



## **Domestic Violence against Women in Bangladesh: a legal Analysis**

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## Letter of Transmittal

Dr. Kudrat-E-Khuda Babu

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Dear Sir,

It's a great pleasure for me that I have been able to make research on "Domestic violence against women in Bangladesh". During concluding this research I have given all of my best effort to form the useful research and by collecting all the relevant information from different sources that it can fulfill your expectation.

Therefore, I shall remain grateful to you if you pass through this research paper for your evaluation and I would be like that if any valuable recommendation is formed from your part in this matter.

I am always available for any further clarification of any part of this paper at your convenience.

Sincerely yours.

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## Letter of Approval

This is to certify that the work is entitled “ Domestic violence against women in Bangladesh ‘’ : A legal Analysis is an original work done by Laboni Akter Akhi ,ID: 193-38-355,batch -30<sup>th</sup> ,Department of Law ,Daffodil International University ,Completed under my supervision and submitted in the partial fulfillment for the award of research ,work is done for the fulfillment of course requirements of Law-812,812 to accomplish the research monograph under Department of Law ,Daffodil International University .

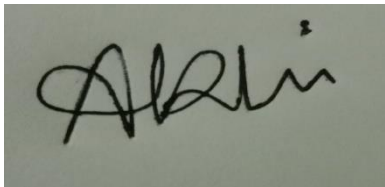


I wish him success .  
Dr.Kudrat -E- Khuda Babu  
Associate Professor  
Department of Law  
Daffodil International University

### **Declaration**

I ,hereby, declare that the work, Present in this research is the outcome of the investigation ,performed by me under the supervision of Dr.Kudrat –E-Babu (Associate Professor ,Department Of Law, Daffodil International University ).I also declare that this research or no part thereof has been or is being submitted elsewhere for the award of any degree .

Signature

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read 'Laboni Akter Akhi'.

.....

Laboni Akter Akhi

(Candidate)

### **ACKNOWLEDGMENT**

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Assalamualaikum.

I wish to express my gratitude for profound kindness of Almighty Allah. From the first inception to the final completion of this research, the success of this study rest not to me alone but also on the contributions of many people who have inspired, influenced and guided my work. Specially, I would like to convey my deep gratitude to my honorable supervisor Dr.Kudrat –E- Khuda Babu for giving the opportunity to present my research. Without his continuous support and courage, it would have been quite impossible to carry out the presentation and proceedings of this research. Afterwards, I want to pay deepest gratitude to my honorable teachers of my department for their help and contributions.

Sincerely Yours,

Laboni Akter Akhi

### Dedication

Firstly I am showing very much respect and gratitude to my Allah. I would like to express my gratitude and love to my parents for their sacrifice and to provide me the opportunities for higher education. They are still guiding me being a good human being and motivated me to dedicate myself benefit of the country.

## **List of Abbreviations**

MOWCA--- The Ministry Of Women And Child Affairs.

UNFPA--- The United Nations Population Fund.

CEDAW-- -Convention On The Elimination Of All Forms Of Discrimination Against Women.

WEF-- ---With Effect From.

WIP-- -Work In Progress.

UNDP-- United Nations Development Programme.

UN-- --The United Nations.

CEO-- --Chief Executive Officer.

GDP-----GROSS Domestic Product.

CPD-- --Continuing Professional Development.

CCHRP---Civilian Complaint Review Board.

CEDAW---Convention On The Elimination Of All Forms Of Discrimination Against Women.

CIDO----Cambridge International Dictionary.

CHTC----Community Hospital Tele Health Consortium.



## **Abstract**

In recent times, several incidents of rape and violence against women have come to light in Bangladesh. Whether rape has increased or decreased is not a big deal. What matters is how society and the state view these crimes. Equal importance must be given to all cases of rape and torture. There are limitations, inactivity of law enforcement. There are issues of political influence. Many of those who are committing these crimes think, my mama is the chairman. Someone's uncle-uncle is a big boss, a leader. There is a delay in the trial. Witnesses have no protection. Many do not want to testify for fear of harassment. All in all, the country lacks the environment and environment that is needed for fair justice. Social movements can play a big role in stopping rape and torture. Anger is a temporary thing. As seen in the past, it stops after a while. But social movement is a permanent issue. For example, the state must identify the culprits and ensure punishment. And we have to create such an environment in the society that no one will help the criminal in any way. Even if they are close in terms of relatives or political ideology, they will not show any sympathy. It will be more fruitful if the criminal is boycotted socially.

## TABLE OF CONTENTS

Letter of Transmittal.....	iii
Letter of Approval .....	iv
Declaration .....	v
Acknowledgement.....	vi
Dedication .....	vii
List of Abbreviations.....	viii
Abstract .....	ix

### CHAPTER ONE

Chapter No	Chapter Contents	Page No
Chapter 1	1.1 Introduction	1
	1.2 Literature review	2
	1.3 Objective of the Study	3
	1.4 Significance of the studies	3
	1.5 Research Question	4
	1.6 Research Methodology	4
	1.7 Limitation of the STUDIES	4

### Chapter 2

Chapter No	Primary Concept of Women Situation in Bangladesh	Page No
Chapter 2	2.1 Introduction	6
	2.2 Recent Scenario of the Status of women's violation	7
	2.3 Education	9
	2.4 Women's health in Bangladesh	12

	2.5 Lack of opportunity for savings	12
	2.6 Risk of Vulnerable	14
	2.7 Violation of Human Rights	16
	2.8 Access to energy resources	17

### Chapter Three

Chapter No	<i>Legal Instrument in relation with The Women's violation (Domestic Laws)</i>	Page No
<i>Chapter 3</i>	3.1 Constitutional Guarantees	19
	3.2 Muslim Family Law	19
	3.3 Civil Law	20
	3.4 The Child Marriage Restraint Act	20
	3.5 The Dowry Prohibition Act	20
	3.6 Cruelty to Women Act	20
	3.7 The Family Court Ordinance	21

### CHAPTER FOUR

Chapter No	International Human Rights Law	Page No
Chapter 4	4.1 CEDAW	22

### CHAPTER FIVE

Chapter No	<i>Contents</i>	<i>Page NO</i>
<i>Chapter 5</i>	5.1 Violence against Tribal Women	23
	5.2 Trafficking in Women	23

