</sup> The country is also home to more than 54 indigenous groups which comprises of some 1.8 per cent of the total population.<sup>6</sup> The secular ruling party Awami League considers Hindus as its 'vote bank'. The nationalist Bangladesh Nationalist Party, allied with anti-liberation Jamaat-e-Islami, is generally unattractive to Hindus for embodying Islamist principles.

Since the reintroduction of democratic rule in 1991, Bangladesh experienced varying degrees of electoral violence, among which was the attack on religious minorities after the Parliamentary Elections in 2001. According to several studies<sup>7</sup> and reports<sup>8</sup>, some 266 murder cases and 213 rape cases were recorded before and after the

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<sup>1</sup> <https://bdnews24.com/bangladesh/2018/09/02/bnp-election-victory-will-endanger-the-hindu-community-says-quader>

<sup>2</sup> <https://www.thedailystar.net/city/ensure-safety-minorities-1578394>

<sup>3</sup> <https://www.dailypioneer.com/2018/columnists/bangladeshs-political-crisis.html>

<sup>4</sup> <http://www.daily-sun.com/post/146672/Hindu-population-grows-by-one-percent-in-a-year>

<sup>5</sup> [https://minorityrights.org/wp-content/uploads/2016/11/MRG\\_Rep\\_Ban\\_Oct16\\_ONLINE.pdf](https://minorityrights.org/wp-content/uploads/2016/11/MRG_Rep_Ban_Oct16_ONLINE.pdf)

<sup>6</sup> <https://www.iwgia.org/en/bangladesh>

<sup>7</sup> [http://idsn.org/wp-content/uploads/user\\_folder/pdf/New\\_files/Bangladesh/Caste-based-Discrimination-in-Bangladesh-IIDS-working-paper.pdf](http://idsn.org/wp-content/uploads/user_folder/pdf/New_files/Bangladesh/Caste-based-Discrimination-in-Bangladesh-IIDS-working-paper.pdf)

Parliamentary Elections in October 2001.

The types of crimes committed before and after the elections in 2001 included, among many others: killing; rape; physical torture; assault on women; kidnapping; eviction; demolition of churches, temples, and deities; and setting on fire on business and dwelling houses. Thousands of Hindus fled Bangladesh following these attacks.<sup>9</sup> Indigenous communities were also targeted in an apparent effort to intimidate them or gain control over their land.

*“Amra ki ei deshey thaktey paarbo?”(Will we be allowed to stay in this country?), a Hindu village woman whose house was plundered and ravaged by hooligans in the aftermath of the 2001 elections, beseechingly asked a constitutional lawyer, who was visiting her with a team of human rights activists. Visibly shaken by these words, the lawyer responded that it was almost as if she had struck him with the Constitution of Bangladesh! ---Bhola 2001.*

*In Meghnaguha Thakurata: Amidst the Winds of Change: The Hindu Minority in Bangladesh, in Minority Nationalism in South Asia, edited by Tanweer Fazal, Routledge, London, 2013*

Similar attacks and violence also occurred during the 2008 Parliamentary Elections. However, the number of incidents were limited and casualties from communal violence was very minimal due to various preventive actions taken by the government, CSOs, and media.<sup>10</sup> On the other hand, the 2014 elections in Bangladesh, in which little efforts were made to prevent electoral violence, was marred by historically high levels of violence<sup>11</sup> that affected members of minority communities.

## Legal Issues

All electoral violence ultimately undermines the integrity of elections. Electoral violence in Bangladesh's parliamentary elections since 1991 indicates that several constitutional and international conventions were breached. For example, Article 12 of Bangladesh's constitution stipulates secularism and freedom of religion as fundamental principles of state policy, and states actualizing these principles by eliminating all forms of communalism and abuses of religion for political purposes. The Section 78 of the Representation of People Order 1972 only recognizes “violence” before and after 48 hours of the elections, providing maximum of seven years or minimum of three years of prosecution for breaching the provision. On the other hand, offences such as murder, rape, abduction and other abuses against all citizens, as well as the damage or defilement of places of worship, the intentional outrage of religious feeling, and the disturbance of religious assembly – all threats impacting minorities are explicitly prohibited and made punishable under the 1860 Penal Code. Administrative actions to remove

