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Bangladesh: Arranged, forced, and early marriage; the matching process and the role of the matchmaker; consequences for refusing to participate (2003 - 2006)

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Arranged marriage is entered into with the consent of both parties, although family may play an important role in selecting a marriage partner (UK 7 June 2006, 5; see also *USA Today* 19 Apr. 2006). Forced marriage, on the other hand, is entered into under emotional and/or physical pressure, and the consent of one or both parties is missing (UK 7 June 2006, 5; see also BBC 5 Sept. 2005 and *USA Today* 19 Apr. 2006).

According to media and human rights sources, many women in Bangladesh are forced into marriage (IPS 16 June 2003; OMCT 2003, 20; HRW n.d.). In addition, it is estimated that up to 50 per cent of women marry early, before the age of 18 (OMCT 2003, 20; see also UNB 14 Dec. 2005 and *Country Reports 2005* 8 Mar. 2006, Sec. 5). In Bangladesh, the official age of consent for marriage is 18 for women and 21 for men (India 1 Oct. 1929; see also Ali Oct. 2004, 26 and OMCT 2003, 20). According to a United Nations Children's Fund (UNICEF) representative in Bangladesh, cited in a United News of Bangladesh (UNB) news release, the rate of early marriage in Bangladesh is among the highest in the world (UNB 14 Dec. 2005). Sources consulted also suggest that there is sometimes a significant age difference between the bride and the groom (UN 23 Jan. 2006, 10; WLUML 18 Mar. 2004; AP 29 July 2003).

Reasons cited for early marriage in Bangladesh include to protect a daughter's chastity and the family honour (UN 23 Jan. 2006, 10; see also Ali Oct. 2004, 47), to lower household expenses (*ibid.*; Reuters 1 Nov. 2005; OMCT Oct. 2003, 20), to guarantee a daughter a financially secure husband, and to ensure the production of many sons over a long period of fertility (*ibid.*). Salma Ali, executive director of the Bangladesh National Women Lawyers' Association (BNWLA), discusses causes of early marriage in Bangladesh in an October 2004 report for End Child Prostitution and Trafficking of Children for Sexual Purposes (ECPAT) International, a worldwide network working to end the commercial sexual exploitation of children (ECPAT n.d.). Therein, she cites a report she wrote on violence against women in Bangladesh in 2003, which asserts that

in some cases, particularly where economic conditions are poor, parents ... knowingly permit their child to be married to a trafficker or exploiter in order to ease the family's economic burdens (Oct. 2004, 26).

Early marriage in Bangladesh is reportedly most common in poverty-stricken areas in the northern part of the country (Reuters 1 Nov. 2005).

One major consequence of early marriage is health problems associated with early pregnancy (OMCT 2003, 20-21; UNB 16 May 2006), including obstetric fistula (*ibid.*), defined as "tissue damage resulting from prolonged obstetric labour and resulting in incontinence" (UN 22 May 2006). According to the Website of the United Nations Population Fund (UNFPA) Campaign to End Fistula, there are approximately 70,000 women in Bangladesh living with the condition (UNB 16 May 2006). Thousands of Bangladeshi women reportedly die each year from fistula (*ibid.*).

A United Nations (UN) report on violence against children in South Asia indicates that child spouses may also experience sexual, psychological or physical effects as a result of early marriage, including death linked to domestic violence (23 Jan. 2006, 10).

No information on the prevalence of arranged, forced or early marriage in specific religious communities could be found among the sources consulted by the Research Directorate.

Legislation and government efforts

Bangladesh acceded to the *UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages* on 5 October 1998 (UN 5 Feb. 2002). According to the *Convention*, contracting states agree to require consent from both parties entering into marriage and to establish a legal minimum age for marriage (*ibid.* 9 Dec. 1964). Bangladesh, however, reserved the right to apply these provisions in accordance with "personal laws of different religious communities of the country" (*ibid.* 5 Feb. 2002). In the absence of a uniform family code in civil law, personal laws of religious communities govern many family matters in Bangladesh, such as marriage, divorce, custody, and inheritance (UN 2004, 138; see also *The Daily Star* 5 Mar. 2004). Each religious community in the country reportedly has its own religious personal law system (*ibid.*).

