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## **Why is it so difficult for Bangladeshi women to get justice?**

***16 days of activism against gender-based violence.***

By Meenakshi Ganguly

HRW (25.11.2020) - <https://bit.ly/33CTZRs> - In 2015, Salma's husband and his parents held her down and poured nitric acid down her throat because they wanted more than the Tk 100,000 (USD 1,100) that her parents had already paid in dowry. For months since the wedding, her father-in-law had beat her repeatedly, demanding more. Salma went to stay with her parents to escape the abuse. But when villagers started gossiping about her broken marriage, her parents told her to return to her in-laws. When she said she was being physically abused, they told her "you just need to endure." Now, she is fed through a tube in her stomach.

Salma's story is disturbingly common in Bangladesh, where over 70 percent of married women and girls have faced some form of intimate partner abuse, about half of whom say their partners physically assaulted them. But the majority of women never told anyone about this abuse and only three percent take legal action.

In many cases like Salma's, survivors seeking help are turned away—by family, community, and the police—and can be in even more danger when forced to return to their abuser. When Salma tried to escape the violence, she was met with stigma and—with only a handful of government-run shelters in the country and limited access to support services—she had nowhere else to go.

Salma has fought for a legal remedy for over five years now, but to little avail. Her father, meanwhile, had a stroke and the family cannot afford to continue pursuing justice. The public prosecutor bringing the case told her that her in-laws were paying

more bribes so she "should pay more money." "That is how you will get justice," he told her. He too, of course, requested bribes, she said.

Every time they go to court to find out the status of the case, court officials, police and the prosecutor all ask for "tea and snacks costs," Salma said. Now she says she is telling her father, "You have been going to the courts for the last five years and nothing is happening. Let's just give up."

But there are concrete actions the Bangladesh government and donor governments can take now—during the 16 days of activism against gender-based violence—so that Salma and other women and girls seeking legal recourse never have to give up.

The 16 Days of Activism is an annual international campaign in which governments and activists come together to address violence against women and girls. It runs from November 25, the International Day for the Elimination of Violence against Women, until December 10, Human Rights Day.

The Bangladesh government should work with concerned donor governments, activists and the UN to conduct an audit of currently available shelters, disseminate this information, and commit to opening at least one shelter in each of Bangladesh's 67 districts by 2025. Shelters should remove restrictions that limit their accessibility, such as requiring court orders to stay there or restricting the presence of children. No woman or girl should ever have to "just endure" violence because there is nowhere else to go.

The law ministry should immediately create an independent commission to appoint public prosecutors to ensure their independence. Donor governments like the US that are involved in justice reform should ensure that training for public prosecutors and police emphasises working with victims of gender-based violence and consider joint training for prosecutors and investigating officers to improve coordination on cases of gender-based violence.

As Salma described, as cases go on for years, justice officials frequently demand bribes, making it more and more difficult to continue to pursue justice. This problem is exacerbated by a lack of transparency and accessibility of case information, given Bangladesh's 3.7 million-case backlog. Without a centralised filing system, cases get lost and survivors are forced to pay bribes to get court officials to find their case information and move cases forward. The German government led an impressive justice audit in Bangladesh and would be well-placed to spearhead a project to move case files into a centralised online filing system—gender-based violence cases would be a good place to start.

The Bangladesh government should ensure that legal aid is reaching women and girls in need and that they are aware of their rights. Last year, the national legal aid services organisation distributed funds to 2.5 times more men than women.

The law commission drafted a witness protection law nearly a decade ago—it should be passed into law in consultation with Bangladeshi women's rights organisations, and donor governments should support the implementation of a witness protection programme.

Violence against women and girls is so pervasive in Bangladesh, it is sometimes dismissed as unsolvable. For these 16 days of activism, the government and donors should listen to activists who are offering workable solutions.

***Here are 16 actions the Bangladesh government should take for the 16 Days of Activism against Gender Based Violence:***

### **1. Commit to creating at least one shelter for women and girls fleeing violence in each of Bangladesh's 67 districts by 2025.**

Shelter services are so limited that for most women and girls facing violence there is nowhere to go to escape abuse. The shelters that do exist often allow only short-term stays of a few days, and most shelters have specific criteria for who can use them, excluding some survivors from any access to shelter.

### **2. Pass a long-promised witness protection law.**

Bangladesh has no witness protection law, meaning that survivors seeking justice and those willing to testify on their behalf risk serious threats, intimidation, harassment, and even death. The Law Commission proposed draft legislation nearly 15 years ago but it has yet to move forward.

### **3. Replace the rape law with a law that sets out a comprehensive definition of sexual assault, recognizes all potential victims, and criminalizes as sexual assault any sexual act occurring without consent.**

The current legal definition of rape in Bangladesh specifically excludes rape within marriage and defines as rape only acts by a man against a woman, excluding men, boys, and transgender, hijra, or intersex people from protection. There is no definition of penetration under the law, meaning that cases of rape that include the insertion of objects or other parts of the rapist's body are more likely to lead to acquittal.

### **4. Repeal the newly passed death penalty for rape and instead work with activists to institute real reforms.**

The Bangladesh government recently passed an amendment to allow for the death penalty as punishment for rape, after widespread protests in response to several recent gang rape cases. There is no conclusive evidence that the death penalty curbs any crime, including rape, and it could end up deterring reporting or even encouraging rapists to murder their victims to reduce the likelihood of arrest. Instead, the government should carry out real reforms advocated by experts and activists.

### **5. Amend the Evidence Act to prohibit use of character evidence against rape survivors.**

Lawyers and rights groups have repeatedly called for the repeal of section 155(4) of the Evidence Act 1872, which allows defense lawyers in rape cases to defend their clients by showing that the victim was of "generally immoral character." This provision is a clear disincentive to victims stepping forward.

### **6. Make sure legal aid reaches women and girls in need.**

Survivors of gender-based violence are entitled to apply for free legal aid from the government. However, this aid is inaccessible for most survivors of gender-based violence. The national legal aid service said in its 2019-2020 annual report that legal aid was provided to over 2.5 times more men than women.