	5.3 ALTERNATIVES AVAILABLE TO WOMEN	24
	6.1 Conclusion	25

## **1.1 Introduction:**

"Rape and sexual harassment are crimes against humanity. Let's stand up against this crime," is the slogan of the International Women's Violence against Women Movement. At the Vienna Conference on Human Rights in 1993, the then world got two convictions, women's rights are human rights and women's oppression is a violation of human rights. Following that conviction of 1993, even in 2019, violence against women is a crime against humanity. This gender based violence is a barbaric manifestation of gender inequality. Patriarchal culture, values and attitudes are one of the main causes of this violence. Although it is unfortunate, it is true that the horror and cruelty of violence against women is increasing day by day in Bangladesh. New levels of atrocities are being added to the system of torture. Analyzing the situation of violence against women in Bangladesh, it is seen that although women are not a single entity, there are differences in class, age, profession, social status, but that woman is her main identity and because of this she has to be a victim of torture. A four-year-old child is also being raped, while a 60-year-old woman is also being sexually harassed. Madrassa students like Nusrat have died of sexual harassment, while professional women have been raped by bus bus conductors on their way to work on public transport. Mitu, a cultural activist, was raped and killed by guards. Sometimes mother and daughter are being raped together by young men of boy's age. The university student is being sexually harassed by the teacher. According to the statistics of January-September 2019, out of 3,443 incidents of torture, 1,041 were rape, 16 were gang rape, 195 were attempted rape and 140 were sexual assault. Bangladesh Mahila Parishad has analyzed a total of 1,554 rape-related tortures, showing that about 50 percent of women are victims of brutal brutal torture such as rape. The perpetrators include parents and guardians, including close family members, teachers, law enforcement officers, public transport workers and others.

## **1.2 Literature review:**

There is no specific field for women to be victims of violence. Eighty percent of women are victims of domestic violence in the home, which is the safest place to live. Women are being tortured on public transport, in educational institutions, on the roads and everywhere. The reasons for torture are various. Women are being oppressed on the pretext of political revenge against their opponents, family disputes over property, rejection of love proposals, non-response to foreign men's proposals and inability to meet demands. The situation is such that those who have not been tortured also suffer from the fear of torture all the time.

If we want to identify the root causes of violence against women, then we see patriarchal values and attitudes towards women and the inferiority of women in the power structure and the denial of women's individual rights. Behind all this is masculinity. Aggressive masculinity is created through the concept of gender created by society. After birth, the child is created as a woman and a man through socialization. As a result, both sides do not become human, both sides are fragmented people. Recently, Shamim Ahmed, a representative of the younger generation, wrote under the headline 'Definition of masculinity needs to be changed'. Emotionless stone-like stone, which has become the controller of violence, strife and violence and other negative activities in our society. The time has come to change the definition of masculinity. The time has come for a man to be a man of emotional tender heart. '

In addition to the image of women's oppression in Bangladesh, there is also the identity of women's progress and achievement. Women's activism in all kinds of economic activities, increasing participation in politics, increase in women's education rate, increase in women's awareness and mobility as compared to the past are now visible. Various policies, action plans, provisions and sensitive laws have been formulated and adopted for the advancement of women. But these achievements are being challenged by the growing violence and abuse against women.

Today, if we want to take a plan for the development and progress of the state, we have to think about the rights and empowerment of women. The main challenge for the development and empowerment of women is to adopt integrated multidimensional programs for the prevention and elimination of violence against women. Understand that violence against women is not a personal issue, but a gender and human rights issue. For this, a structural institutional plan has to be adopted to eliminate the root causes of violence against women. Enforcing existing gender sensitive laws, enacting and reforming new laws as needed, creating an environment in which good governance and the judiciary work independently to achieve justice, increasing national budget allocations to prevent violence against women, training law enforcement agencies, public administration and judicial officials, gender and human rights in

the curriculum It is necessary to take multifaceted steps like adding issues seriously. In order to create an anti-violence society mindset, it is important to have a national education policy, to make the curriculum gender sensitive and to promote gender equality, and the gender sensitive role of the media. Similar to the concept of equal rights in the CDO Charter, the rights of a woman's personal life such as marriage, divorce, custody of a child, inheritance of property should be ensured by signing Sections 2 and 16- (1) (c) of the CDO Charter. In other words, it is necessary to take a multi-dimensional integrated program to uphold the human rights of women as well as the human rights of the state with a holistic approach. The implementation and implementation of this integrated multidimensional program is particularly important. This requires the combined role of individuals, the state and society.

### **1.3 Objective of the Study:**

My research objectives are as follows:

- a) Critically review the different forms violation of the women's rights
- b) To analysis the national and international legal instruments.
- c) To find out the actual reason and consequence behind the deprivation of women rights
- d) To some recommendation for ensuring the women's rights
- e) To help the future research work with the women's violence.

### **1.4 Significance of the research:**

The study is the great importance for women in Bangladesh women in Bangladesh ,because the study will help to know about the domestic violence .women's are depriving various reason .There are many lacking of other works .though my works it will be remove ,even they faced such kind of problems .i strongly believe that they get such opportunity through my work and clarity .Moreover it will open great opportunities for other researchers concerned with the arena .This research may be very much helpful for the student of law to enrich their own knowledge .

### **1.5 Research Question:**

- A) Why is the violence against women increasing day by day despite having so many laws in our country?
- B) Why is the International Legal Instrument not yet effective in our country ?
- C) Should we make more laws or be aware of this?

### **1.6 Methodology of the Studies:**

It was necessary to collect information and data from primary sources to capture the grassroots realities of domestic violence. A household survey was considered the best method to obtain the greatest amount of reliable data from victims and their families in rural areas. There were two considerations taken into account when designing the household survey: i) domestic violence is often kept in the private sphere, resulting in many victims being reluctant to delineate their experiences to strangers and ii) the sample size needed to be sufficiently large to allow the national cost of domestic violence to be extrapolated from the survey findings.

