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BGD101506.E

01 August 2006

Bangladesh: Domestic violence; state protection and resources available to survivors of spousal abuse (2004 - 2006)

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### Domestic violence

Domestic violence, defined as "violence perpetuated in the home or family environment" (Farouk Apr. 2005), is widespread in Bangladesh (ibid.; *Country Reports 2005* 8 Mar. 2006, Sec. 5; Dow Jones International News 4 Jan. 2006). It is estimated that between 50 and 60 per cent of women in Bangladesh have experienced some form of domestic violence (ICDDR,B June 2006; WHO 2005; *The Daily Star* 18 May 2005). The prevalence of domestic violence in the country has been attributed to a number of factors, including its patriarchal society (*The Daily Star* 22 June 2006; ibid. 31 July 2005; Farouk Apr. 2005); a lack of implementation and/or enforcement of laws (Oxfam Nov. 2005; *The Daily Star* 31 July 2005); traditional practices, such as child marriage (*The Daily Star* 31 Dec. 2004; see also *The Daily Star* 31 July 2005); a limited awareness of women's rights (ibid.); and the traditional preference for sons over daughters (ibid.; CPD UNFPA Nov. 2002, 59). Other factors that contribute to domestic violence include growing religious fundamentalism in Bangladesh (AHRC Dec. 2005, 123; Dow Jones International News 4 Jan. 2006) and "religious misinterpretations" (Farouk Apr. 2005).

Domestic abuse reportedly affects women in Bangladesh from different income groups (*The Daily Star* 25 Jan. 2005; Farouk Apr. 2005), in both rural and urban areas (ICDDR,B June 2006). According to a 2002 study on domestic violence in rural Bangladesh, the violence is triggered by a range of factors, including the following: "[the wife's] 'failure' to serve a hot meal, take care of children, maintain or up keep the house; jealousy and suspicion, quarrelling with the mother-in-law; or failure to bring in enough dowry" (CPD UNFPA Nov. 2002, 58; see also Farouk Apr. 2005).

Despite legislation banning the practice of dowry - "money or property paid by the family of a woman to the family of her husband (Oxfam Sept. 2005) - it is one of the most commonly cited reasons for domestic violence in Bangladesh (*The Daily Star* 6 July 2006; *Country Reports 2005* 8 Mar. 2006, Sec. 5; AI 23 May 2006; AHRC Dec. 2005, 123; Freedom House 6 July 2005). A 31 July 2005 news article in *The Daily Star*, a Dhaka-based newspaper, reports that 66 per cent of women murdered in Bangladesh in 2005 were "victims of domestic violence mainly for failure to pay dowry" (see also AHRC Dec. 2005, 123).

Domestic violence is generally perpetrated by husbands, but may also involve

other relatives (Farouk Apr. 2005; OMCT Oct. 2003, 22; *The Daily Star* 12 Jan. 2005). A range of abuses against women were identified among the sources consulted by the Research Directorate, including verbal and psychological abuse (ibid. 25 Jan. 2005; BNWLA 17 May 2005); physical abuse (ibid.; *The Daily Star* 25 Jan. 2005; OMCT Sept. 2003, 19); rape and sexual abuse (ibid.; *The Daily Star* 25 Jan. 2005); "torture," including acid violence (ibid., 22; Farouk Apr. 2005; *The Daily Star* 25 Jan. 2005; BNWLA 2004; ibid. 17 May 2005); murder (*The Daily Star* 25 Jan. 2005; ibid. 12 Jan. 2005; BNWLA 2004); and "forced suicide" (ibid.).

Acid violence, which involves "throwing of acid at a person's body to disfigure and scar the person for life" (Farouk Apr. 2005), was also identified as a common form of domestic abuse (*The Daily Star* 25 Jan. 2005; ibid. 12 Jan. 2005; ASF Jan. 2006; BNWLA 17 May 2005; *Country Reports 2005* 8 Mar. 2006, Sec. 5). According to the Acid Survivors Foundation (ASF), a non-governmental organization (NGO) in Bangladesh that provides assistance to survivors of acid attacks, Bangladesh has the highest incidence of acid violence in the world (ASF Mar. 2006). In 2005, the NGO recorded 267 acid attacks, 66 per cent of which were against women (ASF Jan. 2006). Key reasons cited for these attacks were property or financial disputes, marital or family-related disputes, refusal of marriage or sex, and dowry-related issues (ibid.).

### **Reporting domestic violence**

Despite the prevalence of domestic violence in Bangladesh, very few women report incidents of abuse (ICDDR,B June 2006; UN 2005; *The Daily Star* 18 May 2005; Oxfam n.d.). This under-reporting is largely due to the perception in Bangladesh that domestic violence is a private matter (ibid.; ibid. Nov. 2005; Farouk Apr. 2005; CPD UNFP Nov. 2002, 60). A 2002 report on domestic violence in rural Bangladesh notes that

[u]nfortunately for women who are beaten or abused in their homes, [relatives] and neighbors often turn a blind eye, and help from the authorities is virtually absent. Typically, the police and the community are loath to interfere in "family affairs". Most people choose not to intervene because the disputes between husband and his wife are seen as internal family affairs in which the "outsiders" are not expected to interfere. An act of exposing the husband and thus his family, by seeking help from governmental or non-governmental organisations may have the effect of shaming him and his family (CPD UNFP Nov. 2002, 60).