Under *The Child Marriage Restraint Act, 1929*, enacted in pre-partition India, a child is defined as a woman under 18 years of age or a man under 21 years of age (India 1 Oct. 1929; see also Ali Oct. 2004, 25 and OMCT 2003, 20). The *Act* punishes men who marry children, those who solemnize child marriage, and parents or guardians who permit child marriage (India 1 Oct. 1929; see also Ali Oct. 2004, 25). Underage marriages are, however, still considered legally valid (*ibid.* 47; WLUML 18 Mar. 2004) and are permitted under religious personal laws of the country (UN 14 Mar. 2003, para. 47).

The Child Marriage Restraint Act, 1929 has reportedly done little to reduce the incidence of child marriage in Bangladesh (OMCT 2003, 20; see also UNB 14 Dec. 2005 and Field and Ambrus Nov. 2005, 6). Reasons identified for its ineffectiveness include the absence of systematic birth registration (OMCT 2003, 20; Ali Oct. 2004, 26; UNB 27 Oct. 2005) and marriage registration (*ibid.* 16 Feb. 2005) in Bangladesh, as well as the lack of awareness of the dangers of early marriage (OMCT 2003, 20).

According to *Country Reports on Human Rights Practices for 2005*, the government of Bangladesh is making an effort to reduce the prevalence of early marriage by offering funding for girls' schooling "if parents promised to delay their daughters' marriage until at least age 18" (8 Mar. 2006, Sec. 5). In October 2005, the government announced plans to achieve a one hundred per cent registration of births within one to two years (UNB 27 Oct. 2005). It has also introduced a bill to make the registration of marriages compulsory (*ibid.* 16 Feb. 2005). Information on the success of these initiatives could not be found among the sources consulted by the Research Directorate.

In January 2005, the United Kingdom (UK) Foreign and Commonwealth Office launched a joint Forced Marriage Unit (FMU) (UNB 28 Mar. 2006; UK 28 Mar. 2006) to help prevent the forced marriage of British citizens (mostly of South-Asian descent) in the UK and abroad (ibid.; ibid. n.d.; *USA Today* 19 Apr. 2006). FMU services primarily assist women of South Asian origin, including Bangladeshis (ibid.).

The role of the matchmaker

Most marriages in Bangladesh are arranged by parents (Banglapedia n.d.a; see also Field and Ambrus Nov. 2005) or relatives (Banglapedia n.d.a; ibid. n.d.b.). However, matchmakers called *ghataks* [or "ghotoks"] may also assist (ibid.; ibid. n.d.a). *ghataks* were traditionally used in Bengali society to establish a link between the bride and groom (ibid. n.d.b). The matchmakers may also maintain lists of potential brides and grooms, which include background information on their families (ibid. n.d.a). Parents may use this information to select spouses for their children based on caste (ibid. n.d.b). Successful matches of bride and groom may result in a reward for the *ghatak* from both parties (ibid.).

Matchmakers are reportedly becoming less common in Bangladesh (ibid.), while professional matchmaking agencies are gaining in popularity (ibid.; *The Daily Star* 9 Mar. 2004; ibid. 14 Dec. 2003). According to an article in *The Daily Star*, a Dhaka-based newspaper (ibid. n.d.), individuals working as matchmakers for such agencies are generally well educated (9 Mar. 2004).

