Rapporto di ricerca COI Realizzato dall'Ufficio Immigrazione di ARCI nazionale

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CONTESTO		NOTE
Paese di origine	Bangladesh	N/D
QUESITO COI		**NOTE**
Tematica	Religione / società	Matrimoni interconfessionali
Formulazione quesito COI	**1.Informazioni sulla possibilità di contrarre matrimoni interreligiosi in Bangladesh (con specifica attenzione alla unione tra musulmani e induisti): profili normativi e di risposta sociale**	

Disclaimer metodologico

1. La presente ricerca non è da considerarsi esaustiva rispetto al tema indagato. A titolo esemplificativo, non vengono analizzati nel dettagli i profili di diritto familiare conseguenti alle unioni (diritti ereditari, familiari ecc);
2. Il presente Ufficio resta a disposizione per confrontarsi relativamente alle fonti e ai contenuti citati, oltre che per eventuali approfondimenti rispetto ai quesiti posti e le risultanze emerse

Roma
17/04/2023

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Informazioni sulla possibilità di contrarre matrimoni interreligiosi in Bangladesh (con specifica attenzione alla unione tra musulmani e induisti): profili normativi e di risposta sociale

La normativa civilistica in tema di diritto di famiglia, in Banghladesh, è distinta e divisa in considerazione della religione di appartenenza del singolo individuo. Specificatamente, di distinguono diversi corpi legislativi per Musulmani, Induisti e Cristiani. A ciò si aggiunge un sistema di previsioni normative designato per famiglie di fede mista o di nessuna fede:

> "...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 those of other faiths or no faith. All citizens have access to alternative dispute resolution for settling family arguments and other civil matters not related to land ownership..."[1]

In questo senso le normative in tema di matrimonio (rituali, procedimenti ed effetti, incluso il divorzio e le discipline in tema di eredità), variano sensibilmente. A titolo esemplificativo: un uomo musulmano può avere fino a quattro mogli, ma deve ottenere il consenso scritto della moglie o

1 DFAT, Country Information Report Bangladesh, 2018, available at: https://www.ecoi.net/en/file/local/1424361/4792_1518593933_country-information-report-bangladesh.pdf , accessed on 17 April 2023

delle mogli esistenti prima di sposarsi di nuovo. Un uomo cristiano può sposare una sola moglie. Gli uomini indù possono avere più mogli, ma non possono divorziare ufficialmente, ecc:

> "...The family law of the religion of the two parties concerned governs marriage rituals and proceedings. A Muslim man may have as many as four wives, but must obtain the written consent of his existing wife or wives before marrying again. A Christian man may marry only one wife. Hindu men may have multiple wives, but cannot officially divorce. Buddhists are covered under Hindu law, and divorced Hindus and Buddhists may not legally remarry. Divorced men and women of other religions and widowed individuals of any religion may remarry. Marriage between members of different religious groups can legally occur under civil law…."[2]

Le singole discipline mormative disciplinano altresì la possibilità o meno di stabilire unioni interreligiose. Questa possibilità, specificatamente varia con il variare della religione e quindi anche del genere del singolo individuo. Nuovamente, a titolo di esempio, si veda come un uomo musulmano può sposare una donna delle religioni abramitiche, ma non viceversa:

> "...Under the Muslim family ordinance, a Muslim man may marry women of any Abrahamic faith; however, a Muslim woman may not marry a non-Muslim. Under the ordinance, a widow receives one-eighth of her husband's estate if she is his only wife, and the remainder is divided among the children; each female child receives half the share of each male child. Wives have fewer divorce rights than husbands…"[3]

Diversamente, la norma nazionale che sancisce il diritto alle unioni interconfessionali (e le disciplina) si sostanzia nel "Special Marriage Act", risalente al 1872[4], che stabilisce come il matrimonio può essere celebrato tra persone che ***non*** professano la religione cristiana o ebraica, indù o musulmana, parsi o buddista, sikh o jaina, o tra persone che professano l'una o l'altra delle seguenti religioni, ossia indù, buddista, sikh o jaina:

> "...'In Bangladesh, marriage between persons professing different religions (interfaith marriage) is permissible in law. The Special Marriage Act, 1872 provides that marriages may be solemnized under this law between persons of different religious faiths. Under the Special Marriage Act, 1872, marriage may be solemnized between persons either of whom may be a Hindu, Sikh, Buddhist or Jain, or a person who does not profess the Christian, Hindu, Muslim, Jewish, Buddhist, Sikh or Jain faiths.."[5]

La questione, è meglio definita e approfondita nel dettagliato rapporto di OFPRA sugli ostacoli legali al matrimonio interreligioso in Bangladesh.