### **7. Pass an anti-sexual harassment law.**

Bangladesh does not have a comprehensive law governing sexual harassment. In 2009, the High Court issued a judgment providing detailed guidelines governing sexual harassment in all workplaces and educational institutions, but they are rarely followed.

The government should systematically monitor these sites to make sure that these guidelines are followed and finalize a draft bill on sexual harassment.

**8. Provide sufficient training to police, prosecutors, and judges on handling gender-based violence cases and hold them accountable when they mishandle these cases.**

Survivors of sexual and other gender-based violence who go to the police often face a refusal to file a case, bias, victim blaming, stigma, and humiliation. A women's rights lawyer told Human Rights Watch that "the police frequently have a negative attitude and don't believe the victim. A lot of police have no knowledge of how to handle gender-based violence cases." All justice officials should be adequately trained in working with survivors of gender-based violence and should undergo training on gender equality—and the government should provide a system to allow survivors mistreated by police to file complaints and ensure that their complaints are taken seriously.

**9. Better resource the Domestic Violence (Prevention and Protection) Act Enforcement Officer position.**

The act created an enforcement officer position for each upazila (sub-district) who is responsible for making applications to the court for protection orders, accessing legal aid, and referring victims to a safe shelter when necessary. However, enforcement officers are often severely overburdened and underequipped.

**10. Introduce mandatory comprehensive sexuality education classes in all schools including teaching about consent, gender equity, and healthy relationships.**

Violence against women and girls is so socially normalized in Bangladesh that survivors often don't feel they have any right to complain or seek help. Sexual violence is ubiquitous, as is the victim-blaming that follows. Schools have a crucial role to play in changing the attitudes of boys and girls and building a healthier and more equitable society. The government should develop a curriculum on these topics starting from a young age, with age appropriate material, and require it to be taught in all schools.

**11. Amend the Dowry Prevention Act, 2018 ensuring that it does not deter victims from reporting dowry demands.**

In September 2018, parliament passed a new Dowry Prevention Act, 2018. However, some aspects of the law may actually lessen protections for women. In particular, criminalizing dowry payments could deter reporting cases in which a bride's family is coerced into giving dowry through violence, the threat of violence, or other forms of pressure.

**12. Revise the Child Marriage Restraint Act to set the minimum age of marriage at 18 for women and men with no exceptions.**

In Bangladesh, 22 percent of girls marry before age 15 and 59 percent marry before age 18, the highest percentage in Asia and the fourth highest in the world. In 2017, as countries around the world cracked down on child marriage, Bangladesh took the extraordinary step of essentially re-legalizing child marriage by passing legislation permitting girls under 18, with no specified minimum age, to marry under undefined "special circumstances."

**13. Adopt and implement a comprehensive national action plan to end all child marriage.**

The Bangladesh prime minister pledged in 2014 to end child marriage and to create a national action plan toward that end. But the government has not published an action plan and there has been little progress toward ending child marriage, in spite of a United Nations Sustainable Development Goals target for all countries to end all marriage before age 18 by 2030.

**14. Create an online centralized filing system for all gender-based violence cases, and make relevant case information accessible to all parties free of charge.**

Bangladesh has a backlog of about 3.7 million pending legal cases. The government should work with donor governments to train judges and implement a centralized organized system for tracking court cases in order to reduce the backlog and increase access to legal information. The lack of transparency without an organized and accessible system for case files often leads to demands for bribes and other forms of corruption. Women seldom have proper access to information and legal counsel, leaving them particularly vulnerable to such corruption and abuse.

**15. Commit resources to expanding and increasing the capacity of Victim Support Centers.**

The Bangladesh police have eight Victim Support Centers to provide emergency shelter for a maximum of five days, and coordinate health care, legal advice, psychological counseling, and access to rehabilitation programs. However, they have limited resources and capacity. The Dhaka Metropolitan Police Victims Support Center has even published recommendations to improve its own capacity to reach and support victims, including increasing safe home facilities, but those are yet to be carried out.

**16. Ensure that One Stop Crisis Centers and Cells are available and that staff are properly trained to support survivors.**

The government created nine One-Stop Crisis Centers to provide social service support, immediate medical assistance, psychosocial counseling, and coordination with police and legal aid providers. But women's rights activists say the actual functioning of the centers varies and other service providers have reported instances of crisis centers and cells being inoperative or shut down. Activists said that some staff at the centers have been known to treat survivors with disbelief, stigma, and even discourage them from filing a case, particularly in cases of sexual violence.

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## **Bangladesh approves death penalty for rape after protests**

***Move comes after nationwide demonstrations sparked by series of sexual assaults.***

By Hannah Ellis-Petersen

The Guardian (12.10.2020) - <https://bit.ly/2H0T84M> - Bangladesh will introduce the death penalty for rape cases, after several high-profile sexual assaults prompted a wave of protests across the country in recent weeks.

Speaking to reporters on Monday, cabinet secretary Khandker Anwarul Islam confirmed that the cabinet had approved a bill ruling that anyone convicted of rape would be punished with death or “rigorous imprisonment” for life.

The death penalty amendment to the women and children repression prevention bill, which currently stipulates a maximum life sentence for rape cases, will come into effect on Tuesday, said the law and justice minister, Anisul Huq.

Last month, footage of a young woman being violently assaulted and gang-raped by a group of men in the south-eastern Noakhali district went viral on Facebook, after the video was released by the attackers to blackmail and shame the victim. Eight people have been arrested in connection with the case.

It led to an eruption of protests in the capital, Dhaka, and other cities at the failures to tackle the endemic problem of sexual assault and rape in Bangladesh.

“This truly disturbing footage demonstrates the shocking violence that Bangladeshi women are routinely being subjected to. In the vast majority of these cases, the justice system fails to hold the perpetrators responsible,” said Sultan Mohammed Zakaria, south Asia researcher at Amnesty International.