### **1.7 Limitation Of the studies**

In the study that analyzed the cost of domestic violence on society, data was not obtained from the perpetrator but from the victim and her family. Experience has shown, however, that victims are quite knowledgeable about the expenditure of their husbands even after they have left the home.

The second research study identified the expenditures government and non-government organizations spent and allotted on combating and addressing issues pertaining to Violence against Women. Cost related information was collected from four directly relevant



ministries including MOWCA, Social Welfare, Home & Health ministries. It was not possible to collect information on violence related activities from Ministry of Law & Parliamentary Affairs. An effort was made to calculate the cost of violence against women for the court system. However in the court system information are not kept separately related to violence against women. Information is available about of total number of case that is filled and how many of them were disposed. Therefore from secondary data sources data could not be obtained about the amount spent in the courts because the judiciary does not keep records on the number of cases that pertain to Violence against Women. A separate study needs to be undertaken to calculate court related costs to the government in relation to violence against women.

## Chapter Two

### Primary Concept of Women Situation in Bangladesh

#### 2.1 Introduction:

When it comes to women's abuse or sexual harassment, most people side with men and talk about women's clothing or character. In Bangladesh, women are still blamed for breaking down houses for any reason. We are still in the middle Ages, even if we talk about women's freedom. We have to get out of there. Due to the protracted nature of the trial, many people are scared of being tortured. I see that the courage of other criminals is increasing. Many victims have committed suicide without getting justice. Exemplary punishment is needed to stop this. Public awareness programs should be shown in the media. The oppressors must be punished quickly. Criminals must stop providing political asylum and co-operation with the administration. Arrangements have to be made for the victimized women to get cooperation from the administration. Patrons of crime should also be brought under severe punishment. Legal complications need to be reduced. Moral education should be given in educational institutions. The law stipulates that the trial must be held within 180 days. But it is only on paper. There is an influential quarter behind almost every incident. So the case is not over. The society-family does not take cognizance of petty crimes; Is not ruled. In every case, the victim's family must go to the perpetrator's family in the hope of justice. Local criminal gangs are involved in every incident of violence against women. They get political asylum or the umbrella of administration and get across. On the other hand, the case hangs in the name of investigation year after year. The family has to keep an eye on the child. They are often blamed for the negligence of the family. A mother should be a good friend of the child. Request to the government that the criminals should not be allowed to cross.

## **2.2 Recent Scenario of the Status of women's violation:**

Research Institute Development Exploration published a research report on the occasion of International Women's Day on March 8. It found that the number of cases of violence against women in 2008 was much higher than in 2012. In 2006, there were 6 incidents of acid being thrown at women. From January to November 2012, there were 98 cases of acid throwing. In other words, the rate of acid throwing has increased by 10.2 percent. In 2006, there were 269 cases of violence against women due to dowry. There were 61 incidents in 2012. In other words, in this case, the rate of torture has increased by 46.75 percent. The rape rate has increased by 16.75 percent.

According to the crime statistics of the Bangladesh Police Headquarters, there have been 6,229 incidents of violence against women across the country in the last four years. A total of 12 thousand 961 people have been raped. Two thousand five women have been tortured in their husband's house due to dowry and various other reasons. 442 people have been victims of acid-terrorism. More than one and a half thousand women have died due to torture.

According to a report of Bangladesh Mahila Parishad, from January to December 2012, 5,618 women were subjected to various forms of torture. Of these, 61 have been raped. Of these, 157 were gang-raped. According to the report, 900 women and children were killed in various ways last year. 108 people have been killed after the rape. Attempts were made to rape 133 women. 72 women were teased (Eve teasing). Due to this 18 women committed suicide. 6 people were burnt by acid.

One of them died. The report was prepared by Mahila Parishad on the basis of news published in 14 national dailies. The main reason behind the increasing violence against women is the negative

attitude towards women. The first step in reducing violence against women is to change attitudes. In our Bangladeshi society, women are looked down upon. That needs to change. Women have to think of people. Respect for gender equality must be shown. Both men and women need to change their perspective. Men have to remember that women are no less than him.

The ICCDRB conducted a survey in 2011 funded by the United Nations Population Fund (UNFPA). Forty percent of men surveyed said they had raped women before they were 19 years old. 56-7 percent of men say they have sexually harassed women just for fun. Between 43 and 51 percent of men said they did not have any reaction or remorse after being sexually harassed.

The Declaration on the Elimination of All Forms of Discrimination against Women (CEDAW) was unanimously adopted by the UN General Assembly on 16 December 1989 with the aim of eliminating all forms of inequality between men and women and establishing equal rights. Bangladesh signed the charter on November 8, 1974. Since then, the Bangladesh government has enacted the Prevention of Violence against Women and Children Act, the Prevention of Domestic Violence Act, the Dowry Prohibition Act, the Acid Crime Suppression Act and the Acid Throwing Act. But despite having so many laws, violence against women is not stopping. It is increasing day by day. In addition to physical torture, they are also suffering from mental torture.

Elina Khan, chief executive of the Bangladesh Human Rights Foundation, said one of the main reasons behind the increase in violence against women was that perpetrators were not punished. If there is a case related to violence against women, it falls year after year. Where the trial is supposed to take place in 100 days, it seems to be taking five to 10 years. Although the case is not being confirmed. Violence is on the rise due to the protracted nature of the judicial process. If the trial

had been speedy and the verdict of the case had been executed quickly, the rate of violence against women would have come down to zero.

Elina Khan added that another major reason for the increase in violence against women is that when there is an incident of violence, people in the area do not come forward or report it to the police. The existing laws need to be changed to bring those who remain silent despite knowing about the incidents of violence against women.

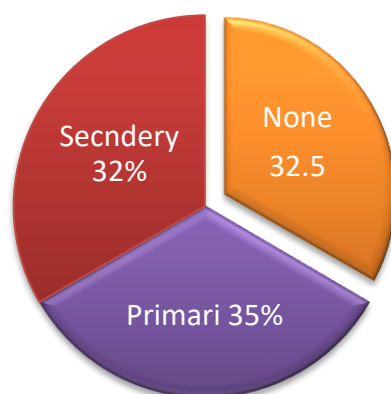
In this regard, Sadeka Halim, a teacher in the Department of Sociology, Dhaka University, said that the laws that exist for the protection of women are not being properly enforced. As a result, the perpetrators are no longer afraid to torture women. But the biggest problem is the attitude of the society. Society's negative attitude towards women has increased the level of violence against them. Many people cannot accept the fact that women are self-reliant. It manifests itself by torturing them. In this case, the family must come forward. But it is seen that women are being abused in their own families. Many women cannot take refuge in the law even if they want to. It costs money to take refuge in the law. Apparently, they do not have that much money. There are Victim Support Centers for abused women. But many women do not know about such centers. He has no information.