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2 DFAT, Country Information Report Bangladesh, 2018, available at: https://www.ecoi.net/en/file/local/1424361/4792_1518593933_country-information-report-bangladesh.pdf , accessed on 17 April 2023

3 USDOS – US Department of State: 2020 Report on International Religious Freedom: Bangladesh, 12 May 2021 https://www.ecoi.net/en/document/2051513.html , accessed on 17 April 2023

4 The Special Marriage Act, 1872 , 1872, available at: bdlaws.minlaw.gov.bd/act-details-25.html , accessed on 17 April 2023

5 Refugee Review Tribunal, Australia Rrt Research Response, 2005, available at: https://www.refworld.org/pdfid/4b6fe1250.pdf , accessed on 17 April 2023

In particolare l'accento viene posto sul fatto che la legge speciale del 1872 prevede (al fine di escludere la applicazione di una delle normative specifiche del singolo credo, e legittimare quindi l'applicazione della legge speciale), la precondizione della "aconfessionalità" delle parti, accertata con una dichiarazione resa di fronte a un pubblico ufficiale, che tuttavia implica -in via di fatto- una rinuncia ufficiale alla propria fede:

> "...Pour épargner les multiples susceptibilités des divers groupes confessionnels, l'application de la loi de 1872 impose aux futurs conjoints de confessions différentes de renoncer expressément à leur confession si cel le-ci figure dans les confessions mentionnées dans son préambule, ce qui concerne la quasi-totalité des citoyens bangladais, à l'exception de quelques minorités tribales (voir infra). Les futurs époux doivent signer une déclaration sous la forme prévue à la deuxième annexe de la loi qui contient lepro-formade leurrenoncement rédigé comme suit : « Je ne professe pas [...] la religion chrétienne, juive, hindoue, musulmane, parsi, bouddhiste, sikhe ou jaina »8. En pratique, ils doivent se rendre préalablement devant un notaire pour établir untelcertificat de renonciation à leur religion et de déclaration d'absence de confession..."[6]

In questo senso, le fonti sottolineano come la previsione della dichiarata "a-confessionalità" (come pre-requisito del matrimonio concettualmente "inter-confessionale"), viene descritto come un impedimento sostanzialmente insormontabile ai matrimoni interreligiosi in Bangladesh, per gli effetti di ostracismo sociale e ripercussioni che la dichiarazione di "non credo" comporterebbe:

> "...Interreligious marriages are not common in Bangladesh (321). According to the UN Special Rapporteur on freedom of religion, the low frequency of interreligious marriages is mainly explained by the existing structure of personal laws (322). The UN Special Rapporteur's report states: 'For instance, a Muslim woman cannot legally marry a non-Muslim man. In such cases, the only resort — apart from conversion or emigration — is by applying the Special Marriage Act of 1872. However, in order to have their marriage validated under the Special Marriage Act, the marrying couple must declare officially that they do not believe in any institutionalized religion. (...) This unusual stipulation constitutes a factually insurmountable hurdle for many people. Either they understand themselves as believers rather than non-believers, or they would in any case prefer not to publicly proclaim non- belief for fear of societal ostracism or other inimical reactions'..."[7]

In questo senso, oltre alla formale rinuncia confessionale, una delle conseguenze risiede nella perdita dei diritti successori (retti dal diritto di famiglia religioso), e la perdita del diritto all'adozione:

> "...L'une des principales conséquences du renoncement à sa confession d'origine est que les couples mariés en vertu du Special Marriage Act of 1872 sont privés de leurs droits successoraux, régis par le droit personnel de leur religion antérieure10. Ils perdent également leur droit à l'adoption (article 25)11.."[8]