Outrage had already been mounting after several members of the Bangladesh Chhatra League, the student wing of the governing party, were arrested and charged with gang-raping a woman in the northern town of Sylhet a few weeks earlier.

Many of the protesters on Dhaka’s streets had called for stricter punishment, including the death penalty, and the crowds carried placards bearing messages such as “Hang the rapists” and “No mercy to rapists”.

However, Amnesty pointed out that the issue in Bangladesh was not the severity of punishment for rape, but a failure of the courts to bring convictions in rape cases and the victims’ fear of coming forward.

Naripokkho, a women’s rights organisation, found that in six districts between 2011 and 2018, only five out of 4,372 cases resulted in a conviction. Overall, only 3.56% of cases filed under the Prevention of Oppression Against Women and Children Act have ended up in court, and only 0.37% have resulted in convictions.

The problem appears to be worsening. Between January and September 2020, at least 975 rape cases were reported in Bangladesh, including 208 gang rapes, according to statistics gathered by human rights organisation Ain-o-Salish Kendra. In over 40 of the cases, the women died.

The UN also released a statement last week expressing its concern at the escalating cases of sexual violence against women: “The recent case of the woman from Noakhali that was circulated through social media has yet again underlined the state of social, behavioral and structural misogyny that exist.”

The statement said urgent reform was needed to “to the criminal justice system to support and protect victims and witness, and to speed up the slow trial process”.

In January, after a student at Dhaka University was raped, the government was ordered by the courts to form a commission to address the rise in sexual assaults and put together a report by June. The commission has yet to be formed.

## **Bangladeshi migrant female domestic workers face violence**

By Nayema Nusrat

Inter Press Service (28.11.2019) - <https://bit.ly/2PeBT0i> - Millions of Bangladeshi women are facing violence either as domestic housemaids or as migrant workers in Gulf countries. A few days ago, a video in social media, secretly filmed by a Bangladeshi housemaid employed in Saudi Arabia, caught everyone's attention where she was helplessly crying and begging to be rescued from her abusive employer.

A large number of women from Bangladesh leave their families behind and travel thousands of miles away from home with the hope to get better earnings and ensure a better future for their children and family. While many women realize their expected hope, others face a different reality – suffering through insurmountable cruelty and mistreatment by their foreign employers and find no one to turn to for immediate rescue.

Another extremely common form of violence is inflicted by not getting their due salaries as promised despite the hours of hard labor they provide.

In the video, this young woman Sumi was hiding in the toilet, crying for help and begging to be brought back home. She said, "I might not live any longer; I think I am about to die, please keep me alive, take me back to Bangladesh quickly", she said in "Bangla". In the video she stated that her owners locked her up in a room for 15 days and barely gave her any food. They burned her arms with boiling hot oil and tied her down.

She also alleged that she was sexually assaulted by her employers. "They made me go from one home to another. In the first home, they tortured me and hit me repeatedly and then took me to another one where I experienced the same". She was denied any medical treatment by her former employer.

Another very recent story of Husna, 24, surfaced in social media within just a few days of the Sumi incident, who also went to Saudi Arabia through a Bangladeshi broker agency called "Arab World Distribution". She sent a video message to her husband Shafiullah, begging for help to free her from the abusive work conditions – she had faced physical violence ever since her arrival there.

The contacts at the local broker agency in Saudi Arabia denied her of any assistance with derogatory words and attempted to hit her. In the video message to her husband she also describes how her owner turned crueler towards her since she expressed the urge to return home.

The recruiting agency in Dhaka demanded an additional 100,000 taka (USD 1178.11) from Akter's husband if she is to break the two years initial contract to work abroad, as he reached out to them for help.

Most Bangladeshi workers are recruited by "Dalals" (chain of sub-recruiters connected to the recruitment agencies in the country). Women who go for work to Saudi Arabia or other Middle Eastern countries come from very poor families in rural areas and are often duped by these "Dalals", realizing soon after they arrive for work. They often receive false promises of salaries of about 20,000 taka (USD 235) per month but rarely get written job contracts although it's a legal requirement.

These recruiters typically charge them a large amount of recruitment fee for arranging to work abroad. These poor women arrange money either by mortgaging or selling their properties or getting loans with a very high interest rate.

Rothna Begum, a senior researcher from Human Rights Watch (HRW) told IPS, "Most of these women are already in debt before they even started to work abroad, as the recruitment fees combined with loans with high interest rates keep accumulating".

These women workers are employed in Gulf countries under 'Kafala' immigration system. 'Kafala' is an employment framework in the six countries of the Gulf Cooperation Council (GCC) that require sponsorship from a national for migrant workers to be employed and reside in the country. The sponsor, either an individual or a company, possesses substantial control over the worker.

(The GCC is a political and economic alliance of six Middle Eastern countries— Saudi Arabia, Kuwait, the United Arab Emirates, Qatar, Bahrain, and Oman.)

Begum stressed on how the 'Kafala' system across the gulf countries make the domestic workers more vulnerable to abuse. She noted, "in the GCC states under the restrictive 'Kafala' immigration rule, migrant workers' visas are tied to their employers so they cannot change jobs without their employer's consent. Migrant workers who escape an abusive employer can be punished for "absconding" with imprisonment, fines, and deportation".

Human Rights Watch (HRW) interviewed hundreds of migrant domestic workers in GCC countries over the years, and almost all of them claimed that their employers had confiscated their passports, phones and restricted their communication.

Some women claimed that as they are typically already coming with so much debt, they feel trapped in exploitative situations, as they feel bound to stay to recoup their money and pay off debt.

Some brave ones risked their lives trying to escape by climbing down tall buildings or jumping off balconies. But those who escaped typically found little or no help from local police. Their employers accused them of criminal activities such as theft or absconding to the police.

HRW's Begum said "often domestic workers dropped any claims against their employers, in exchange for their employers dropping their own accusations, just so the women could go home. Others found the process of appealing for their unpaid salaries or filing criminal complaints prohibitively lengthy and costly, as they are not allowed to work for another employer during an appeal".