### **2.3 Education:**

The country's progress in ensuring gender equality in economic participation, education, health and politics is unprecedented, commented the World Economic Forum (WEF). They have identified Bangladesh as an ideal country for the advancement of women. Last year, in 2014, Bangladesh ranked 7th out of 142 countries in the WEF's annual report on the Gender Inequality Index. In 2013, Bangladesh was ranked 65 out of 136 countries. Even before that it was 8 in 2012

and 93 in 2009. Statistics show that Bangladesh is steadily improving and gender inequality is decreasing. This achievement of Bangladesh has surpassed India, Pakistan and Japan in Asia. According to the WEF, India ranked 101st in the 2013 index, Pakistan 135th, Japan 105th and China 79th. The WEF has been publishing the list since 2008 on the basis of participation in politics, economic equality, education and access to healthcare.

Meanwhile, Bangladesh is one of the top countries in the world in women's 'political empowerment'. While researching a total of 4 considerations, the WEF found that Bangladesh lags behind many other countries in the world in terms of women's political empowerment alone. Not only that, the country has recently advanced two steps in the competitive index of the World Economic Forum. Bangladesh entered the house from 109 to 106 with a total of 3.6 points. The World Economic Forum has published this list for the year 2015-16 based on the productivity of 140 countries of the world. The index has been prepared considering 113 issues. Overall, Bangladesh ranks 111th in terms of gender inequality, followed by Pakistan at 123rd and India at 133rd. Bangladesh's position in Asia is strong in this index. The country is moving further in this regard. Bangladesh has won the prestigious Women in Parliaments (WIP) Global Forum Award for its achievements in regional leadership by reducing gender inequality in politics. Bangladesh is proud of this victory for its outstanding contribution in reducing gender inequality in politics in the zonal categories of South and South-East Asia. State Minister for Foreign Affairs Shahriar Alam received the award on behalf of Prime Minister Sheikh Hasina at the African Union headquarters in Addis Ababa, Ethiopia, in March this year. Which is a great honor for Bangladesh. It is one of the biggest international recognitions working for the advancement of women.



Bangladesh has also advanced in the UN Human Development Index. Bangladesh has risen to 142nd position in the Human Development Index of the United Nations Development Program (UNDP) this year. Of the 16 countries, Bangladesh had 143 last year. Like last time, Bangladesh is in the list of 16 fast moving countries. UNDP publishes this report worldwide on the basis of women's development, life expectancy, literacy, education and per capita income.

The government of Bangladesh has taken various steps for the development of women. As a result of these full steps, they are moving towards further improvement. The present government is working hard to provide training to women at all levels, to provide jobs, to participate in equality and labor, to continue efforts to create women entrepreneurs, to increase women's participation in business and trade. Various government ministries are working to strengthen the participation of 50 percent women in the economic sector. There is proper coordination in this work. It will be possible to achieve the target by 2050.

To weave the seeds of women's development more deeply in Bangladesh. A part of it is Jayita Foundation. The current government established Jayita in November 2011 after taking power in the first term. Several women entrepreneurs were brought from remote areas of Bangladesh. After the selection from the 18,000 registered women's associations spread across the country, the shops were allotted to 180 associations selected through lottery at the initial stage. The number has increased day by day, the number of Jayita members is also increasing. The government has allotted a house for Jayita next to Rapa Plaza in Dhanmondi. Not only that, the foundation is working for the development of grassroots women all over Bangladesh. The government is committed to expanding women's workplaces from addition production to distribution. Under the leadership of Prime Minister Sheikh Hasina, success has continued in this regard as well. Women from all walks of life, starting from rural areas, are moving forward in this. This progress has been accelerated as it has been possible to ensure women's participation in financial incentives, according to economists. From 2010 to 2013, 60 million has been given as loans to 56,622 women. In this they have developed various small and medium industries. Of this, \$ 231 million was given to 13,631 women in 2010, \$ 256 million to 18,798 people in 2011 and \$ 282 million to 18,382 women in 2012. This rate is increasing every year. Not only that, women entrepreneurs are getting the opportunity to re-invest from a fund of Bangladesh Bank. These loans are being given without any collateral.

3 million women workers are working in the garment sector. This is a big area of women's revolution in the private sector of Bangladesh. Besides, the total female labor force rate was 24 percent in 2010 which increased to 36 percent in 2013. Due to various far-sighted steps of the government, the women of Bangladesh and the country are moving towards further development.

## **2.4 Women's health in Bangladesh:**

In the budget of the current financial year (2015-16), special allocation has been made for women under the ministry. In addition, various steps have been taken to prevent child marriage and make them interested in education, to bring helpless-neglected-disabled women under the social safety net, to work for prevention of violence against women, to conduct women's empowerment activities, Jayita Foundation for commercial production and marketing of grassroots women. Has been expanded to divisional, district and upazila level). There are also job opportunities for women in the ICT sector, including driving and catering training.

The maternal mortality rate in the country has now come down to 7 percent. Bangladesh is moving forward to implement the goal of not more than 143 people per year. Not only that, Prime Minister Sheikh Hasina has promised to bring this number to 63 by 2030. The government is working to make the path of women's development easier by reducing maternal mortality in the country.

In every village, there are community clinics within the reach of marginalized people. Which is the idea of the Awami League government in 1996. As a result, women are easily getting free medical services. Besides, women friendly district hospitals have been set up in each district. There are separate cells for the treatment of women. So that they can get improved services quickly. There are 12,958 maternity homes across the country, so that women get health care.