A 2006 study on violence against women in Bangladesh conducted by the International Centre for Diarrhoeal Disease Research, Bangladesh (ICDDR,B), a health and population research centre in Bangladesh, found that most of the women surveyed did not report domestic violence because they felt the abuses were not serious enough (June 2006), they feared social stigmatization or being blamed for the abuse (ICDDR,B June 2006; see also Farouk Apr. 2005), they believed that reporting an incident would shame their family, and/or they felt that filing a report would not help their situation (ICDDR,B June 2006).

Sources indicated that when domestic abuses are reported, police officers tend to be "insensitive to the difficulties faced by victims of domestic abuse" (OMCT Sept. 2003, 19) or refuse to follow up on reports of domestic violence (AI 23 May 2006; Farouk Apr. 2005). Women who report incidents of domestic violence may also face further abuse (Oxfam n.d.).

### **State protection**

According to a paper prepared by Sharmeen A. Farouk of the Bangladesh National

Women Lawyers Association (BNWLA) for the United Nations (UN) Division for the Advancement of Women, "[w]ith the exception of torture due to dowry or dowry deaths, there is no specific law on domestic violence/wife abuse in Bangladesh" (Farouk Apr. 2005; see also *The Daily Star* 6 July 2006; *ibid.* 1 May 2006; *ibid.* 7 Jan. 2005; *ibid.* 31 Dec. 2004).

Bangladesh's Woman and Child Repression Prevention Act - 2000 (Nari O Shishu Nirjatan Damon Ain - 2000) outlines some protective measures for victims of domestic violence (OMCT Sept. 2003, 19); however, the Penal Code of Bangladesh contains no such measures (*ibid.*). A BNWLA representative explained that the existing laws on the repression of women do not punish men who abuse their wives unless a "grievous hurt" is inflicted (BNWLA 19 May 2005; see also OMCT Sept. 2003, 23). According to *Country Reports on Human Rights Practices for 2005*, while rape in general is illegal, spousal rape in particular is not recognized as a crime in Bangladesh (8 Mar. 2006, Sec. 5).

In 2002, the government of Bangladesh passed the Acid Crime Control Act and the Acid Control Act (*The Daily Star* 13 Mar. 2005; see also *Country Reports 2005* 8 Mar. 2006, Sec. 5). The Acid Control Act was created to "control the 'import, production, transportation, hoarding, sale and use of acid and to provide treatment for acid victims, rehabilitate them and provide legal assistance'" (*The Daily Star* 13 Mar. 2005). The Acid Crime Control Act was brought in to reduce the incidence of acid violence by providing harsh punishments, including large fines, prison sentences ranging from three years to life and the death penalty (*ibid.*). Despite these laws, acid violence remains a problem in Bangladesh (*ibid.*; BBC 8 Mar. 2005; *Country Reports 2005* 8 Mar. 2006, Sec. 5). According to several sources, few people are ever held responsible for acid attacks (ASF Mar. 2006; AI 25 May 2005; BBC 8 Mar. 2005), with many alleged assailants escaping punishment by bribing witnesses or the victim's family (*ibid.* 29 Apr. 2005).

Regarding international conventions, the government of Bangladesh ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 6 November 1984 (UN 13 June 2006). In Bangladesh, however, there is a general lack of implementation and/or enforcement of laws and other measures to protect women (Freedom House 6 July 2005; AHRC Dec. 2005, 123; Oxfam Nov. 2005; Farouk Apr. 2005).

### **Other resources available to survivors of spousal abuse**

The ASF provides assistance to survivors of acid attacks in Bangladesh (ASF Mar. 2006). According to the ASF Website, services provided by the small organization include referral services, medical treatment and counselling, social reintegration services, and assistance with legal services (*ibid.*).

The BNWLA provides rehabilitation and social reintegration services for survivors of violence (BNWLA n.d.) and also runs several shelters for victims of abuse (*ibid.*; *Country Reports 2005* 8 Mar. 2006, Sec. 5). According to *Country Reports 2005*, however, the shelters were "insufficient to meet victims' shelter needs" in 2005 (*ibid.*).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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**Oral sources:** Attempts were made to contact the Bangladesh National Women Lawyers' Association (BNWLA).

**Internet sites, including:** European Country of Origin Information Network (ECOI.net), United Kingdom (UK) Home Office, United Nations (UN) Economic and Social Commission for Asia and the Pacific (UNESCAP), UN Development Fund for Women (UNIFEM), United States Department of State, Women Living Under Muslim Laws (WLUML).

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