

Immigration and
Refugee Board of CanadaCommission de l'immigration
et du statut de réfugié du Canada

Canada

[Français](#)[Home](#)[Contact Us](#)[Help](#)[Search](#)[canada.gc.ca](#)

RESPONSES TO INFORMATION REQUESTS (RIRs)

[Search](#) | [About RIRs](#) | [Help](#)

BGD42249.E

12 January 2004

Bangladesh: Violence against women, especially domestic violence; state protection and resources available to survivors of abuse

Research Directorate, Immigration and Refugee Board, Ottawa

Violence Against Women

According to Janet E. Jackson, the former deputy representative of the United Nations Population Fund (UNFPA) to Bangladesh, Bangladesh ranks fourth among the world's nations with respect to violence against women (*Daily Star* 14 Aug. 2003). Jackson observed that "sixty-five per cent of Bangladeshi males think it is justifiable to beat up their wives, 38 per cent have no clear idea what constitutes physical violence and 40 per cent support keeping women socially dormant" (ibid.).

At a workshop on violence against women organized by the Bangladeshi South-South Center, it was learned that

Bangladesh stands second in the world in terms of violence against women in different forms like women battering, wife beating, domestic and dowry-related violence, acid attack, rape, physical and verbal harassment, fatwa, sexual harassment in [the] workplace, trafficking and prostitution, polygamy and child abuse (*The Independent* 12 June 2002).

Moreover, the International Commission of Jurists (ICJ) observes that despite the 1997 statement by the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Committee expressing "serious concern" over the ability of the Bangladesh government to implement effective laws protecting women from violence in Bangladesh, the current "situation remains grim, as the violence against women continues unabated and remains a serious human rights concern" (3 Oct. 2003). For instance, a report by a prominent Bangladesh women's organization, Mahila Parishad (Samhati n.d.), that was cited in the Dhaka-based *Daily Star* indicates that between January and October 2003, at least 3,625 women in Bangladesh were victims of violence (1 Dec. 2003). Of that figure, "1,192 were raped, 306 [were] gang-raped and about 144 [were] murdered after rape" (*Daily Star* 1 Dec. 2003). According to the report, "this is the highest incidence of violence against women in recent times" (ibid.).

Domestic Violence

Looking at domestic violence in particular, the UNFPA's *The State of World Population* for 2000 found that 47 per cent of adult women in Bangladesh reported

physical abuse by their male partners (2000). A research project on women's risk of experiencing domestic violence in two towns in rural Bangladesh found that 47 per cent of women in the community of Sirajgonj and 39 per cent of women in the community of Jessore reported having been physically abused by their husband or his family (*International Family Planning Perspectives* Sept. 2003). The research, which linked domestic violence with the level of women's autonomy, involvement in a credit group and other status indicators, maintained that

in the conservative setting of Sirajgonj, an increase in female autonomy has a "destabilizing effect" on the relationship between a woman and her husband or his family, thereby increasing the risk of domestic violence. By comparison, in the less conservative district of Jessore--where changes in gender relations may already be underway, the researchers note--an increase in overall autonomy among women and membership in credit groups may act to strengthen women's solidarity, thereby helping to discourage husbands from resorting to violence in the home. The researchers conclude that in rural Bangladesh, "the effects of individual and contextual aspects of women's empowerment on violence vary significantly according to sociocultural conditions" (ibid.).

According to lawyer Pramila Patten, an expert on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) who was speaking at a conference on gender discrimination and violence organized by the Bangladesh Human Rights Commission (BHRC) and the ICJ, "acid throwing and all forms of domestic violence are two major and most despicable forms of violence against women in Bangladesh" (*Daily Star* 16 Sept. 2003). In a 10 March 2003 report to the United Nations' Commission on Human Rights, representatives of the Asian Legal Resource Centre (ALRC), a non-governmental organization, also expressed their concern over the number of acid attacks on women in Bangladesh. Sulfuric acid^{3/4}able to burn through skin, muscle and bone^{3/4}is thrown on women for various reasons including "refusal of marriage offers, rejection of male advances, dowry disputes, domestic fights, property disputes, and even a delayed meal" (UN 10 Mar. 2003). The Bangladesh Acid Survivors Foundation (ASF), a charity established to support acid victims (DPA 29 July 2003), revealed that 244 women and 25 children were assaulted with acid from 1 January to 3 December 2003 (*Daily Star* 9 Dec. 2003). However, the ALRC maintains that "the exact number of acid attacks against women is difficult to document because many cases go unreported as victims fear reprisals" (UN 10 Mar. 2003).

