

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Bangabandhu Shriti Shangshad – Dr Kamal Hossain

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. Is it true that a man in Bangladesh is known by his real name; his father's name and his address; but that at times his nickname is also used?**
- 2. Is it correct that students in pass degrees at university (as opposed to honours degrees), do not need to attend classes?**
- 3. Was Mr Shamsul Islam the President of the Pahartali Chhatra League in or about 2 June 2004?**
- 4. Was Mr Md Jashm Uddin the President of the Goalpahar Bangabandhu Shriti Shangshad in Chittagong in or about 1996 (but also check 95, 97, 98 and 99)?**
- 5. Is Dr Kamal Hossain a famous lawyer in Bangladesh? Did he write its Constitution?**

RESPONSE

- 1. Is it true that a man in Bangladesh is known by his real name; his father's name and his address; but at times his nickname is also used?**

Research indicates that a man in Bangladesh may be known by his real name (full legal name), his father's name, his address, and unofficially, also by his nickname. Real names, father's names, and address details are used for purposes of official or legal identification of individuals. Nicknames are popularly used in Bangladesh but not for official purposes.

A man in Bangladesh may be known by his real or legal name. Sources indicate that according to traditional Bengali naming conventions Muslim men have two to three names by which they are generally known. They do not traditionally use surnames but may adopt a surname when migrating overseas. Hindu Bangladeshi men however are known by their first name, an optional middle name and a family name. Where surnames are used both Muslim and Hindu Bangladeshi men use their father's family name:

Moslem men usually have two or three names, e.g. Muhammad Abdur Rahman, Ahmed Karim. Sometimes they also use a male title (e.g. Miah, Khan) either at the beginning or the end of their name... Traditionally Muslims have not used a family name. However, when they move overseas they often choose an element of the father's name as the family name. Hindu names consist of a personal name, e.g. Rabindra, an optional middle name, e.g. Nath, and a family name, e.g. Tagore. Sometimes the first and middle names are written together, e.g. Rabindranath. Children take their father's family name. ('Bengali' (undated), *BBC.Co.Uk*, http://www.bbc.co.uk/voices/multilingual/bengali_writing_system.shtml#a – Accessed 26 February 2007 – Attachment 1).

Sources report that for purposes of legal identification Bangladesh's are generally officially registered by their name, sex, date of birth, mother's and father's name and address details:

Although a standard birth registration form does not exist at present, the information provided at the time of registration generally includes the child's name, sex, place and date of birth, the father's and mother's name, and the father's/parents' address and religion. (United Nations Committee on the Rights of the Child 2003, *Bangladesh*, 14 March, [http://www.unhcr.ch/tbs/doc.nsf/\(symbol\)/crc.c.65.add.22.en?opendocument](http://www.unhcr.ch/tbs/doc.nsf/(symbol)/crc.c.65.add.22.en?opendocument) – Accessed 2 March 2007 - Attachment 2).

Sources also indicate that nicknames are commonly used in Bangladesh. These nicknames are not however utilised for official purposes. The below citations explain the popular use of nicknames within Bangladesh:

In West Bengal, especially amongst Hindus, it is common to have a first and last name as well as a Daak naam, or a nickname, which is not listed in official documents. ('Indian name' (undated), Wikipedia website, http://en.wikipedia.org/wiki/Indian_name#bengali_names – Accessed 26 February 2007 – Attachment 3). (Users should be aware that [Wikipedia](#) is a Web-based free-content encyclopaedia which is written collaboratively by volunteers. Country Research recommends that users of Wikipedia familiarise themselves with the regulatory practices which Wikipedia employs as a preventative measure against vandalism, bias and inaccuracy.)

In Bangladesh there is a tradition to have Bengali nick-names and Muslim (Arabic, Persian or Turkish in origin) official names. The former would be your general form of address among your family and friends, while the latter would go on official documents and would be the way you were introduced in polite company. (Razib, 2004, 'Islamicisation, American Style', Gene Expression website, 19 January, <http://www.gnxp.com/mt2/archives/001679> – Accessed 26 February 2007 – Attachment 4).

Bengali naming conventions are illustrated in the attached DFAT report. When DFAT questioned a Bangladeshi contact as to whether a certain individual worked for him the contact requested the full name, address and father's name of the individual in order to identify him correctly. The Bangladeshi contact also stated that the name provided by DFAT could be a nickname. It is stated in the report that "Bangladesh people often have a nick name along with their full name". (Department of Foreign Affairs and Trade 2006, *DFAT Report No. 471 – Bangladesh RRT Information Request:BGD30020*, 13 April, Attachment 5).

2. Is it correct that students in pass degrees at university (as opposed to honours degrees), do not need to attend classes?