Matchmaking agencies collect personal information and photographs from prospective brides and grooms (*The Daily Star* 9 Mar. 2004; MarriageBangladesh n.d.a; Banglapedia n.d.b). Certain matchmaking agencies ask for an initial registration fee of about 1,500 taka [approximately CAN\$24.65 (XE.com 18 July 2006a)] from their clients (*The Daily Star* 14 Dec. 2003; MarriageBangladesh.com n.d.b; see also Banglapedia n.d.b), then charge a full fee once the marriage has been successfully arranged (ibid.; *The Daily Star* 9 Mar. 2004). According to a 9 March 2004 news article in *The Daily Star*, 10,000 taka [approximately CAN\$164.34 (XE.com 18 July 2006b)] is paid to the matchmaking agency for a successful match. Rates are reportedly higher for Bangladesh expatriates (*The Daily Star* 14 Dec. 2003).

Information on Bangladeshi matchmaking processes specific to rural or urban areas or to different income groups could not be found among the sources consulted by the Research Directorate.

Consequences for refusing to participate

Sources consulted by the Research Directorate indicate that a woman who refuses to participate in an arranged marriage could face physical violence (AI 25 May 2005; *The Guardian* 1 May 2006; UN 23 Jan. 2006, 14; HRW n.d.; *The New Nation* 23 July 2005). For example, according to news and human rights sources, women in Bangladesh who have turned down marriage proposals have been subjected to acid attacks (*The Guardian* 1 May 2006; AI 25 May 2005; AP 29 July 2003; HRW n.d.; UN 23 Jan. 2006, 14), in which attackers try to burn and disfigure their victims by throwing acid at their face or body (ibid.). A 1 May 2006 news article in *The Guardian* reports that approximately 250 individuals, most of whom are women, are blinded or maimed in acid attacks each year in Bangladesh.

On 23 July 2005, *The New Nation*, an independent Bangladeshi newspaper (*The New Nation* 18 July 2006), reported that a 13-year-old girl in Kurigram District in northern Bangladesh was held in captivity and tortured by her prospective husband after she refused to participate in a marriage arranged by her uncle.

No further information on consequences for refusing to participate in an arranged marriage could be found among the sources consulted by the Research Directorate.

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.

References

- Ali, Salma. October 2004. *Report On Laws and Legal Procedures Concerning the Commercial Sexual Exploitation of Children in Bangladesh*. <http://www.ecpat.net/eng/Ecpat_inter/projects/promoting_law/bangladesh_report/Laws_Legal_Procedures_Bangladesh_Oct2004.pdf> [Accessed 18 July 2006]
- Amnesty International (AI). 25 May 2005. "Bangladesh." *Amnesty International Report 2005*. <<http://web.amnesty.org/report2005/bgd-summary-eng>> [Accessed 14 July 2006]
- Associated Press (AP). 29 July 2003. "Court Sentences Bangladeshi Man to Death." (European Country of Origin Information Network Website) <http://www.ecoi.net/file_upload/panja1_001bang.htm> [Accessed 17 July 2006]
- Bangladesh Human Rights Network. 30 June 2005. "Rose Circle Succeeds Stopping Dowry and Child Marriage in Noakhali." <<http://www.banglarights.net/>> [Accessed 17 July 2006]
- Banglapedia. N.d.a. "Customs and Traditions." <http://banglapedia.search.com.bd/HT/C_0392.htm> [Accessed 17 July 2006]
- _____. N.d.b. "Ghatak." <http://banglapedia.search.com.bd/HT/G_0099.HTM> [Accessed 18 July 2006]
- British Broadcasting Corporation (BBC). 5 September 2005. "Forced Marriage Could Be Banned." <http://news.bbc.co.uk/2/hi/south_asia/4214308.stm> [Accessed 2 Aug. 2006]
- Country Reports on Human Rights Practices for 2005*. 8 March 2006. "Bangladesh." United States Department of State. <<http://www.state.gov/g/drl/rls/hrrpt/2005/61705.htm>> [Accessed 17 July 2006]
- The Daily Star* [Dhaka]. 9 March 2004. Mishel Ali Khan. "Ghotoks: The Inside Story." <<http://www.thedailystar.net/lifestyle/2004/03/02/centre.htm>> [Accessed 17 July 2006]
- _____. 5 March 2004. Vo. 1, No. 144. Aasha Mehreen Amin. "Is the Law Fair Towards Women?" <<http://www.thedailystar.net/magazine/2004/03/01/coverstory.htm>> [Accessed 9 Aug. 2006]
- _____. 14 December 2003. Vol. 4, No. 197. Sabrina Karim Murshed. "Matchmakers' Masterstroke." <<http://www.thedailystar.net/2003/12/14/d31214250393.htm>> [Accessed 17 July 2006]
- _____. N.d. "Profile of *The Daily Star*." <<http://www.thedailystar.net/aboutus.htm>> [Accessed 18 July 2006]