Ovibashi Karmi Unnayan Program (OKUP), a Bangladeshi Migrant Rights Group released results of a study with 110 returnees, where the number shows that majority had not been able to effectively or safely make money in Saudi; 86 percent among the women interviewed said their Saudi employers didn't pay their salaries, 61 percent said they had been physically abused, and 14 percent said their owners sexually abused them.

And returning home to Bangladesh doesn't necessarily guarantee they will still be safe from their 'Dalals'. Some who returned were beaten up by them for demanding the salaries as promised.

This year BRAC (Building Resources Across Communities), one of the largest Non-Governmental Organizations (NGO) in the world, released new figures showing that 1,300 Bangladeshi women had returned from Saudi Arabia in 2018 because of sexual and



physical abuse at the hands of their Saudi employers. They also said that this year alone, the bodies of 48 female workers were brought back from Saudi Arabia.

Nuri, another Bangladeshi woman who was tortured and worked without pay in the home of a Saudi family for two months told Thomson Reuters Foundation, "My 'Dalal' beat me up and broke my leg when I filed a case against him. I was in the hospital for 15 days. I stay with a friend right now, far away from my house because [the broker] lives nearby my place".

Nuri held her ground strongly to find justice and is determined about fighting the case in the court – "After he beat me up, I am not turning back".

Shamim Ara Nipa, a freelance social worker in Bangladesh told IPS, "most of the time these migrant workers do not have proper contact information to reach out to the country of origin agency or the embassy directly for help".

Nipa also noted that the Saudi Government had been helpful in repatriation of these migrant workers as long as Bangladeshi Government is cooperating. The Bangladesh Government typically steps in when the story of a worker gets highlighted via social media or group protest, such as the case of Sumi who is now in a safe place thanks to BRAC, Bangladeshi Government and it's Embassy in Saudi Arabia; but there are numbers of other similar violence cases in Gulf countries which never surfaced in mass media, therefore remained silent and unresolved due to lack of government intervention.

Although the Government admits that Bangladeshi workers face violence while working in Saudi Arabia, it rules out the idea of banning female workers going to Saudi Arabia.

Violence against Bangladeshi women workers is still ongoing at an alarming rate; Bangladesh should ensure that it provides the highest protection for its workers abroad, including by increasing oversight over its own recruiting agents, offering protection for its workers in host countries, and aiding workers in distress.

It's understandable that there are actions and policies that are pursued by the Government of Bangladesh and the United Nations; however, better outcomes are expected while the policies and actions are being implemented and monitored closely.

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## **Bangladesh's child marriage problem is the world's human trafficking crisis**

***Why fixing the second issue isn't possible without addressing the first.***

By Corinne Redfern

Foreign Policy (08.11.2019) - <https://bit.ly/36VwNxI> - First Papiya was forced into marriage at 12 years old. Then she was trafficked into sexual slavery.

Her story isn't unusual. It's echoed by tens of thousands of girls in Bangladesh, highlighting a link between child marriage and sex trafficking that should be impossible to ignore. The country with the highest rate of marriage involving girls under the age of 15 in the world, and where 150,000 to 200,000 children and young women have been trafficked into prostitution, the two forms of abuse are tightly intertwined. Traffickers prey on the vulnerable, and child marriage is what makes girls like Papiya vulnerable in the first place.

But international donors, policymakers, and even the U.S. State Department have failed to recognize this chain of exploitation, and that's slowing down efforts to address it.

Since March 2017, I have interviewed over 400 women trapped behind the walls of four brothels in Bangladesh, in an investigation that was funded by the nonprofit organization Girls Not Brides. Marriage is illegal for girls under the age of 18 (and boys under 21) in Bangladesh under the 1929 Child Marriage Restraint Act, although the law allows girls under 18 to marry under "special circumstances"—without establishing a minimum age limit, or clarifying what those circumstances must be. Half of the girls I spoke with told me that they had been married before the age of 18 and believed they had been trafficked into sexual slavery as a direct result.

Yet for all the obvious overlap, trafficking and child marriage in Bangladesh are viewed independently of one another by the U.S. State Department—and initiatives to end both are kept separate as a result. While child marriage is largely approached by nonprofit organizations through a lens of legislative lobbying and education as prevention, counter-trafficking efforts center on rescue, rehabilitation, and prosecution. Projects that work to prevent trafficking focus on unmarried girls who are still in school.

Approximately 52 percent of girls in Bangladesh are lost in the chasm between child marriage prevention and trafficking rehabilitation: coerced into marriage as children and left without the support they need to protect themselves and safely break out.

Papiya was still trapped in a brothel in the village of Kandipara when I first met her in March 2017. She told me how she fled her in-laws' house barefoot in the middle of the night, leaving her sandals by the door so that the slap of their soles on the stairs didn't wake her 22-year-old husband. As the sun rose, she spotted a rickshaw driver sleeping by the side of the road and begged him for help. He agreed with a smile, she remembered. Then he drove Papiya to a brothel and sold her for more money than he'd usually make in a month.

Now 17, Papiya has been trapped in one of Bangladesh's 11 government-registered, legal brothel villages ever since. Each one enslaves up to 3,000 women and underage girls in sexual servitude that can see them raped up to 11 or 12 times a day. Abdulla al-Mamun, the director of child protection and child rights governance at Service Civil International Bangladesh, says he receives reports of four or five children being trafficked to the country's largest brothel every month.

Reporting from inside these brothels never gets easier. As lines of men jostle through the entry gates and policemen patrol the brothel streets for signs of drugs or disorder, Papiya and her friends lie on their beds in windowless metal cells and self-harm in a last-ditch attempt at temporary escape.

None of the girls came here consensually. For some, it was their husbands who sold them to the brothels—each man opting to free himself from the constraining role of babysitter in a marriage in which his child wife might feasibly sleep with a teddy bear, and earning about 300,000 taka, \$3,500, in the process. But the majority of the girls shared the same story: like Papiya, they also refused to accept the life of sexual violence and abuse that they found themselves forced into in the name of marriage, and they were willing to risk their lives to escape it.