Domestic violence resulting from dowry disputes has been recorded in several recent news reports as well as in the ALRC statement (ibid.; *Daily Star* 1 Oct. 2003; ibid. 11 Dec. 2003; ibid. 14 Dec. 2003). A report by Odhikar, a human rights coalition group in Bangladesh, states that 278 women were victims of violence related to dowry during the first nine months of 2003 (ibid. 1 Oct. 2003). Of those women, "184 were killed, 20 committed suicide, 67 were physically tortured, 11 sustained injuries from acid attack[s] and two were divorced" (ibid.).

Laws to Protect Women

In recent years, the government of Bangladesh has enacted several laws intended to protect women who are survivors of violence (UN 3 Jan. 2003). In its fifth periodic report to the United Nations' Committee on the Elimination of Discrimination Against Women, the Government of Bangladesh describes the Prevention of Women and Child Repression Act, which was enacted in 2000:

[The law] was formulated to protect women and children from heinous crimes such as rape, dowry, grievous injury etc. The law makes provision for

the punishment of sexual abuse and sexual harassment. The law also has put restrictions on the media so that the victims' privacy is protected. The introduction of the concept of the safe custody is one of the most important features of the law. This act introduced capital punishment in cases of rape, and grievous injuries. The important features of the Act are:

Speedy investigation and trial of cases will be held in tribunals and all crimes under the ambit of the law are non-bailable, with few exceptions;

A summary tribunal titled Women and Children Repression Tribunal would be formed for every district town to dispose of the related cases;

The tribunal will complete the trial process within 180 days;

The investigation should be completed within 60 days of the order by a magistrate or filing of the case;

Under a provision of the law, a rapist will pay for the upkeep of a child born as consequence of rape (ibid., para. 3.9).

In 2002, the government also enacted the Acid Crime Prevention Act and the Acid Control Act, which includes the following features:

Establishment of [a] National Acid Control Council Fund

Establishment of [a] Rehabilitation Centre

Treatment for the Acid victims

Provision of Legal Aid for the acid victims

Locking up shops of acid sale and ban on transport engaged in carrying acid

Cancellation of acid selling License[s] for the time being

Capital punishment of acid thrower[s] and penalty up to Tk 1 lakh [approximately US\$1,709 (XE.com 9 Jan. 2004)]

Judgment in special tribunals

Judgment in the absence of the criminal

Power of [the] Magistrate to take record of witnesses anywhere (ibid., para. 2.4).

Law Enforcement and Implementation

However, despite these legal measures to stop violence against women, several sources, including the Bangladesh government in its report to CEDAW, maintain that there is a need for improved law enforcement and implementation (ibid., para. 2.6; ibid. 10 Mar. 2003; *The Daily Star* 16 Sept. 2003; ICJ 3 Oct. 2003). *Country Reports on Human Rights Practices for 2002* mentions that while the Government of Bangladesh had enacted the Dowry Prohibition Act, the Cruelty to Women Law and the Women and Children Repression Prevention Act, "enforcement of these laws was weak, especially in rural areas, and the Government seldom prosecuted those cases that were filed" (31 Mar. 2003, Sec. 5). According to the Government of Bangladesh,

there are laws against violence. However, efforts and mechanisms for their implementation needs further strengthening. The Government and civil

society are aware of the need and efforts are underway to strengthen the implementation process. Orientation and training to law enforcing agencies are being provided as part of such efforts. [The] Law Reform Commission reviews and suggests new laws/modification of laws depending on the situation (UN 3 Jan. 2003, para. 2.4).