<sup>8</sup> <https://www.state.gov/j/drl/rls/hrrpt/2002/18309.htm>

<sup>9</sup> <https://www.bbc.com/news/world-asia-15987644>

<sup>10</sup> Meghnaguha Thakurata: Amidst the Winds of Change: The Hindu Minority in Bangladesh, in Minority Nationalism in South Asia, edited by Tanweer Fazal, Routledge, London, 2013

<sup>11</sup> <http://www.electoralviolenceproject.com/claes-election-violence-prevention/>

mistrust among the communities after atrocities were of little help. In addition, the Enforcement of the Women and Children Repression Prevention Act 2000 or the Implementation of the International Covenant on Civil and Political Rights (ICCPR) relating to communal violence in elections were not met by international standards.

The unprecedented electoral violence and targeted attacks against the Hindu communities and indigenous people led the High Court to order a formation of a three-member inquiry commission. After two years investigation, the Commission found that more than 25,000 people—including 25 former ministers and MPs of the BNP-Jamaat-led alliance were connected with the attacks.<sup>12</sup> Although the government decided to implement the recommendations of the Commission, concrete actions to build confidence among religious and ethnic minorities have not yet come to fruition.

While lack of political will is one of the reasons for non-implementation of the recommendations of the Commission, several studies<sup>13</sup> and media analyses indicate that the lack of action taken by law enforcement agencies, inadequate administrative preparation, the absence of public mobilization against perpetrators, dearth of political parties and candidates from the constituencies following break out of violence, and the impunity of party cadres who perpetrated the violence contributed to this unfortunate circumstances.

## The Way Forward

Bangladesh cannot afford to remain inactive and silent about the systematic persecutions that regularly occur against the religious minorities and indigenous people during its parliamentary elections. To avoid the repeat of mistakes of 2001, the government must ensure the following measures to establish confidence and trust among the affected communities.

1. The Bangladesh Election Commission should include harsher provisions in the Representative People's Order in order to criminalize “communal violence” as an offence to aspects of before, during, and after elections.
2. The Government must instruct law-enforcing agencies to guarantee the security of religious minorities, and enforce legal protections for religious minorities. Drone and CC cameras can be used for developing vulnerability mapping after which security forces can be deployed.
3. The Government may form a high-powered Minority Rights Commission to ensure justice for victims of targeted rights abuses, which will also address the root causes of violence and discrimination against religious minorities.
4. All political parties should incorporate issues of electoral communal violence in their respective election manifestos, and publicly pledge that their supporters will refrain from committing such crimes and that anyone involved in such crimes will be prosecuted under the rule of law.
5. With the support of the local administrations, political parties should form a liaison committee or community consultation committees to raise awareness about communal violence. Effective monitoring and reporting mechanisms should be implemented.

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<sup>12</sup> <https://www.bbc.com/news/world-asia-15987644>

<sup>13</sup> Meghnaguha Thakurata: *Amidst the Winds of Change: The Hindu Minority in Bangladesh*, in *Minority Nationalism in South Asia*, edited by Tanweer Fazal, Routledge, London, 2013

6. The government must undertake campaign activities through various agencies of the Information Ministry to raise awareness about the issue of communal violence during elections. Media professionals, bloggers, and online social media activists should be involved and led by respective professional bodies, such as the CSOs and NGOs on the implication of communal violence during elections.
7. The capacity of the Bangladesh Human Rights Commission should be expanded to monitor communal violence during elections.

## Conclusion

Preventing electoral communal violence in Bangladesh will require concerted efforts by all stakeholders. By improving the integrity of elections, timely response to early warning signs, and punishing perpetrators, along with strengthening of concerned institutions are likely to contain the spread of communal violence during Parliamentary Elections in Bangladesh. ■

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