No information was found in the sources consulted regarding the attendance policies for pass degrees in Bangladesh. The lack of available information is most likely due to the fact that,

according to the Australian Education International (AEI), pass degrees were phased out of the Bangladeshi education system in 2003 in favour of a standardised honour degree system. While it is stated by the AEI that a pass bachelor degree required two years of full time studying no information was found as to the actual attendance policy for pass degrees in the sources consulted.

The AEI report that under the previous educational system (before 2003) public universities offered pass bachelor degrees. Pass bachelor degrees required two years full time study to complete. According to the AEI in 2003 Bangladesh public universities stopped providing pass degrees in favour of three to four year bachelor degrees also known as honours degrees:

Previous system

Until 2003, public universities awarded

- Pass **Bachelor degrees** three subjects studied full-time for two years in arts, science or commerce (BA, BSc, or BCom) after completion of Grade XII and the Higher Secondary or Intermediate Certificate
- **Honours degrees** one principal subject studied for three years in arts, science or commerce [i.e., BA(Hons), BSc(Hons) or BCom(Hons)] beyond Grade XII.

Current system

Private universities introduced the USA model with four-year full-time **Bachelor degrees..** Bangladeshi higher education is seeking to provide consistency both the public and the private sector, in the length of programs and the grading system.

Comparative Quality Indicators.

Both public and private institutions are moving towards a four-year Bachelor Degree system. In 2003 the public sector stopped delivering two-year undergraduate programs. (Australian Education International 2007, *Bangladesh Country Education Profile*, 19 January, <http://aei.dest.gov.au/aei/cep/bangladesh> – Accessed 28 February 2007 –Attachment 6).

3. Was Mr Shamsul Islam the President of the Pahartali Chhatra League in or about 2 June 2004?

No reference was found in the sources consulted regarding whether a Mr Shamsul Islam was the President of the Pahartali Chhatra League in or about 2 June 2004. No reference was found of any Pahartali Chhatra League president within that timeframe. However, a Shamsul Islam is mentioned in the below news report as a Bangladesh Chhatra League district unit president in 2006:

At least 20 people were injured in a series of clashes between Bangladesh Chhatra League and Jatiyatabadi Chhatra Dal at Bandarban Govt College here Saturday.

Witnesses said the BCL and JCD workers locked into an altercation at noon over the presence of outsiders on the college campus.

At one stage, the JCD activists attacked the BCL boys and drive them out of the campus.

The BCL workers then attacked the college hostel and ransacked some rooms belonging to JCD men. They also attacked the office of local daily Sachitra Moitri, owned by district BNP vice-president M Osman Gani, leaving one of its employees injured.

BCL district unit president Shamsul Islam and activists Mohiuddin, Ismayeel, Bablu, Siraj and Joynal, and JCD workers Amin, Masud, Kawsar, Shahadat, Nazmul and Wahid were among the injured.

(‘20 injured in BCL-JCD clash in Bandarban’ 2006, *United News of Bangladesh Limited*, 16 September (FACTIVA), Attachment 7).

The above reported incident occurred in Bandarban which, like Pahartali is located in the Chittagong administrative division. The reference to a “BCL district unit” thus could possibly be referring to the Bangladesh Chhatra League Pahartali district unit. (Microsoft Encarta Interactive World Atlas 2000, ‘Chittagong’ – Accessed 1 March 2007 – Attachment 8).

4. Was Mr Md Jashm Uddin the President of the Goalpahar Bangabandhu Shriti Shangshad in Chittagong in or about 1996 (but also check 95,97,98 and 99)?

No reference was found in the sources consulted regarding whether a Mr Md Jashm Uddin was president of the Goalpahar Bangabandhu Shriti Shangshad in Chittagong in or about 1996. No reference was found regarding the Goalpahar Bangabandhu Shriti Shangshad in the sources consulted.

5. Is Dr Kamal Hossain a famous lawyer in Bangladesh? Did he write its Constitution?

Dr Kamal Hossain is a famous lawyer who contributed significantly to the Constitution of Bangladesh as chairman of the constitution drafting committee.

Dr Kamal Hossain is a renowned lawyer with an international reputation. The University of Cambridge have described him as an “eminent Bangladeshi, ...international statesman and a world-renowned jurist sought for his legal expertise”. (‘Law and Democracy with Dr Kamal Hossain’ 2006, University of Cambridge website, 31 May, <http://www.admin.cam.ac.uk/news/dp/2006053001> – Accessed 1 March 2007 – Attachment 9).