Following a September 2003 mission to assess Bangladesh's laws, which included consultations with government representatives, lawyers, non-governmental organizations and survivors of violence, the International Commission of Jurists (ICJ) "identified an urgent need for legal reforms in the area of violence against women" (ICJ 3 Oct. 2003). The ICJ representatives observed that "the failure of the Bangladeshi authorities to take prompt legal action against those accused of perpetrating violence [against women] fosters a climate of impunity" (ibid.).

For instance, in the case of Aan Karobi Adhikari Tia, a housewife whose family alleges was killed by her husband and his relatives, Tia's mother attempted to file a case under the Women and Children Repression Prevention Act, but the police recorded it as an unnatural death (*Daily Star* 13 Dec. 2003). The case was eventually transferred to the Criminal Investigation Department; however, the family claims that no progress has been made on the investigation and the accused husband and mother-in-law remain free in Lalmonirhat town (ibid.). Tia's death reportedly provoked protests and allegations of police negligence by citizens in her hometown (ibid.).

At a meeting organized to address the problem of violence against women, an MP stated that, in Bangladesh, "we have so many laws, but not the rule of law" (*Daily Star* 16 Sept. 2003). A number of speakers at the meeting agreed that political interference was a significant barrier to the effective enforcement of laws to protect women (ibid.). Furthermore, non-governmental organization (NGO) representatives alleged that the police are letting the perpetrators of acid attacks off easy in return for money (ibid. 19 Dec. 2003). Instead of charging the accused under the tougher Acid Control Act, the police charge the attackers under the Women and Children Repression Prevention Act, which, because of its "multiple loopholes," allows them easy release if found guilty (ibid.). According to the Acid Survivors Foundation and the Bangladesh National Women Lawyers Association (BNWLA), only 10 per cent of acid attackers will ever go to court for their crimes (UN 10 Mar. 2003).

Additional Resources

The following additional initiatives were developed by the Ministry of Women and Children Affairs (MWCA) to protect women from violence:

[a] national and district [level] women oppressions prevention cell, [a] special tribunal court at [the] district level, ... [a] one-stop crisis centre for providing medical, legal and police assistance, [the] [i]nstitutionalization of DNA test[s] for rape victims, ... six shelter homes for oppressed women, ... [a] Special Act in 1998 for not publishing women victims' picture[s] in newspapers, ... [a] mass awareness program against [the] oppression of women and children through [the] national media, [and] ... birth and marriage registration [made] compulsory to prevent child marriage (UN 3 Jan. 2003, para. 2.4).

However, according to an article in *The Independent*, the Dhaka-based one-stop crisis centre^{3/4} established to address the legal, physical and psychological needs of women victims of domestic violence, burn and sexual assault^{3/4} is suffering from "limited human resources, lack of trained counsellors and emergency staff, legal constraints of the police and inconsistencies [in the] complaints" by survivors since they "often retract charges against their life partners particularly when they cannot afford

legal fees or when the partner is the breadwinner and has control over the children" (*The Independent* 8 July 2003).

Non-governmental organizations in Bangladesh such as the BNWLA and the Mahila Parishad also offer additional resources to women survivors of violence. The BNWLA is serving women and children who are survivors of violence through a 24-hour hotline service (*Daily Star* 5 Mar. 2003). According to the *Daily Star*, representatives of BNWLA offer legal and psychological assistance regarding personal security, contacting police, trauma counselling and other services (ibid.).

Samhati, another non-governmental organization based in the United States, provides financial assistance to the Mahila Parishad to run the Dhaka-based Rokeya Shadan centre for abused and homeless women and children (Samhati n.d.). According to Samhati's Website, the centre provides food, shelter, clothing, counselling services, education and training for women (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 to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

Country Reports on Human Rights Practices for 2002. 31 March 2003. "Bangladesh." United States Department of State. Washington, DC. <<http://www.state.gov/g/drl/rls/hrrpt/2002/18309pf.htm>> [Accessed 15 Dec. 2003]

Daily Star [Dhaka]. 19 December 2003. "Acid Attackers Slip Thru' Legal Loopholes." <<http://www.thedailystar.net/2003/12/19/d3121901088.htm>> [Accessed 19 Dec. 2003]

_____. 14 December 2003. "Burn Victim Dies in Barisal." <<http://www.thedailystar.net/2003/12/14/d31214012020.htm>> [Accessed 17 Dec. 2003]