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6 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

7 EASO, 2017, BangladeshCountry Overview , available at: https://www.ecoi.net/en/file/local/1420878/1226_1514469257_bangladesh-country-overview-december-2017.pdf , accessed on 17 April 2023

8 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

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Il matrimonio interreligioso musulmano-induista: prospettiva musulmana

In questo senso, considerando da il divieto per i musulmani di sposare una persona di fede politeista, il matrimonio tra un musulmano e un induista in Bangladesh, può avvenire solo in due modi: attraverso la conversione della persona induista (e ricadendo quindi nel regime giuridico del matrimonio tra musulmani), o attraverso la rinuncia della propria fede da parte degli sposi (applicandosi quindi la normativa speciale del 1872)

> "...au Bangladesh, pour qu'un mariage interreligieux entre musulmans et hindous puisse intervenir il est possible - selon Md Kamruzzaman - de recourir à deux formules de contrats de mariage :
> -En général, un (e) non-musulman (e) souhaitant épouser un (e) musulman(e) doit se convertir à l'islam et le couple peut alors être marié en vertu de la Loi sur les mariages musulmans;
> -Toutefois, si le (la) partenaire non-musulman (e) refuse de se convertir à l'islam, le mariage peut avoir lieu en vertu de la Loi spéciale sur les mariages de 1872…."[9]

Senonché, si noti tuttavia come la rinuncia alla propria fede musulmana può essere interpretato come un crimine di apostasia, e come tale è considerato a livello sociale in Bangladesh, esponendo l'individui al rischio di violenze e rappresaglie. Allo stesso tempo[10], la conversione dall'Islam all'Induismo comporta la perdita integrale dei diritti di successione sulla proprietà:

> "...En outre, dans la religion musulmane, le fait de renoncer à sa religion ou d'en embrasser une autre est considéré comme un crime d'apostasie. S'il n'existe pas de lois interdisant la conversion religieuse au Bangladesh, quitter l'islam est perçu par la société comme un acte honteux et une apostasie. Les extrémistes islamistes tendent à considérer l'apostasie elle-même comme blasphématoire. Plusieurs personnes (qu'elles soient athées, converties ou autre), dont le reniement ou le renoncement à l'islam a été publiquement connu, particulièrement si elles ont critiqué la religion musulmane (blasphèmes), ont subi de sévères représailles, voire même ont été tuées33. Md Kamruzzaman souligne que les personnes qui se sont converties de l'islam à l'hindouisme sont complètement privées du droit de succession sur la propriété…"[11]

9 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

10 Similmente: *"…While theoretically individuals could declare themselves atheist in order to marry, those belonging to the Muslim faith could face accusations of 'apostasy'. Interfaith marriage is subject to considerable social stigma. 'The long out-dated and ambiguous 1872 Special Marriage Act III allows a person of no religious faith to get married. However, both parties must renounce their belief in front of the "Registrar" as non-believers. Couples married under this act are not allowed to adopt; succession, maintenance, custody and guardianship of children and inheritance is not clearly defined either, creating an unclear legal situation..."*Humanists Internaational, Bangladesh, 2020, available at: https://fot.humanists.international/countries/asia-southern-asia/bangladesh/, come citato da UK Home Office, 2022, Country Policy and Information NoteBangladesh: Religious minorities and atheists, available at: https://www.ecoi.net/en/file/local/2070685/BGD_CPIN_Religious_minorities_and_atheists.pdf , accessed on 17 April 2023

11 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

Similmente, considerando come la rinuncia all'Islam sia considerato un crimine ai sensi della Sharia:

> "...'In Bangladesh, inter-faith marriages are generally frowned upon. It's also difficult because in theory, Islam doesn't allow its adherents to convert or denounce his/her religion. Denouncing one's religion is to be punishable by death according to Sharia law.."[12]

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Il matrimonio interreligioso musulmano-induista: prospettiva induista