End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT) International. N.d. "ECPAT International." <<http://www.ecpat.net/eng/>> [Accessed 19 July 2006]

Field, Erica and Attila Ambrus. November 2005. "Early Marriage and Female Schooling in Bangladesh." <<http://post.economics.harvard.edu/faculty/field/papers/EarlymarEducation-1205.pdf>> [Accessed 17 July 2006]

The Guardian [London]. 1 May 2006. "Obituary: Other Lives - Nasreen Huq." (Factiva)

Human Rights Watch (HRW). N.d. "Women's Rights in Asia." <<http://hrw.org/women/overview-asia.html>> [Accessed 17 July 2006]

India. 1 October 1929. *The Child Marriage Restraint Act, 1929*. <<http://indiacode.nic.in/fullact1.asp?tfm=192919>> [Accessed 25 July 2006]

Internal Displacement Monitoring Centre (IDMC). 28 March 2006. *Bangladesh: Minorities Increasingly at Risk of Displacement*. <[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/DEE60477D0B99F33C125713F002EFFD8/\\$file/Bangladesh+-March+2006.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/DEE60477D0B99F33C125713F002EFFD8/$file/Bangladesh+-March+2006.pdf)> [Accessed 31 July 2006]

International Religious Freedom Report 2005. 8 November 2005. "Bangladesh." United States Department of State. <<http://www.state.gov/g/drl/rls/irf/2005/51616.htm>> [Accessed 3 Aug. 2006]

Inter Press Service (IPS). 16 June 2003. Tabibul Islam. "Rights - Bangladesh: Rape Victims Married off to Rapists." (Factiva)

MarriageBangladesh.com. N.d.a. "Search Your Partner." <<http://www.marriagebangladesh.com/html/index.asp>> [Accessed 18 July 2006]

_____. N.d.b. "Membership Schemes." <<http://www.marriagebangladesh.com/html/memschemes.asp>> [Accessed 18 July 2006]

The Nation [Lahore]. 13 July 2004. Asif J. Mir. "Trafficking of Weaker Vessels." (Factiva)

The New Nation [Dhaka]. 18 July 2006. "Top Stories." <<http://nation.ittefaq.com/artman/publish/>> [Accessed 18 July 2006]

_____. 23 July 2005. "Captivity in Kurigram." (Bangladesh Human Rights Website). <http://www.banglarights.net/news_and_issues.php?story_id=172> [Accessed 17 July 2006]

Organisation Mondiale Contre la Torture (OMCT). 2003. *Violence Against Girls in Bangladesh: A Report to the Committee on the Rights of the Child*. <http://www.omct.org/pdf/vaw/publications/2003/eng_2003_01_bangladesh.pdf> [Accessed 17 July 2006]

Reuters. 1 November 2005. Anis Ahmed. "Bangladesh Struggles with Child Marriage Scourge." (Factiva)

United Kingdom (UK). 7 June 2006. "Forced Marriage: A Wrong Not a Right." <<http://www.fco.gov.uk/Files/kfile/05062006%20Final%20FM%20Report%20NJA.pdf>> [Accessed 2 Aug. 2006]

_____. 28 March 2006. British High Commission, Dhaka. "The British Foreign and Commonwealth Office Forced Marriage Unit Launches National Publicity Campaign on Forced Marriage." <<http://www.britishhighcommission.gov.uk/servlet/Front?pagename=>