_____. 13 December 2003. "Victim's Family Threatened as Accused 'At Large'." <<http://www.thedailystar.net/2003/12/13/d31213070564.htm>> [Accessed 17 Dec. 2003]

_____. 11 December 2003. "Wife Murdered for Dowry, Boy Killed." <<http://www.thedailystar.net/2003/12/11/d31211070677.htm>> [Accessed 11 Dec. 2003]

_____. 9 December 2003. "Acid Attacks May Be Tried in Speedy Tribunals." <<http://www.thedailystar.net/2003/12/09/d31209012323.htm>> [Accessed 11 Dec. 2003]

_____. 1 December 2003. "3,625 Women Fall Prey to Violence." <<http://www.thedailystar.net/2003/12/01/d31201012121.htm>> [Accessed 2 Dec. 2003]

_____. 1 October 2003. "Over 1,000 Raped in Last 9 Months Odhikar Survey says." <<http://www.dailystarnews.com>> [Accessed 2 Oct. 2003]

_____. 16 September 2003. "Enforce Law to End Gender Discrimination." (NEXIS)

_____. 14 August 2003. "'Textbooks Should Cover Violence on Women Issue'." <<http://www.thedailystar.net/2003/08/14/d3081401099.htm>> [Accessed 30 Dec. 2003]

_____. 5 March 2003. "Hotline Legal Help for Women, Kids."

<<http://www.dailystarnews.com>> [Accessed 7 Mar. 2003]

Deutsche Presse-Agentur (DPA). 29 July 2003. "Man Sentenced to Death for Acid Attack on Child Bride in Bangladesh." (Dialog)

The Independent [Dhaka]. 8 July 2003. Audity Falguni. "One-Stop Crisis Center in Crisis." (Dialog)

_____. 12 June 2002. "Poverty, Male Domination Blamed for Violence Against Women." (Dialog)

International Commission of Jurists (ICJ). 3 October 2003. "Bangladesh - Violence Against Women in Bangladesh: A Legal Assessment of Acid Attacks and Domestic Violence." <http://www.icj.org/news.php3?id_article=3101&lang=en> [Accessed 15 Dec. 2003]

International Family Planning Perspectives [New York]. September 2003. Vol. 29, No. 3. "In Bangladesh, Women's Risk of Domestic Violence is Linked to Their Status." <<http://www.agi-usa.org/pubs/journals/2914703a.html>> [Accessed 29 Dec. 2003]

Samhati. n.d. "Samhati: Bangladesh Women's Organization." <<http://www.umiacs.umd.edu/users/sawweb/sawnet/samhati.html>> [Accessed 9 Jan. 2004]

United Nations (UN). 10 March 2003. Economic and Social Council. "Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women." Statement submitted by the Asian Legal Research Council to the United Nations Commission on Human Rights, Fifty-Ninth Session. (E/CN.4/2003/NGO/96) <[http://www.unhcr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.2003.NGO.96.En?Opendocument](http://www.unhcr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.2003.NGO.96.En?Opendocument)> [Accessed 15 Dec. 2003]

_____. 3 January 2003. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). "Consideration of Reports Submitted by States Parties Under Article 18 of the Convention on the Elimination of all Forms of Discrimination Against Women. Fifth Periodic Report of States Parties: Bangladesh." <http://www.bayefsky.com/reports/bangladesh_cedaw_c_bgd_5.doc> [Accessed 12 Dec. 2003]

United Nations Population Fund (UNFPA). 2000. *The State of World Population 2000: Lives Together, Worlds Apart: Men and Women in a Time of Change*. <<http://www.unfpa.org/swp/2000/english/ch03.html>> [Accessed 30 Dec. 2003]

XE.com. 9 January 2004. "Universal Currency Converter." <<http://www.xe.com/ucc/convert.cgi>> [Accessed 9 Jan. 2004]

Additional Sources Consulted

Dialog

IRB Databases

Internet sites, including:

Amnesty International

CEDAW

Human Rights Watch

The attached reproduction is a copy of an official work that is published by the

Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.


[Top of Page](#)

[Important Notices](#)