A few were picked up by traffickers as they attempted to make their way home. Others, like Rupa, Sony, Jinuk, crossed sunken rice fields and railway lines, only to find themselves rejected by their families for the social shame that accompanies a daughter who flees a life of exploitation. Within days, alone at a bus stop or a train station, each girl was approached by a man or woman proffering help and a place to stay for the night.

They were drugged and sold to the brothel before they could understand what was going on.

Despite such widespread evidence of child marriage as a precursor to sex trafficking, the connection is consistently overlooked. The Bangladesh National Women Lawyers Association has been working to provide legal assistance and shelter to abused women across Bangladesh since 1979, but staff say they have found themselves struggling to make international donors understand the crossover between underage marriage and modern-day slavery. Funding for their anti-trafficking work has increased since 2017, but little support comes for cases that involve domestic violence or girls who need to flee their marriage.

“It is hard to make our donors see that these problems are all linked,” said Towhida Khondker, the director of the lawyers association. “They are all forms of violence, and one can quickly lead to another.”

One agency with the influence to effect change is the U.S. State Department’s Office to Monitor and Combat Trafficking in Persons. Were they to take child marriage into consideration when assessing human trafficking in Bangladesh, local nonprofit organizations believe countertrafficking initiatives would likely be expanded to target the country’s most defenseless demographic: underage brides.

Since 2001, the United States has purported to hold foreign—often low- and middle-income—countries accountable for failing to adequately implement countertrafficking measures set out by the U.S. Trafficking Victims Protection Act, as established in 2000. It does so through the means of the Trafficking In Persons (TIP) Report—a controversial but vastly influential lengthy annual assessment of the response to trafficking in 187 countries, ranking them across four tiers: Tier 1 being the most successful at countertrafficking efforts, followed by Tier 2, Tier 2 Watch List, and finally Tier 3.

Countries considered not to be making sufficient efforts to combat trafficking are classified within Tier 3 and are subject to sanctions on U.S. aid to their governments, which are theoretically restricted to activities that are unrelated to human trafficking and its root causes. The U.S. State Department is then required by law to work with them to develop a more effective countertrafficking strategy going forward.

This year’s report, released in June, saw 21 countries fall within Tier 3, including China, Belarus and South Sudan. For the third year in a row, Bangladesh was assigned Tier 2 Watch List status—a ranking explained in part by researchers as a repercussion of the sudden influx of over a million Rohingya refugees since 2016, and accompanied by 13 recommendations for improvement.

In 18 years of research and assessment, there has never been any mention of child marriage in Bangladesh’s TIP profile. Yet the State Department is clearly aware of the implications that early marriage can have on a girl’s safety: in this year’s report, they referenced child marriage as a contributing factor to girls’ vulnerability to sexual exploitation and trafficking in both Syria and Iraq.

Human rights advocates say that if the State Department viewed child marriage in Bangladesh as a form of trafficking or an enabler of trafficking, then it’s possible that the country would have received different recommendations, or even a different grade. Were that the case, the incentives for the Bangladeshi government to end child marriage and develop comprehensive child protection legislation would be considerable.

“The Bangladeshi government takes the TIP report very seriously,” said Liesbeth Zonneveld, the chief of Winrock International’s Counter Trafficking-In-Persons Project,

adding that both Bangladesh's secretary of home Affairs and foreign secretary have already shown a demonstrable commitment to implementing the State Department's 2019 recommendations. Zonneveld doesn't know why the United States refuses to consider child marriage as a form of trafficking and to include it in the TIP report accordingly. "The U.S. says there are 25 million global victims of human trafficking, whereas most of us would include forced marriage in that and say there are 40 million," she said.

Funding for programs that address child marriage as a root cause of trafficking would also be easier to access, said Talinay Strehl, the program manager for the Dutch anti-trafficking nonprofit Free a Girl. "Our donors respect the information included in the TIP Report," she said. "If we were able to show them that child marriage was referenced, it would probably be easier to get financial support for prevention projects that work with victims of child marriage." Free a Girl does not currently run any anti-trafficking projects that target girls forced into early marriage, but Strehl acknowledges that they're a high-risk demographic. "Right now, we just don't have the resources," she said.

Until the U.S. State Department acknowledges the role of child marriage in rates of trafficking in Bangladesh, and organizations on the ground are able to incorporate the victims of child marriage into their countertrafficking efforts, those working with trafficking survivors say girls growing up across Bangladesh will remain trapped at an alarming impasse: stay with your husband and endure sexual violence in the name of marriage, or run away and risk being sold into sexual slavery without hope of escape.

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## **Bangladesh bride walks to groom's home in stand for women's rights**

By Sanjana Chowdhury

BBC News (25.09.2019) - <https://bbc.in/2m5rJ7B> - When 19-year-old Khadiza Akter Khushi led hundreds of people to the home of her soon-to-be husband, she didn't do it for her guests.

She did it for all the Bangladeshi women she hoped would follow in her footsteps.

The walk is thought to be a first in a country where, for centuries, the opposite has happened: men have walked to the homes of their brides on their wedding day.

"If boys can bring girls to marriage, why can't girls?" she asked BBC Bengali in the days after her wedding to Tariqul Islam had gone viral.

But it has both inspired and horrified. One man suggested the couple and their families should be beaten with slippers.

For Khadiza and her husband it was, quite simply, the right thing to do.

"Tradition is not the issue here," she told the BBC. "It is a matter of women's rights. Today, if a girl goes to marry a boy, then no one is harmed.

"Instead, abuse of women will decrease, women will get their dignity. No one will be less than the other."

The couple were aware of the resistance to the marriage, held in a rural region next to the border with India last Saturday. Even members of their own families were not initially keen.

But Tariqul, 27, says they eventually came around. After all, they were doing nothing wrong.