The development of women in education has got a different dimension since the time of that grand alliance. Along with the education policy, it has been ensured that almost 100% of the girls between the ages of 8 and 10 have access to education. The dropout rate in higher education has decreased, scholarships and financial assistance are being given for the expansion of women's education. In 1991, the participation of girls in primary school was 80.05 percent but now it is about 98 percent. In addition, women's education up to higher secondary has been made unpaid.

## **2.5 Lack of opportunity for savings:**

Concerns about the safety of women on moving buses and public transport have been growing in Bangladesh in recent times. Due to this, the women traveling in the bus are under threat at every moment. Violence against women on the bus is on the rise in Bangladesh. Since 2013, there have been 29 incidents of rape or attempted rape on a moving bus. According to sources published in



various national dailies, there were two incidents in 2013, four in 2015, three in 2016, six in 2016, six in 2016 and eight in 2019. About 13 percent of these women were killed after being raped.

To ensure the safety of women in public transport, the Public Relations Department of Bangladesh Police has published some suggestions for women. These are: If the number of passengers in a car is less than five-seven, be careful about traveling in that car or wait for a car with more passengers. Not sleeping in the car while traveling alone despite being tired. Even if the car is full of passengers when getting in and out of the car, if the number of passengers gets close to 10 while getting off at different stops, then be very careful before getting out of the car. In such a situation, it is advisable to sit in any convenient seat of the vehicle, from where the driver's assistant, conductor, driver and other passengers can be kept a watchful eye. There is also advice to call a family member or a trusted person on a mobile phone if necessary and keep the vehicle's name, current location and destination informed in a slightly louder voice (listening to other passengers inside the vehicle).

With some questions, I would like to thank the Public Relations Department of the police for giving importance to this issue. As the advice suggests, if the number of passengers at a stop decreases to less than five, it is not a destination but to get down at the same stop with other passengers and call someone in the family on a mobile and ask them to come there. Request someone you trust to stay with until the person picks you up. Now the question is, how far from the destination area the bus will have five passengers, how to understand it? It is difficult to say in this country when the person who will come to pick him up will arrive. It is also important to consider whether there are people in every family who have received such calls.

Besides, it is difficult to say exactly how useful it would be to distribute such advice without considering the time, day and night, area, roads, nature of vehicles in the area, how far from the main road. In addition, if the number of passengers in the vehicle is close to five, if there is any abnormal movement in the inside of the vehicle and you see the doors and windows of the vehicle being closed unnecessarily, then immediately call the National Emergency Service 999 and seek the help of the police. Has been said. It has been found that 25 per cent of the rapes or attempted rapes took place on regional roads and 25 per cent on inner roads of the capital or city. The crime scene was usually quite a distance from the station, where there were fewer pedestrians or patrolling police.

Now the question is, if a woman calls for help, she is raped or sexually harassed as soon as the police come, maybe the police can arrest the rapist, but can rape or sexual harassment be stopped? Eighty-five percent of the victims were between 8pm and 11pm, 25% were in the middle of the night despite having a husband or a male partner, and 10% were during the day. More important information here is that about 8 percent of women on public transport have been raped between 8pm and 11pm. 28 percent are raped or sexually harassed in the middle of the night despite having a husband or a male partner. About 12 percent of the day, minibuses and buses were attacked.

Observing the situation, it seems that now women have to become computers by taking public transport. Each piece of advice emphasizes women's responsibilities and obligations, recognizing sexual harassment and sexual harassment alike. Because, there is nothing to be said about sexual harassment. Exactly the same thing we noticed in Lesson 3 on page 75 of the seventh chapter of eighth grade home economics. There are descriptions of warnings and strategies to protect against sexual harassment. Where the textbook states as a strategy to protect against sexual harassment or harassment, 'never be alone at home, never wear clothes that attract others, avoid or abandon a familiar or unfamiliar person, never walk alone with a stranger. Going, if you feel bad touch, you must inform your parents immediately and tactfully ignore it without reacting directly to the harassment of the talented group in the neighborhood.

Women will be the victims of sexual harassment or rape and they will have to take the responsibility to stop it, if it is thought from the state place, then in fact this kind of harassment will not stop. It is important to discuss how to correct the patriarchal behavior of men, how to monitor it, and what kind of steps can be taken at the family-society-state level. It is important for women to learn karate and boxing; But without discussing men's behavior, it is certain that a program to prevent sexual harassment or rape centered on women alone will not work at all.

## **2.6 Risk of Vulnerable:**

Of course, there is widespread discrimination against women all over the world. According to the UN's Gender Social Norm Index released on March 5, "90% of the world's men and women have a negative attitude towards women. Gender inequality also exists in the world's economic activities. Women's participation in politics, education, health, etc. is not yet well established. Only 24% of the world's parliamentary seats are held by women and only 10% of 193 countries are headed by a woman. The wages of women in the labor market are much lower than those of men. In this case, it goes without saying that there is no position of women in the top position. Only 8% of the CEOs of the company are women and women have more working hours than men. 'There is a serious lack of women's safety in this country as well. So murder, rape, abduction, torture, etc.

are daily occurrences and at a massive rate. "Violence against women and children is growing at an alarming rate across the country," he told a daily on March 8. Rape has almost doubled in one year. On an average, more than 14 women are tortured every day. And more than 3 women have been raped. In the last 10 years, there have been more than half a million cases of abuse and rape of women and children. No one from upper class family to lower class family has security anywhere. However, in the wake of a writ petition, on May 14, 2009, the High Court issued 11 specific directives to prevent sexual harassment and ensure safety in the workplace and in educational institutions. It calls for separate laws to prevent sexual harassment. But that law has not been made yet! According to a research report published last September, 8% of women who use social media on the Internet are victims of cybercrime. Of course, not all incidents of violence against women come in the media. So the actual facts are more. But even a few days ago, there were widespread incidents of eve-teasing and acid-throwing in the country. But these crimes have been reduced due to the provision of severe punishment in these cases and punishment of the culprits through speedy trial. In the case of murder, rape, abduction, torture, etc., it is certain that these crimes will be greatly reduced if the system of speedy justice is provided by providing severe punishment. Meanwhile, the child marriage rate is around 80%, which is the highest in the world. The number of divorces in the country is also huge. It is more because of not being able to pay dowry. There are also various tortures. But this practice is forbidden in the country. But still it is in force. This situation is going on due to improper implementation of the relevant laws and it is more prevalent among the middle class and lower class. Again, this divorce is also among the upper class and the highly educated and the earners and women are the pioneers in it, according to a recent survey report. Most of them are known as progressives. They are against the blows and blows of the world and joint family system in the name of women's rights. They are self-centered. So after the marriage, they left the joint family and formed a separate family. As a result, many elderly parents have to live in extreme hardship in the old age home. This condition is also present among the poor. Many of them go begging. Again, many modern women are more attracted to extramarital affairs, which is called live together. Their mentality is my body, my decision - which is contrary to religious principles and social norms. Again, many women are involved in various crimes. On the other hand, the rate of violence against women by women is also high in this country. More than men in particular. The same is true of inequality. Most mothers give more importance to their children than to their children. That is where the seeds of inequality germinate. On the other hand, women are used as products in different cases. In this case too many women play a leading role.