La normativa civile in tema di matrimonio induista (che contempla e disciplina, evitando il ricorso alla normativa speciale del 1872, il matrimonio interconfessionale tra contraenti di fede indù, buddista, sikh o jaina), diversamente prevede la conversione all'induismo per poter celebrare il matrimonio induista:

> "...En droit, le mariage interreligieux est possible pour les fidèles des religions regroupées sous la loi du mariage hindou...[…].. S'agissant d'un mariage interconfessionnel entre parties contractantes de religion hindoue, bouddhiste, sikh ou jaina, celles-ci relèvent toutes des dispositions de la loi sur le mariage hindou, car les différences existant entre ces religions sont considérées comme insignifiantes. Elles ne sont donc pas contraintes de recourir à la loi spéciale sur le mariage et renoncer expressément à leur religion.39 Si l'un des conjoints n'est pas hindou, il lui faut se convertir à l'hindouisme pour se marier selon la loi du mariage hindou …"[13]

Ciò in quanto la religione induista, concepisce come proibita e riprovevole la pratica del matrimonio interreligioso, in quanto in quanto non conforme ai precetti religiosi e altresì connotato da una forte valenza antisociale (a causa delle molteplici complicazioni sociali per le famiglie coinvolte):

> "...Selon Md Kamruzzaman, dans la religion hindoue, le mariage interreligieux est une pratique prohibée et répréhensible, car non conforme aux préceptes religieux. Elle est considérée comme antisociale, car elle génère une multitude de complications sociétales et de souffrances pour les familles concernées41. En effet, selon les juristes de l'université Uttara de Dacca Nannu Mian Md et Hossain Shaik Rajib, le mariage est unsacrement religieux pour la société hindoue traditionnelle, qui n'accepte pas que lui soit substitué un mariage civil..."[14]

E' infatti da sottolinearsi come, differentemente da quello musulmano, il matrimonio induista non viene considerato come un contratto, bensì come un sacramento (e potenzialmente l'unico sacramento per le donne induiste):

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12 Dhaka Tribune, 2028, Interfaith marriages and the law of the land, available at: https://archive.dhakatribune.com/magazine/avenue-t/2018/12/18/interfaith-marriages-and-the-law-of-the-land , come citato da UK Home Office, 2022, Country Policy and Information NoteBangladesh: Religious minorities and atheists, available at: https://www.ecoi.net/en/file/local/2070685/BGD_CPIN_Religious_minorities_and_atheists.pdf , accessed on 17 April 2023

13 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

14 ibidem

> "...Marriage is a very important concept in Hinduism. Unlike Muslim law, where marriage is considered to be a contract, marriage in Hindu law is a sacrament.16 In accordance with the ancient and Bangladeshi Hindu law, Hindu marriage is the last of the ten sacraments for men and perhaps the only sacrament for females.17 It's a matter of gender discrimination between Hindu men and women. According to the Shastric Law Hindu marriage cannot be regarded as contract because there is no dissolution of marriage…"[15]

Senza considerare come la rinuncia all'induismo (anche se solo al fine di celebrare il rito speciale), comporta che per ogni membro di una famiglia indivisa che professi una religione istituzionale induista, buddista, sikh o jaina si riterrà che abbia interrotto il suo rapporto con la famiglia, perdendo altresì il diritto all'adozione

> "...As a consequence of marrying under the terms of the Act, any member of an undivided family that professes the Hindu, Buddhist, Sikh or Jaina religion shall be deemed to effect his or her severance from such family (art. 22); and no person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under the terms of the Act shall have any right of adoption (art. 25)..."[16]

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Conseguenze sociali del matrimonio interrreligioso

Alla luce delle risultanze esposte, se è vero che il matrimonio interconfessionale è astrattamente legittimo da un punto di vista legislativo, e stia diventando lentamente più diffuso nelle are urbane, è considerato comunque come estremamente raro in Bangladesh:

> "...Interreligious marriages, although slowly becoming more popular in urban areas, have been very rare in Bangladesh. The striking paucity of interreligious marriages in a country in which people of different religious orientations have always lived side by side is a surprising phenomenon..."[17]

Definito come non comune, e generalmente mal visto:

> "...DFAT understands that interfaith marriage is uncommon and is generally poorly regarded. Muslim couples must register their marriage with the state for it to be formally recognised, (although many do not). Registration for Hindus and other faiths is optional..."[18]

Il coinvolgimento in un matrimonio interconfessionale espone infatti la coppia a discriminazione, violenza ed esclusione sociale:

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15 Nushera Tazrin Darin. (2019). Hindu Marriage Act 1955 and other Contemporary Laws of India: Gender Friendly Reforms and Comparing the Situation to Bangladesh. *BiLD Law Journal*, *4*(1), 106–122. Retrieved from https://bildbd.com/index.php/blj/article/view/47 , accessed on 17 April 2023

16 OHCHR, 2016, Report of the Special Rapporteur on freedom of religionor belief on his visit to Bangladesh, available at: https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/18/Add.2 , accessed on 17 April 2023

17 ibidem

18 DFAT, Country Information Report Bangladesh, 2018, available at: https://www.ecoi.net/en/file/local/1424361/4792_1518593933_country-information-report-bangladesh.pdf , accessed on 17 April 2023

> "...in Bangladesh, interfaith marriages are allowed, and occur under civil law (318). However, persons entering into inter-religious marriages might be subject to discrimination, harassment, social exclusion or violence, including from their wider families (319). The severity and nature of repercussions depends on the couple's social standing (320) ..."[19]

Nuovamente, più nel dettaglio, le fonti sottolineano la pericolosità delle reazioni degli organismi religiosi in Bnagladesh di fronte ai matrimoni interconfessionali.

Da un lato, ad esempio, si menzionano i rischi derivanti dalla presenza di organizzazioni estremiste islamiche che hanno minacciato di morte i Musulmani coinvolti in matrimoni interreligiosi:

> "...Besides these complexities, inter-faith marriages are likely to incite conservatism and social backlash. Even the government of Bangladesh has shown very little efforts to amend the already flawed laws. Besides, there are reports that hard-line Islamic terrorist organizations have expressed their anger and threatened to kill any Muslim who partakes in inter-faith marriages.' ..."[20]
> Dall'altro lato, considerando le ricadute di natura sociale dei matrimoni interconfessionali, considerati infatti devianti rispetto alle norme sociali[21], i matrimoni interconfessionali sono anche particolarmente avversati e pericolosi in seno alla società induista:

> "...L'ONG International Humanist and Ethical Union (IHEU) estime que les barrières sociales et l'indignation potentielle des organismes religieux rendent les mariages non religieux dangereux48. Md Kamruzzaman souligne qu'au Bangladesh, pour des raisons religieuses et culturelles, le mariage interreligieux est toujours considéré comme une déviance envers les normes sociales communément admises par la grande majorité de la société. Les membres d'un couple marié issus de religions différentes, ainsi que leurs familles, sont ostracisées par la société. « Le mariage

19 EASO, 2017, BangladeshCountry Overview , available at: https://www.ecoi.net/en/file/local/1420878/1226_1514469257_bangladesh-country-overview-december-2017.pdf , accessed on 17 April 2023

20 Dhaka Tribune, 2028, Interfaith marriages and the law of the land, available at: https://archive.dhakatribune.com/magazine/avenue-t/2018/12/18/interfaith-marriages-and-the-law-of-the-land , come citato da UK Home Office, 2022, Country Policy and Information NoteBangladesh: Religious minorities and atheists, available at: https://www.ecoi.net/en/file/local/2070685/BGD_CPIN_Religious_minorities_and_atheists.pdf , accessed on 17 April 2023