"Many marry in court, many marry in the mosque. We were married according to religion," the newly-wed explained.

"There was a Kazi [marriage register], witnesses. That's how the marriage was registered. That's the formality of marriage. That's exactly what we did.

"It doesn't matter what people think, what they say. Some people will think differently, everybody is entitled to their opinion."

### **An ancient tradition turned on its head**

According to tradition here, the groom and his relatives go to the house of the bride, where the marriage and celebrations will take place, before the bride says goodbye to her family and goes to her husband's house.

It has happened like this since ancient times.

But in Meherpur, a district in western Bangladesh, something unique has taken place: here, the bride came with her family to the groom's house to marry, and afterwards the groom moved to the wife's home.

The significance of this cannot be understated: for many men, this would be considered humiliating. Some people would even call it outrageous.

This wouldn't even happen in the cities of Bangladesh, let alone a small village. This couple have started out their married life showing great courage.

Despite their confidence, it was a brave decision. Bangladesh has made great strides towards equality in recent years, and is the highest ranked country in South Asia when it comes to gender equality, according to the World Economic Forum.

But serious issues remain. The death of Nusrat Jahan Rafi - who, at 19, was the same age as the bride - made headlines around the world. She was allegedly burned alive after filing a complaint for sexual harassment against her headmaster.

Meanwhile, the United Nations says around two-thirds of women who marry will experience violence at the hands of their partners, with half reporting assaults in the last year.

And while the position of women is improving in areas like education, marriage laws in the Muslim-majority country have been criticised by women's rights groups as restrictive and discriminatory.

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## **Rohingya women, girls being trafficked to Malaysia for marriage**

***Al Jazeera reveals how refugees in Bangladesh camps are vulnerable to proposals from single Rohingya men in Malaysia.***

By Kaamil Ahmed

Al Jazeera (08.05.2019) - <https://bit.ly/2vJ8Qsp> - Senwara Begum travelled for two weeks by road and boat, over mountains and along rivers, guided only by a trafficker she feared, before she reached Malaysia to marry a man she had never met.

The journey was a blur of borders and landscapes unknown to her and it started in Bangladesh's Rohingya refugee camps, where she was born 23 years earlier and where there is increasing concern about the number of young women and girls being smuggled across borders to marry Rohingya men abroad.

The Kutupalong settlement in Cox's Bazar, from where the women are plucked, grew into the world's largest refugee site in 2017, after a Myanmar military operation described as "genocidal" by the UN targeted the majority-Muslim minority.

The overcrowded camp lacks security for women, who live in shelters composed of simple plastic sheeting on bamboo frames; there is little privacy.

According to Rohingya activists and rights groups, dozens of women are now regularly arriving in Malaysia to marry Rohingya men, reviving a form of transnational human trafficking that once moved thousands of Rohingya a year.

"We travelled by land, occasionally changing cars. We started in the camp and went up to the Indian border, then we headed to Malaysia. There were three of us: another woman and a man - the trafficker," Begum told Al Jazeera. "I didn't know the trafficker, so I was scared of being harassed by them. I've heard stories before about traffickers raping women, sexually harassing them and beating people, so I was scared."

The marriages and travel are often arranged by Rohingya men, previously smuggled into Malaysia themselves but usually unable to marry local women.

Without documentation, they are unable to travel back to Myanmar or the refugee camps in Bangladesh to get married, so send proposals through friends and relatives and make arrangements for marriages that do not involve much consent from the girls.

Several Rohingya refugees in Bangladesh described similar journeys taken by relatives and in-laws in the past year that involved road trips that could take months and passed through Myanmar's mountainous north.

Some of the trafficked women were among the remaining Rohingya families in Myanmar and had to enter Bangladesh, from where the traffickers operate, only to re-enter Myanmar at another point, one less militarised than their native Rakhine State.

Fortify Rights recently urged Malaysia to address child marriage, drawing on evidence from 11 interviews with child brides or their relatives in Bangladesh and Malaysia.

"One recent route documented by Fortify Rights is a complicated land route from Myanmar to Bangladesh, India, and then into Chin State in Myanmar and through the cities of Mandalay and Yangon, eventually crossing the Myanmar-Thailand border and later into Malaysia," said John Quinley, a researcher with Fortify Rights.

"Rohingya refugees in Cox's Bazar have few options. They cannot work and have no formal access to education. Rohingya refugees in Bangladesh fear forced repatriation or

relocation to the island. All these push factors could lead to a real uptick in Rohingya families - including girls - moving to Malaysia, some for child marriage," said Quinley.

Until 2015, a network of human traffickers transported Rohingya to the jungles of southern Thailand, where the refugees were held for ransom before they could be smuggled into Malaysia, where many believed they could find more freedom to work and live than in Bangladesh or Myanmar.

That vast network has been dormant since Thailand uncovered 139 mass graves at some of the trafficking camps along the border with Malaysia.

Since the 2017 influx into Bangladesh, attempts by traffickers there to smuggle Rohingya by boat have been stopped by the Bangladeshi coastguard.

In the past year, however, there has been increased movement of Rohingya, mostly through long land routes from Bangladesh.

A Rohingya activist in Thailand, who requested anonymity, told Al Jazeera it is impossible to know exactly how many Rohingya are entering Malaysia, but that there is now a constant flow of people.

The activist showed this reporter photos of young women and girls who were arrested by Thai authorities in February, saying that they were caught in a safe house after neighbours reported them.

Al Jazeera will not publish these images, in order to protect the refugees' identities.

Hamida, 30, lives in the Bangladeshi refugee camps near Myanmar.

She said her Malaysia-based son arranged a marriage that brought a 15-year-old girl from Myanmar to Bangladesh, where the girl stayed with the family before travelling.

"She was scared about the journey but what could we do about it? It had all already been arranged," said Hamida.

"From Bangladesh, they went to the Indian border and had to walk for many days. Then, they got to Thailand and took buses and cars until they got to Malaysia," she said. "It took nearly three months and the girl became so skinny from the journey."