However, the number of women and men is almost the same in every country. So the more women are empowered in that country, the more developed that country is. In this country also half of the total population is women. Secondly, the women of this country have made special contribution in the great language movement, in the mass uprising of '69, in the great war of independence, in the establishment and development of democracy. In addition, the constitution of the country has

spoken of equal rights for men and women. The 5th goal of SDG is equality between men and women. After all, in a family where housewives are educated, the children of that family are educated. And the women of the family who earn money, the family is financially well-off. Therefore, for the overall and sustainable development and peace of the country, the necessary education and empowerment of women is essential. In addition, the safety of every woman needs to be ensured, child marriage needs to be stopped and discrimination needs to be eliminated. On March 8, various labor organizations demanded that the government sign the ILO Conventions 102, 189 and 190 to ensure social security for women, effective protection and development of domestic workers, protection of sexual harassment and violence in the workplace. Which is the opinion of experts. It is the responsibility of the government to do all this. Besides, it is necessary to build a social movement in the country to establish women's rights. In this case, men need to play a leading role. Because, men and women complement each other. On the other hand, men cannot resist the progress of women if they have their own qualifications, interests and devotion. Women have achieved their best place in their merits and devotion. Therefore, it is not permissible for women to sit on the jigi of patriarchal society. We have to try to establish our rights and succeed in it.

### **2.7 Violation of Human Rights:**

Women are being subjected to various forms of oppression, torture and harassment, both at home and abroad, in the workplace and in schools. 8 out of 100 women are abused in their families in one way or another. Rape, gang rape and other forms of torture against women are on the rise. This is where the question of human rights comes to the fore. Various crimes can happen in a society. But what is the role of the state in remedying that crime, providing protection to the citizens and holding the perpetrator accountable? It is clear from the statistics of violence against women, how obvious is the failure of the state!

The branch of human rights that is being debated all over the world is women's rights. Women's rights are no different from human rights. All aspects of human rights apply to women's rights. There are laws on women's rights in the global context. There are international laws and charters. Almost every country has its own laws within national boundaries. That law is sometimes recognized by the constitution and somewhere else by special law. In the international context, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has been adopted to protect women's rights. Different countries of the world including Bangladesh signed this charter. It is an international document and commitment. Bangladesh has not fully accepted this yet. Despite repeated promises by the government in the international arena to accept this, it has not seen the light of day.

There are many laws and policies in Bangladesh to implement women's rights. But due to low implementation of laws, women are being victimized by dowry, domestic violence, acid terrorism, discrimination in the workplace and deprivation of property. Hundreds of thousands of cases related to women are pending in the Women and Child Abuse Court, Family Court and Criminal Court. Women are being deprived of their fair share as these cases have not been settled year after year. Women's empowerment has not increased at the grassroots level. Although women have come forward in the field of education, women are still lagging far behind in higher level workplaces. In many countries of the world, women's rights have been guaranteed on the basis of constitutions. If necessary, they have amended the constitution or the existing law. Therefore, the establishment of women's rights requires the application of the law and the spread of a positive social attitude. The state has to play a leading role. Without the establishment of women's rights, the establishment of human rights is not possible, the empowerment of women and the people is not possible.

In the reality of Bangladesh, people are still being discriminated against for various reasons. Minorities, indigenous Bengalis, men and women, especially women are still being discriminated against. There can be no such inequality in any civilized society. It is unconstitutional. It needs to be eliminated. In Bangladesh, a law was supposed to be enacted to eliminate inequality among different levels of people, but after going to the ministry, the law was not passed in the end. The law makers of the country are responsible for this.

Although the first principle of the constitution speaks of religious neutrality, there is self-contradiction. Ensuring the right to security is the most important thing for the citizens to lead a smooth and beautiful life. According to human rights, one must live and let others live. There can be nothing bigger than this in the case of human rights. Arresting, torturing, decriminalizing and extrajudicial killing of any citizen outside the provisions of law in the country is a violation of human rights. According to the constitution, it is the responsibility of the state to ensure the security, civil rights, freedom of speech and justice of all the people of the country. Violation of Human Rights :

### **2.8 Access to energy resources:**

According to the United Nations 'World Economic Situation and Prospects 2020', 'Bangladeshi women are lagging behind women in high-income countries in terms of hard work and earning. In Bangladesh alone, women earn more than men (4.6%) per hour (4.6%) out of 64 countries in the world.' For example, women tea workers in 18 tea gardens in Habiganj's Chunarughat get 102 rupees a day. For this they have to work for a total of 8 hours. And male workers work 3-4 hours.

But in both cases the remuneration is equal. Secondly, women do not get that money in their own hands. The money is withdrawn from the garden authorities on behalf of the women workers by their husbands or male representatives of the family. In addition, although male workers are promoted to chiefs, female workers are not usually promoted. Besides, women workers also admitted to deprivation during maternity leave, a daily published on March 8 said. This situation exists in all the informal sectors of the country including tea gardens, agriculture, construction. In addition, most of the country's private sector women workers do not get maternity leave. But it is on all over the world. In addition, in many lands, men, like women, receive paternity leave. On the other hand, despite government provisions, most workplaces in the country do not have child care homes. Which is extremely harmful to the health of the baby and the mother. Most of the women in this country are also deprived of ancestral resources. Economist said. According to a research report conducted by Abul Barkat, 'rural women own only 2.4% of the land in the country.' Even their productivity is not related to GDP. This did not happen even after some ministers repeatedly said so. But if this is done, the amount of GDP of the country will increase a lot. It has been done all over the world. However, the contribution of women to the country's GDP is about 40%. According to the CPD research report, women's unaccounted for work is equivalent to 6 percent of GDP.