OpenMarket/Xcelerate/ShowPage&c=Page&cid=1115145552870&a=KArticle&aid=1142706890619> [Accessed 17 July 2006]

_____. N.d. Foreign and Commonwealth Office. "Forced Marriage Unit (FMU) Tackling Human Rights Abuses." <<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1094234857863>> [Accessed 19 July 2006]

United Nations (UN). 22 May 2006. UN Population Fund (UNFPA), Campaign to End Fistula. "Frequently Asked Questions." <http://www.endfistula.org/q_a.htm> [Accessed 17 July 2006]

_____. 23 January 2006. UN Secretary-General's Study on Violence Against Children. June Kane. *Violence Against Children in the Countries of South Asia: The Problem, Actions Taken, and Challenges Outstanding*. <http://www.violencestudy.org/IMG/doc/South_Asia_report_JK_v4_FINAL_23_Jan.doc> [Accessed 17 July 2006]

_____. 2004. General Assembly. *Report of the Committee on the Elimination of Discrimination against Women*. (A/59/38) <<http://daccessdds.un.org/doc/UNDOC/GEN/N04/462/77/PDF/N0446277.pdf>> [Accessed 9 Aug. 2006]

_____. 14 March 2003. Office of the UN High Commissioner for Human Rights (OHCHR), Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention - Bangladesh*. (CRC/C/65/Add.22) <[http://www.unhcr.ch/tbs/doc.nsf/0/c0800ae5e758a57fc1256d3a002b4951/\\$FILE/G0340776.pdf](http://www.unhcr.ch/tbs/doc.nsf/0/c0800ae5e758a57fc1256d3a002b4951/$FILE/G0340776.pdf)> [Accessed 17 July 2006]

_____. 5 February 2002. United Nations Treaty Collection. *Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*. "Participants." <http://www.unhcr.ch/html/menu3/b/treaty3_.htm> [Accessed 20 July 2006]

_____. 9 December 1964. UN General Assembly. *Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*. <<http://www.unhcr.ch/html/menu3/b/63.htm>> [Accessed 20 July 2006]

United News of Bangladesh (UNB) [Dhaka]. 16 May 2006. "Bangladesh Still Has Challenges to Address in Health Sector to Become an Advanced Country: UNFPA ED." (Factiva)

_____. 28 March 2006. "Britain Launch Campaign on Forced Marriage." (Factiva)

_____. 14 December 2005. "UNICEF Urge National Leaders to Reach Out to Vulnerable Children." (Factiva)

_____. 27 October 2005. "Hundred Per Cent Birth Registration Within Two Years: Bhuiyan." (Factiva)

_____. 16 February 2005. "Bill - Early Marriage." (Factiva)

USA Today. 19 April 2006. "Groups Try to Break Bonds of Forced Marriage." <http://www.usatoday.com/news/world/2006-04-19-forced-marriage_x.htm> [Accessed 17 July 2006]

Women Living Under Muslim Laws (WLUML). 18 March 2004. "Bangladesh: Is the Law Fair Towards Women?" <<http://www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-40211>> [Accessed 17 July 2006]

XE.com. 18 July 2006a. "Universal Currency Converter Results." <<http://www.xe.com/ucc/convert.cgi>> [Accessed 18 July 2006]

_____. 18 July 2006b. "Universal Currency Converter Results." <<http://www.xe.com/ucc/convert.cgi>> [Accessed 18 July 2006]

Additional Sources Consulted

Oral sources: The Bangladesh National Women Lawyers' Association (BNWLA) did not provide information within the time constraints of this Response.

Internet sites, including: Bangladesh Human Rights Network, Bangladesh National Women Lawyer's Association (BNWLA), British Broadcasting Corporation (BBC), Center for Reproductive Rights, Freedom House, International Center for Research on Women, South Asian Women's Empowerment and Resource Alliance (SAWERA), United Nations Children's Fund (UNICEF), UN - Women Watch, United Nations Development Fund for Women (UNIFEM), United Kingdom Home Office, U.S. Committee for Refugees and Immigrants (USCRI).

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