Hamida's son had been in Malaysia for several years when he organised the marriage through friends.

Begum's marriage was arranged through her brother Zakir Hossain, 29. He was already living in Malaysia and now shares a home with his 17-year-old wife - who he also brought to the Southeast Asian country from a refugee camp in Bangladesh, as well as Begum and her husband, in a Kuala Lumpur suburb.

He said Rohingya men take these measures to get married because they have no other options in Malaysia, where most work undocumented as labourers or in factories.

"We're scared about the traffickers but we can only leave it with God. We don't want to hire traffickers but we have no options," he said.

Chekufa, who has organised hundreds of Rohingya women across the camps into a network of volunteers, blamed economic challenges for the rise in trafficking and child brides.

"Many child marriages are happening because the monthly rations are not enough and there is no source of income," she said.

Concern over food rations was also reflected in a monthly report on the challenges faced by refugees produced in March by the NGOs Translators without Borders, Internews and BBC Media Action.

Refugees complained about smaller rations, saying they were often contaminated with rocks and other materials.

Chekufa said these worries have seen some families marry their female relatives off because it meant one less mouth to feed.

"We have to talk more to the parents to stop these early marriages. Sometimes, we have to promise them: 'We will try to support you with our own contribution, but please don't marry her before her time'."

Meanwhile, a combined lack of opportunity and security keeps many teenage girls locked inside their homes, with families saying they fear the attention women attract in the crowded camps.

Khaleda, 40, said her family received a proposal from a Rohingya man in Malaysia in 2018 to marry her 14-year-old daughter, but have not gone ahead with it because they cannot raise enough money.

Though these arranged marriages forgo the traditional dowry paid by the families of brides to men, in many cases they still pay half of the trafficking costs.

Khaleda says she would prefer to have her daughter married locally but would have to pay an expensive dowry.

The camps offer almost no education, so her daughter sits inside all day, where Khaleda believes it is safest for her.

In their dark shelter, the girl says little about the matter. Eventually, shyly, she admits she would prefer to stay with her parents.

"When the person came to us, my only thought was that I would follow what my parents tell me to do," she said.

Begum said she was aware of the risks but also feared a marriage in Bangladesh.

"In the camp, lives are difficult. Women don't have peaceful marriages. Men get married a few times and the women are not protected," she said, adding that several women have been abandoned by husbands who re-marry while others suffer domestic abuse.

She said the idea of living in Malaysia at least offered her the chance to escape the crowded camp she was born into, but she was still concerned.

"I was worried because I didn't what kind of man my husband would be. I was born in Bangladesh and he was born in Burma, so there could've been cultural differences. I didn't know whether he would be good or bad," she said.

Fortify Rights have documented cases of girls who have been abused by their husbands in Malaysia. Their research, conducted with the Rohingya Women's Development Network



run by Rohingya refugee Sharifah Hossain, said many women were denied freedom to move, work or attend school.

"Some of the Rohingya child brides my colleagues and I at Fortify Rights have spoken with are in slavery-like conditions and in situations of domestic servitude," said Quinley. "A Rohingya girl told me she did not want to marry young but had no other choice."

Begum, who is six months pregnant, said accessing medical treatment can be difficult because they are not registered by the UN's refugee agency, UNHCR, and Malaysia is not a signatory to the 1951 refugee convention.

She has spent much of the past few months sat inside her home, scared to leave after being detained by immigration police who she says later released her after her husband raised money to pay them off.

"Here, you are not safe," she said. "I miss my mother a lot."

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## **From sports to work, Rohingya women face new roles in world's largest refugee camp**

VOANews (11.02.2019) - <https://goo.gl/E1BLrR> - On a blue mat in their mud and bamboo home in the middle of the world's largest refugee settlement, Mohammad Selim is pacing his 9-year-old daughter Nasima Akter on her taekwondo drill.

As a local taekwondo champion in his Rohingya district in Myanmar before fleeing to Bangladesh 18 months ago, Selim dreamed of making a career of his sport but now he is hoping that his daughter can instead follow that path.

He said in Myanmar it was impossible to teach her, as taekwondo was considered improper for girls and he didn't have time, but their flight to camps near Cox's Bazar in southeast Bangladesh has started to change his society's rules for women.

For women and girls make up about 55 percent of the 900,000 plus mainly Muslim Rohingya living in about 34 sprawling, crowded camps in the settlement and they are needed to work or to run households as many have lost their husbands.

"I want my daughter to learn taekwondo and one day represent us as a champion," Selim, 35, told the Thomson Reuters Foundation via an interpreter watched by his wife and three other younger children in their tidy, two-room shelter.

"Our society is conservative and we prefer covering our women but in taekwondo you are covered so people can't question a girl participating. We practice inside to not get criticized but many people regret they cannot teach their daughters."

With most Rohingya now in Bangladesh for 18 months and life starting to become more routine in the camps, Selim is not the only one breaking away from the Rohingya's previous lifestyle, where women rarely left the house and were segregated from men.

He is hoping to get approval to teach taekwondo to other girls in the camps where children do not have access to a formal education but can attend learning centers until about age 14.

More than 730,000 Rohingya have fled Buddhist-dominated Myanmar since August 2017 to escape a military offensive the United Nations called "ethnic cleansing" of one of the world's most oppressed people, joining others already in Bangladesh.

The chance of returning soon to Myanmar looks remote, with Bangladesh vowing to only repatriate volunteers.

The U.N. special rapporteur on human rights in Myanmar, Yanghee Lee, said in late January it was clear they cannot return "in the near future" with the situation in Myanmar unchanged.

Myanmar has denied most allegations of persecution.

### **Women-only areas**

Aid agencies and non-government organizations (NGOs) working alongside Bangladesh's government in the camps were aware from the outset that women and girls were vulnerable to sexual and other violence, both on their journey and in the camps.

To address this, they have set up women-only projects and committees to encourage women to get involved in the community as well as counseling services for those who faced abuse.