## **Chapter Three**

### **Legal Instrument in relation with The Women's violation**

#### **(Domestic Laws)**

### **3.1 Constitutional Guarantees**

Subsections 28.(1) through 28.(4) of the 1972 Constitution of the People's Republic of Bangladesh guarantee the fundamental rights of women and forbid any form of discrimination on the basis of sex:

(1)The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.

(2)Women shall have equal rights with men in all spheres of the State and of public life.

(3)No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution.

(4)Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens (Blaustein Jan. 1993, 41).

Section 27 further states that "all citizens are equal before law and are entitled to equal protection of law," while subsection 26.(1) affirms that "all existing law inconsistent with [these] provisions...shall...become void" .

### **3.2 Muslim Family Law**

Despite criticism from some political parties and minority groups, on 7 June 1988 the parliament of Bangladesh passed a bill making Islam the state religion (Keesing's 1989, 36558; Xinhua 7 June 1988). The move was reportedly an attempt by the government to curry favour with the Muslim faithful and politically undermine the fundamentalist Jamaat-i-Islami (Keesing's 1989, 36558).

While Islam is the dominant ideology governing relations between women and men in Bangladesh, one observer notes that the country's geographic and historic isolation have made it resistant to the "divine, theocratic, centralist and establishment-based" version of Islam, linked to Arabic learning and oriented to the Middle East, practised for instance in Pakistan (New Left Review Mar.-Apr. 1988, 96).

This fact partially explains the low support in Bangladesh for the type of fundamentalism characterizing state policy towards women in other Islamic countries, and has helped frustrate any systematic attempts to curtail women's rights in the name of Islam (ibid.; Kabear Oct. 1989, 2).

### **3.3 Civil Law**

In an effort to protect women's rights and elevate their standing in society, the government has introduced and amended several pieces of legislation (Khan 1988, 20; United Nations 11 Apr. 1986, 8). Among these are the Child Marriage Restraint Act of 1929, the Dowry Prohibition Act of 1980 (amended in 1982), the Cruelty to Women (Deterrent Punishment) Act of 1983 and the Family Court Ordinance of 1985 (amended in 1984) (ibid., World Bank 1990, 21).

### **3.4 The Child Marriage Restraint Act**

The 1984 amendment to the 1929 Child Marriage Restraint Act raised the minimum age of marriage from 16 to 18 years for females, and from 18 to 21 for males. Section 4 of the amended act provides punishments for any individual (male or female) above the legal age of marriage who marries a person below the legal age (Khan 1988, 20; United Nations 11 Apr. 1986, 10-11). At least one source notes that the average age of marriage for females has risen to 17.6 years (Naripokkho Oct. 1992, 14), but others suggest that the amendment is not being effectively enforced, particularly in rural areas where it is still customary for females to marry at 15 or 16 years of age (Canada 1992, 11; Wilson-Smillie Feb. 1990, 4). The Coordinating Council for Human Rights in Bangladesh (CCHRB) indicates that girls as young as six or seven are being married to boys of nine or ten years by parents confronting poverty (CCHRB Mar. 1993, 69).

### **3.5 The Dowry Prohibition Act**

The Dowry Prohibition Act, enacted in 1980 and amended in 1982, makes the giving, taking or demanding of a dowry an offence punishable by fine, imprisonment of up to one year or both (United Nations 11 Apr. 1986, 8-9; World Bank 1990, 21). However, according to the International Women's Rights Action Watch, an international network monitoring the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women, the Dowry Prohibition Act "is so contrary to social norms and practices that it is simply ignored" (Dec. 1992, 2). Aisha Khanam, a prominent woman activist, feels that the act has served as a deterrent and has created some awareness of the problem, but adds that "it has failed to come up to expectation due to lack of administrative support, lack of clarity in the legislation and social bias against women"

### **3.6 Cruelty to Women Act**

The 1983 Cruelty to Women Act, also known as the Deterrent Punishment Act, reiterated certain offences that were first defined in the Penal Code of 1960, and strengthened the penalties for infractions (World Bank 1990, 20). The act made the rape, sexual exploitation for gain, abduction, kidnapping or attempt to cause the death of a woman, offences subject to life imprisonment or death (Wilson-Smillie Feb. 1990, 4; United Nations 11 Apr. 1986, 9-10). In September 1992 the government also brought in the Anti-Terrorism Ordinance, which provides stiff penalties for the abduction or harassment of women, among other offence.



### **3.7 The Family Court Ordinance**

The Family Court Ordinance of 1985 set up a system of family courts at the upazila (county) level, providing for the legal redress of cases involving marriage, divorce, dowry and the maintenance, custody and guardianship of children (Wilson-Smillie Feb. 1990, 4; Khan 1988, 20; United Nations 11 Apr. 1986, 17-18). Although the system has reportedly speeded up the disposition of such cases (Khan 1988, 20) and "has been helpful for women in getting justice" (United Nations 8 Apr. 1993, 38), most women lack information about their legal rights, and together with the social stigma attached to taking these issues to court, this has limited the ordinance's effectiveness (Wilson-Smillie Feb. 1990, 4). Another source notes that the ordinance only affirms the unequal treatment accorded men and women: "while a husband does not need to go to court [to obtain a divorce], a wife must litigate in this forum, which calls for an unnecessarily long procedure" (World Bank 1990, 21). Even if the court rules in favour of the litigant, the judgement still requires validation from the offices of the local government. The source further notes that this procedure is "not an improvement since women already had to seek dissolution of their marriage in court under the [Muslim] Family Law Ordinance of 1961"

## CHAPTER FOUR

### International Instruments

#### 4.1 CEDAW:

Women are agitating for their rights in all countries of the world. The global women's movement is being built around various international policies, including the CEDAW Charter. In this way, the women's movement is continuously accumulating energy.