21 Per una più ampia e indiretta comprensione si noti che, all'interno del matrimonio induista in Bangladesh, sopravvivono ancora (seppur parzialmente emendate e non necessariamente accettate dalla maggioranza della popolazione induista), norme volte a vietare il matrimonio intercastale: *"...The ancient Hindu rules, as applied in Bangladesh, provide a barrier in marriage between members of different castes. Hindus are barred from marrying outside their caste and hence, inter-caste marriages are invalid in the eyes of law. Thus it has been held that a marriage between a Brahmin bridegroom and a Kayastha bride is invalid.26 However, The Hindu Marriage Registration Act, 2012 indirectly abolish the bar on inter caste marriage as section 6 of the Act mentions that a Hindu marriage is completed if it is done according to Hindu religion, principles and rituals there is no requirement of same caste. […] According to the survey carried out by South Asian Institute of Advanced Legal and Human Rights Studies (SAILS), among a total number of 175 people, 104 voted for abolitionof the rule prohibiting inter caste marriages, 65 voted for retaining the rule and 6 people gave no responses.."* Nushera Tazrin Darin. (2019). Hindu Marriage Act 1955 and other Contemporary Laws of India: Gender Friendly Reforms and Comparing the Situation to Bangladesh. *BiLD Law Journal*, *4*(1), 106–122. Retrieved from https://bildbd.com/index.php/blj/article/view/47 , accessed on 17 April 2023

> interreligieux est parfois considéré comme un mariage imparfait ou irrégulier qui détruit non seulement la vie conjugale, mais aussi l'avenir des enfants et des membres de la famille »49. Md Kamruzzaman considère qu'étant donné que le mariage interconfessionnel n'est pas accepté dans la culture hindoue, alors qu'il est toléré dans la culture musulmane sous conditions, cela implique que la gravité des persécutions risque d'être plus importante pour les hindous que pour les fidèles des autres confessions..."[22]

In questo senso, considerando che le persone che contraggono matrimoni interreligiosi rischiano di subire discriminazioni, molestie, esclusione sociale o violenze, anche da parte della loro famiglia allargata, alcuni convertiti tengono segrete le loro conversioni o si nascondono, o addirittura si allontanano dal loro ambiente d'origine, per paura della stigmatizzazione sociale, dell'esilio dalla loro comunità, dell'espropriazione della loro eredità o addirittura della morte per apostasia:

> "...Les personnes qui contractent des mariages interreligieux sont susceptibles d'être victimes de discriminations, de harcèlements, d'exclusion sociale ou de violence, y compris de la part de leur famille élargie51...[…]...Certaines personnes converties gardent le secret sur leurs conversions ou se cachent, voire s'éloignent de leur milieu d'origine, par crainte d'être victimes de stigmatisation sociale, d'être bannies de leur communauté, d'être dépossédées de leur héritage ou encore d'être tuées pour apostasie53..."[23]

Si vedano quindi recenti fatti di cronaca di matrimoni celebrati di nascosto, ad esempio tra moglie musulmana e marito induista, cercando di cambiare nome e senza svelare la religione di provenienza:

> "..A Muslim woman Sajuna Akter Nishu (26), daughter of Mohammed Idris from Hathazari upazila in Chattogram district of south-eastern Bangladesh married a Hindu youth (21) whom she loves. The couple tied the knot in a local Shiva temple following Hindu customs & the girl accepted Hindu Dharma. She has adopted a new name Rudrani Debi. […] The priest of the temple where the couple got married said that he wasn't aware the girl was previously a Muslim. Officer-in-charge of local Hathazari police station, Ruhul Amin Sobuj said, "The incident is being investigated. Attempts are being made to rescue them." [24],

O dove la controversia tra le famiglie si trascini anche successivamente alla morte degli sposi (nel caso di specie relativamente ai riti funebri da esercitare per la coppia, suicidatasi a seguito delle pressioni familiari e sociali):

> "...The families opposed the union between a Muslim and a Hindu and pressured them to call off the match. The girl's father went so far as to file allegations with police of kidnapping against the young man. Lazu, 21, killed himself in 2014 amid the turmoil. But when his 18-year-old wife

22 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

23 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

24 Hindu Post, 2022, Bangladesh: Newly married Hindu man-Muslim woman couple fear for their lives, available at: https://hindupost.in/world/bangladesh/bangladesh-newly-married-hindu-man-muslim-woman-couple-fear-for-their-lives/ , accessed on 17 April 2023