But not all Rohingya men used to a conservative Islamic lifestyle are happy to see women taking on new roles and making decisions, adding to the risk of domestic violence which aid groups said is on the rise in the camps as time goes by.

"Some men say it is a sin for women to work because in Myanmar we never worked," said Nuran Kis, 40, a Rohingya mother of eight, who is teaching others to sew in a women-only center.

"My husband supports me though because we need money and want to survive," she told the Thomson Reuters Foundation, sitting cross-legged in her two-room home on a hill overlooking Balukhali camp, a maze of dirt roads and makeshift shelters.

Shameema Akhter, who co-ordinates eight women-friendly spaces in Balukhali camp for BRAC, Bangladesh's largest NGO, said some men were initially reluctant to allow women and girls to come to these centers but gradually that was changing.

She said they ran craft sessions for the women and girls, taught them to sew, talked to them about the risk of rape, human trafficking, and child marriage, how to manage hygiene, and provided one-on-one counseling for anyone abused.

Akhter said when they arrived many girls were given sanitary pads, but had no idea how to use them and cut them up as face tissues while handouts of cereal, a food item not known to the Rohingya, were sold at markets for a fraction of the real value.

Most of the Rohingya are illiterate, having had limited access to education — and healthcare — in Myanmar's Rakhine state where they were refused citizenship and free movement.

"Many of the girls were depressed and traumatized about being raped or being forced by their families to get married and very shy," Akhter told the Thomson Reuters Foundation in the group's center decorated with brightly colored paper cutouts.

"But now they want to come here and learn skills that might help them and their families in the future."

### **Limited work**

Under Bangladesh government rules, Rohingya cannot take formal employment, but they can join cash-for-work schemes run by NGOs in the camps to earn about 400 Bangladeshi taka (US\$5) a day — and some women have taken roles previously only for men.

Dola Banu, 35, is one of the women building roads and other infrastructure under a Site Maintenance Engineering Project (SMEP) run by United Nations agencies International Organization for Migration (IOM), World Food Program (WFP) and UNHCR.

"This is the first time I have ever done any kind of work like this," Banu told the Thomson Reuters Foundation via an interpreter during a break from carrying bricks for a new road.

"I like this work and want to keep doing it as long as I can to support my family," said Banu, who is raising her four children as a single mother after her husband died.

Aid workers said these new roles were giving women more confidence and more were willing to take leadership roles in the community so they could raise issues such as the need for more lighting by latrines, where women fear being attacked at night.

"This is a group going through forced societal change and women are finding new forms of confidence," said Gemma Snowden, a WFP spokeswoman based in the beachside town of Cox's Bazar about 40 km (25 miles) from the nearest of the camps.

She said a key barrier for female-led households was childcare so they planned to launch mobile child care and boost self-reliance by teaching women skills such as growing vegetables, sewing, and even repairing mobile phones.

Some help has come from outside the settlement as well.

Launched late last year, the Testimony Tailors website lets users fund and pick garments to be made by about 40 female Rohingya, with finished items donated to refugees in the camps.

Jamila Hanan, a British-based manager at #Hands4Rohingya, which supports the project, said all the women and girls involved in the project were aged between 15 and 40 and survivors of rape or massacres.

Many had witnessed family members being killed "This cooperative is them helping themselves... It has been incredible to see them supporting each other," said Hanan.

While some Rohingya are struggling to accept women's new roles and projects such as encouraging girls to play football, for others like Nasima Akter, the changes are part of adjusting to life in the camps for the foreseeable future.

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## **Bangladeshi law proposing child marriage in "special cases" is a step backwards – charities**

***The proposed law would permit child marriage in "special cases"***

By Nita Bhalla

Thomson Reuters Foundation (13.01.2017) - <http://tmsnrt.rs/2jxMRzO> - Bangladesh will be taking a step backwards in efforts to end child marriage if parliament approves changes to a law which would permit girls below 18 to be married in "special cases", a global alliance of charities said on Thursday.

The poor South Asian nation has one of the highest rates of child marriage in the world, despite a three-decade-old law which bans marriage for girls under 18 and men under 21.

Girls Not Brides, a coalition of more than 650 charities, said Bangladesh's parliament was expected to consider the proposed change to the Child Marriage Restraint Act. This is expected to take place in the next session beginning Jan. 22.

Girls Not Brides in Bangladesh said the proposed change was "alarming" and a step backwards for the country which has reduced child marriage in recent years.

"We have worked with thousands of girls who have been pulled out of education, married off early, bear the scars of early pregnancy, and forced to marry their abusers. This is simply unacceptable," said a spokesperson from the alliance's Bangladesh chapter in a statement.

The proposed law was open to abuse since it gave no definition of the term "special cases", Girls Not Brides said.

Statements made by Prime Minister Sheikh Hasina suggest exceptions would apply in instances of accidental pregnancy, or where a marriage would help to protect a girl's "honour" and the family's reputation in this largely conservative society.

Bangladeshi officials were not immediately available for comment.

Along with Niger, Guinea, South Sudan, Chad and Burkina Faso, Bangladesh is among the 10 worst countries for child marriage despite moves to strengthen law enforcement and toughen penalties against the crime.

In 2011, 32.5 percent of girls aged between 15 and 19 were married compared with 37.5 percent a decade before, said Girls Not Brides, citing data from Bangladesh's Bureau of Statistics.

Campaigners say girls face a greater risk of rape, domestic violence and forced pregnancies - which may put their lives in danger - as a result of being married as children.

Child brides are often denied the chance to go to school, are isolated from society and forced into a lifetime of economic dependence as a wife and mother.

Yet the practice continues largely due to a combination of social acceptance and government inaction, activists say.

"Marriage before 18 does not ensure a pregnant girl's safety," said Lakshmi Sundaram, executive director for Girls Not Brides, said in the statement. "In reality it exposes her to the risk of sexual, physical and psychological violence."

"The progress Bangladesh has made to address child marriage is impressive, and reflects a real commitment from the highest levels of the government. Now is not the time to regress."

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