Japan International Women's Movement and our National Women's Movement are identical; Isolation is not an event. The essence of these movements is to establish equal participation of men and women in all spheres of family, society and state to establish equality between men and women. The state has a special responsibility to change the patriarchal attitude as needed.

September 3 is International Seed Day. CEDAW is the United Nations Charter on the Elimination of All Forms of Discrimination against Women. On 16 December 1969, the UN General Assembly adopted the CEDAW Charter. Five years later, in 1984, the Bangladesh government approved CIDO. However, the protection has not yet been lifted from the two streams identified as the lifeblood of Sido.

As a result, although women's rights are recognized in the paper and pen, in reality it is not reflected. Although it is visible that men as well as women are trying to come up with tax stimulus in education, they are being persecuted in the workplace and in social life.

Due to backwardness in education and work in the underdeveloped parts of the world, women are not getting their due rights and are being persecuted in various ways. Violence against women is on the rise in various ways. According to a recent survey, 8 percent of women are being physically and mentally abused at home.

I am getting annoyed when I hear so many things to stop violence against women - meetings, seminars, round table discussions. It is as true; But what is the way to say no. If the same thing happens again and again or if its scale and ruthlessness continues to tear the society apart, if the existence of women is threatened and endangered, then what can be said? Although I know, there is no lasting cure for it for a long time. But it is not possible to stop fighting before the goal is achieved; The fight must continue.

## **CHAPTER FIVE**

### **5.1 Violence Against Tribal Women**

The evidence on rape has been corroborated by the Chittagong Hill Tracts Commission (CHTC), which has interviewed a number of women reportedly raped by army personnel between 1985 and 1990 (May 1991, 106-08). The women gave accounts of being gang raped by soldiers, sometimes in front of their children or families. Notes the CHTC, women live in continuous fear of rape. Some young women told the Commission that they are no longer able to wear their traditional dress. If they do, they run the risk of being raped. For their own safety they are forced to hide their tribal identity as much as possible. It is also too dangerous for them to leave their houses at night (ibid., 107). There are also accounts of Bengali settlers raping women during attacks on tribal villages (ibid.). Although the details are not yet clear, in one recent incident a Bengali boy may have been killed after assaulting a tribal woman. Amnesty International has received reports that as a result of the boy's death, over 200 people in Logang were massacred by a civilian defence force on 10 April 1992 (Amnesty International Apr. 1993, 25).

Because of the social stigma attached to rape, women who have been victims of rape may be rejected by their husbands or find it difficult to marry. As well, if the woman becomes pregnant and bears a child, she likely will be ostracized and will have to leave her community (Chittagong Hill Tracts Commission May 1991, 107)

### **5.2 Trafficking in Women**

The LHRLA notes that the agents of this traffic are extremely well organized, have networks in most major cities of the subcontinent, and have strong links to law enforcement agencies. In some instances women and children--usually very poor--are deceived with offers of better lives and jobs in Pakistan or India and are asked to pay a fee for this "service," while in others cases they are simply abducted from their homes or places of work (Apr. 1993, 1-4). These women are vulnerable to abuses such as sexual assault and have no recourse to legal action (CCHRB Nov. 1992, 79). Firsthand accounts and media and human rights reports on abductions and abuse abound (ibid., 80; Bhuiyan 1991, 42-43; LHRLA Apr. 1993, 5-60; Hotline Oct.-Nov. 1992, 4-5). In 1991 in Pakistan, at least 220 women and children were rescued from traffickers and about 50 traffickers were themselves arrested (CCHRB Nov. 1992, 80)

### **5.3 ALTERNATIVES AVAILABLE TO WOMEN**

In addition to the social stigma attached to leaving a marriage, the lack of economic opportunities in Bangladesh is another major obstacle confronting women who wish to leave abusive relationships. Huq states that while some women might consider returning to their natal home, this option is rarely encouraged by parents who in all likelihood are already living at a subsistence level, particularly when the fleeing woman has children. As a result, parents often encourage their daughters to tolerate domestic violence. A woman's options may be even more limited in cases where the natal home has been inherited by a son. She may choose to forego her share of the inheritance in the hope that her brother will take her in at some later date; however, there is no guarantee that the brother will shelter her, and if shelter is provided, more often than not she will be relegated to the position of "household helper" (Huq 11 Aug. 1993).

## **6.1 Conclusion:**

However, in many cases, the backwardness of women may not be seen as a fault, but as a virtue. There are no women in such political conflicts. There are no women in fights. Not in terrorist activities. Lately, however, women militants have been heard of. However, not all of these women have voluntarily become militants. Many are running this way under the influence of their husbands. In September last year, police raided a house in Azimpur and arrested three female militants. Their husbands were JMB militants. There are no women in extortion and occupation.

Snatching is the job of some people in the society. They make a living by snatching people's money and valuables. In this case too, women are lagging behind men. In addition, there are several other areas where women do not participate. For example, there are no women illegally extracting sand from the river. Their role in river occupation or pollution is not very noticeable. There are no women cutting down hills or mounds illegally. They also do not cut down forest trees illegally. Women are not seen occupying other people's land.

Women are relatively less corrupt or irregular in administration. In 2015, various ministries or departments punished 90 first and second class government employees for corruption and irregularities. 64 of them are men. The remaining 16 are women. As a percentage, it stands at 72 and 16 percent respectively.

We are not so sorry for the fact that in so many cases women have not been able to be equal to men. We do not want women to be equal to men in terrorist activities. I don't want Nick to take part in robberies and robberies like men. I don't want them to occupy rivers and canals. Let others occupy the land. I don't want to take sand from the river. I don't want them to cut the hill too. But not all men do that. The whole male society has to take responsibility for some misdeeds.

Among the men who are involved in terrorist activities, extortion, bombings, violence against women, rape, occupation of rivers, cutting down hills, etc., I say to them, all these are enemies of humanity and obstacles to progress. If their talents and labor were put to good use, the country would have improved even more. Let us build a humane society where there will be no occupation, coercion, etc. and equality between men and women will be established.

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