> swallowed poison less than two months later, the case made national headlines as the families went to court over how she would be buried. Interfaith marriages are rare and controversial in Muslim-majority Bangladesh and the case was closely watched. The wife's family demanded a Hindu cremation while the husband's relatives asked that she be buried in accordance with Islamic tradition, close to her husband's grave..."[25]

Similmente, Il Relatore speciale delle Nazioni Unite ha riferito che i figli dei convertiti possono essere ostracizzati per diverse generazioni dopo la conversione dei loro genitori:

> "...Le Rapporteur spécial de l'ONU a indiqué qu'il arrive que les enfants des personnes converties soient ostracisés sur plusieurs générations après la conversionde leur(s) parent(s).."[26]

Notando come il livello di persecuzione può variare sensibilmente in ragione delle differenze di estrazione economica, culturale e sociale delle famiglie di appartenenza:

> "...La gravité et la nature des persécutions dépendent pour beaucoup du statut social des membres d'un couple mixte : de leurs classes sociales, de leurs statuts économiques, de leurs zones de résidence, de leurs âges et de leurs niveaux d'instruction respectifs. Par exemple, il est peu probable que les couples appartenant aux classes moyennes supérieures ou aux milieux intellectuels de la classe moyenne soient confrontés à des problèmes de harcèlement par la population en général52…."[27]

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Bibliografia

1. DFAT, Country Information Report Bangladesh, 2018, available at: https://www.ecoi.net/en/file/local/1424361/4792_1518593933_country-information-report-bangladesh.pdf

2. USDOS – US Department of State: 2020 Report on International Religious Freedom: Bangladesh, 12 May 2021 https://www.ecoi.net/en/document/2051513.html (accessed on 7 April 2023)

3. The Special Marriage Act, 1872 , 1872, available at: bdlaws.minlaw.gov.bd/act-details-25.html

4. Refugee Review Tribunal, Australia Rrt Research Response, 2005, available at: https://www.refworld.org/pdfid/4b6fe1250.pdf

5. OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf

25 Kuwait Times, 2018, Woman is Muslim, Bangladesh court ends battle over interfaith marriage, available at: https://www.kuwaittimes.com/woman-is-muslim-bangladesh-court-ends-battle-over-interfaith-marriage/ , accessed on 17 April 2023

26 OFPRA, 2019, Les obstacles juridiques aux mariages interreligieux ,available at: https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/ofpra_flora/1911_bgd_mariages_interreligieux.pdf , accessed on 17 April 2023

27 ibidem

6. EASO, 2017, BangladeshCountry Overview , available at: https://www.ecoi.net/en/file/local/1420878/1226_1514469257_bangladesh-country-overview-december-2017.pdf
7. Humanists Internaational, Bangladesh, 2020, available at: https://fot.humanists.international/countries/asia-southern-asia/bangladesh/,
8. UK Home Office, 2022, Country Policy and Information NoteBangladesh: Religious minorities and atheists, available at: https://www.ecoi.net/en/file/local/2070685/BGD_CPIN_Religious_minorities_and_atheists.pdf
9. Dhaka Tribune, 2028, Interfaith marriages and the law of the land, available at: https://archive.dhakatribune.com/magazine/avenue-t/2018/12/18/interfaith-marriages-and-the-law-of-the-land ,
10. Nushera Tazrin Darin. (2019). Hindu Marriage Act 1955 and other Contemporary Laws of India: Gender Friendly Reforms and Comparing the Situation to Bangladesh. *BiLD Law Journal*, *4*(1), 106–122. Retrieved from https://bildbd.com/index.php/blj/article/view/47
11. OHCHR, 2016, Report of the Special Rapporteur on freedom of religionor belief on his visit to Bangladesh, available at: https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/18/Add.2
12. Hindu Post, 2022, Bangladesh: Newly married Hindu man-Muslim woman couple fear for their lives, available at: https://hindupost.in/world/bangladesh/bangladesh-newly-married-hindu-man-muslim-woman-couple-fear-for-their-lives/
13. Kuwait Times, 2018, Woman is Muslim, Bangladesh court ends battle over interfaith marriage, available at: https://www.kuwaittimes.com/woman-is-muslim-bangladesh-court-ends-battle-over-interfaith-marriage/