The Centre for International Sustainable Development Law published the following biography outlining Dr Kamal Hossain’s legal career:

Dr Kamal Hossain is a practicing barrister, much of whose work involves international law, constitutional law, and human rights. He served the Government of Bangladesh as Minister of Law (1972-1973), Foreign Affairs (1973-1975), and Petroleum and Minerals (1974-1975). More recently, he has been the UN Special Rapporteur on Afghanistan (1998-2003) and is currently a Member of the UN Compensation Commission. At present he is Chairman, Advisory Council, Transparency International; Vice-Chairman, International Law Association; Chairman, Bangladesh Institute of Law and International Affairs and Bangladesh. (‘People’(undated) Centre for International Sustainable Development Law website, <http://www.cisdsl.org/people/hossain.html> – Accessed 1 March 2007 – Attachment 10).

Dr Kamal Hossain is also “credited with being one of the principal authors of the Constitution of Bangladesh”. (‘Kamal Hossain’ 2007, Wikipedia website, http://en.wikipedia.org/wiki/Kamal_Hossain – Accessed 1 March 2007 – Attachment 11).

Dr Hossain chaired the Constitution Drafting Committee which resulted in the adoption of The Constitution of Bangladesh in 1972:

The Constituent Assembly in its first session of April 10, 1972 formed a Constitution Drafting Committee consisting of 34 members under the Chairmanship of Dr. Kamal Hossain. The Committee invited suggestions from all sections of people and received 98 memorandums. After 74 meetings the Drafting Committee finalised the draft constitution. Dr. Kamal Hossain introduced the draft in the constituent assembly on October 12, 1972 and general discussions on the draft were held from October 19 to November 3, 1972. After general discussion 163 amendment proposals were received among which 84 proposals were adopted. The Constitution of Bangladesh was adopted on November 4, 1972 and it was made effective from December 16, 1972 (Tapos Kumar Das 2006, Framing of Bangladesh Constitution: Some unsettled questions, *The Daily Star*, 1 July, <http://www.thedailystar.net/law/2006/07/01/view.htm> – Accessed 1 March 2007 – Attachment 12).

List of Sources Consulted

Internet Sources:

Google search engine <http://www.google.com.au/>
The University of Dhaka <http://www.univdhaka.edu/>
Rajshahi University of Engineering & Technology <http://www.ruet.ac.bd/index.php>
University of Chittagong <http://www.cu.ac.bd/>
Jahangirnagar University <http://www.juniv.edu/academic.htm>.

Databases:

FACTIVA (news database)
BACIS (DIMA Country Information database)
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments

1. 'Bengali' (undated), *BBC.Co.Uk*, http://www.bbc.co.uk/voices/multilingual/bengali_writing_system.shtml#a – Accessed 26 February 2007.
2. United Nations Committee on the Rights of the Child 2003, *Bangladesh*, 14 March, [http://www.unhcr.ch/tbs/doc.nsf/\(symbol\)/crc.c.65.add.22.en?opendocument](http://www.unhcr.ch/tbs/doc.nsf/(symbol)/crc.c.65.add.22.en?opendocument) – Accessed 2 March 2007.
3. United Nations Committee on the Rights of the Child 1995, *Bangladesh*, 7 December, <http://www.hri.ca/fortherecord1997/documentation/tbodies/crc-c-3-add38.htm> – Accessed 26 February 2007.
4. 'Indian name' (undated), Wikipedia, http://en.wikipedia.org/wiki/Indian_name#bengali_names – Accessed 26 February 2007.
5. Razib, 2004, 'Islamicisation, American Style', Gene Expression website, 19 January, <http://www.gnxp.com/mt2/archives/001679> – Accessed 26 February 2007.
6. Department of Foreign Affairs and Trade 2006, *DFAT Report No. 471 – Bangladesh RRT Information Request:BGD30020*, 13 April.

7. Australian Education International 2007, *Bangladesh Country Education Profile*, 19 January, <http://aei.dest.gov.au/aei/cep/bangladesh> – Accessed 28 February 2007.
8. ‘20 injured in BCL-JCD clash in Bandarban’ 2006, *United News of Bangladesh Limited*, 16 September. (FACTIVA)
9. Microsoft Encarta Interactive World Atlas 2000, ‘Chittagong’ – Accessed 1 March 2007.
10. ‘Law and Democracy with Dr Kamal Hossain’ 2006, University of Cambridge website, 31 May, <http://www.admin.cam.ac.uk/news/dp/2006053001> – Accessed 1 March 2007.
11. ‘People’ (undated) Centre for International Sustainable Development Law website, <http://www.cisd.org/people/hossain.html> – Accessed 1 March 2007.
12. ‘Kamal Hossain’ 2007, Wikipedia website, http://en.wikipedia.org/wiki/Kamal_Hossain – Accessed 1 March 2007.
13. Tapos Kumar Das 2006, Framing of Bangladesh Constitution: Some unsettled questions, *The Daily Star*, 1 July, <http://www.thedailystar.net/law/2006/07/01/view.htm> – Accessed 1 March 2007.