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Country Policy and Information Note

Bangladesh: Women fearing gender-based violence

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Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- A person is reasonably likely to face a real risk of persecution or serious harm
- The general humanitarian situation is so severe as to breach Article 15(b) of European Council Directive 2004/83/EC (the Qualification Directive) / Article 3 of the European Convention on Human Rights as transposed in paragraph 339C and 339CA(iii) of the Immigration Rules
- The security situation presents a real risk to a civilian's life or person such that it would breach Article 15(c) of the Qualification Directive as transposed in paragraph 339C and 339CA(iv) of the Immigration Rules
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- A claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 22 June 2020

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of gender-based persecution or serious harm by non-state actors because the person is a woman.

1.2 Points to note

- 1.2.1 Gender-based violence in Bangladesh includes, but is not limited to: domestic abuse, rape and sexual assault, acid attacks, fatwa-instigated violence, dowry-related violence, sexual harassment and early and forced marriage. Trafficking of women and the situation of Rohingya women are not addressed in this document.
- 1.2.2 Domestic abuse is not just about physical violence. It covers any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. It can include psychological, physical, sexual, economic or emotional abuse. Children can also be victims of, or witnesses to, domestic abuse. Anyone can experience domestic abuse, regardless of background, age, gender, sexuality, race or culture. However, to establish a claim for protection under the refugee convention or humanitarian protection rules, that abuse needs to reach a minimum level of severity to constitute persecution or serious harm.
- 1.2.3 For further guidance on assessing gender issues see the [Asylum Guidance on Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Exclusion

- 2.2.1 Decision makers must consider whether one (or more) of the exclusion clauses applies. If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection. Each case must be considered on its individual facts and merits.

- 2.2.2 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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2.3 Convention reason(s)

- 2.3.1 Women form a particular social group (PSG) in Bangladesh within the meaning of the Refugee Convention because they share a common characteristic that cannot be changed and have a distinct identity which is perceived as being different by the surrounding society.
- 2.3.2 In the Country Guidance case [SA \(Divorced woman- illegitimate child\) Bangladesh CG \[2011\] UKUT 254 \(IAC\)](#), heard 29 and 30 September 2010 and promulgated 11 July 2011, the Upper Tribunal accepted that women who can show a real risk of domestic violence on return to Bangladesh may be able to show a risk of serious harm for a Refugee Convention reason, i.e. membership of a particular social group, namely women in Bangladesh, on account of the fact she would not be able to obtain an effective measure of state protection by reason of the fact that she was a woman (paragraph 74).
- 2.3.3 Although the Constitution of Bangladesh provides for equality of all citizens and numerous legislation has been enacted to protect women's rights, in practice this is not systematically enforced because of deep-rooted social, cultural and economic barriers and prejudices, indicating that women in Bangladesh continue to meet the definition of a PSG
- 2.3.4 Although women in Bangladesh form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question is whether the particular person will face a real risk of persecution on account of their membership of such a group.
- 2.3.5 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

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2.4 Risk

a. Societal treatment

- 2.4.1 Constitutional provisions and domestic laws are in place to uphold the rights of women, together with protections against gender-based violence. This includes offences related to domestic abuse, rape (although not marital rape), acid attacks and dowry-related violence. However, the laws are not always implemented or enforced (see [Legal context](#) and [Implementation of the law](#)).
- 2.4.2 Gender-based violence against women and girls, including domestic abuse, rape, fatwa-instigated violence, dowry-related violence, early and forced marriage, and sexual harassment, is widespread and compounded by patriarchal, societal, cultural and religious attitudes and gender stereotypes (see [Sexual and gender-based violence](#)).

- 2.4.3 Although the World Economic Forum's Global Gender Gap Index ranked Bangladesh relatively highly in comparison to its neighbouring countries in South Asia, women in Bangladesh face widespread societal prejudice and discriminatory laws and provisions remain – including those relating to marriage, divorce, custody and inheritance – that deny women equal rights with men. Women are also discriminated against with regards to access to employment, education, healthcare, social services, land ownership and inheritance. Women also experience a persistent wage gap with women's national income per capita around 40% of men's. Women domestic workers and garment workers may be exposed to violence and abuse and COVID-19 has had a significant impact on women's livelihoods (see [Social, economic and political rights and attitudes](#)).
- 2.4.4 Social norms continue to prescribe discriminatory and stereotypical roles, rights and responsibilities according to gender. Women are expected to marry, have children and manage the household and may face family pressure to do so. Following marriage, most women continue to depend on fathers and husbands for decision making, financial and social welfare. As a result, widowed and divorced women experience increased vulnerability to poverty, exploitation and social isolation (see [Cultural context - position in society](#) and [Single and divorced women](#)).
- 2.4.5 Child marriage is prevalent, at one of the highest rates in the world, and is attributed to a wide range of social, cultural and economic factors and engrained in religious personal laws (see [Early and forced marriage](#)).
- 2.4.6 Social acceptance of single women is low and the ability to live alone is likely to be limited to women from higher socio-economic backgrounds who have family and financial support. Living without male support is very difficult due to social and financial constraints. Disadvantaged groups of women and girls face multiple intersecting forms of discrimination due to their gender, health, indigenous identity, caste and socio-economic status, such as Dalit women, women with disabilities, elderly women and women of ethnic minorities (see [Cultural context - position in society](#), [Employment, financial support and education](#) and [Single and divorced women](#)).
- 2.4.7 As regard to mothers of children born outside of marriage, in [SA \(Divorced woman- illegitimate child\) Bangladesh CG \[2011\] UKUT 254 \(IAC\)](#), the Upper Tribunal held:
- 'Under Muslim law, as applicable in Bangladesh, the mother, or in her absence her own family members, has the right to custody of an illegitimate child.
- 'In custody and contact disputes the decisions of the superior courts in Bangladesh indicate a fairly consistent trend to invoke the principle of the welfare of the child as an overriding factor, permitting departure from the applicable personal law but a mother may be disqualified from custody or contact by established allegations of immorality.
- 'The mother of an illegitimate child may face social prejudice and discrimination if her circumstances and the fact of her having had an illegitimate child become known but she is not likely to be at a real risk of

serious harm in urban centres by reason of that fact alone’ (paragraphs 110b to 110d).

- 2.4.8 There has been no material change since this country guidance case was promulgated and therefore there are not “very strong grounds supported by cogent evidence” to justify departing from it (see also [Single and divorced women](#) and [Women with children born outside of marriage](#)).
- 2.4.9 In 2015, a survey found that around two thirds of women reported to be victims of some form of gender-based violence. The same survey indicated over 72% of ever-married women had experienced one or more forms of domestic abuse by their husbands. Dowry-related disputes are reported to be one of the main causes of domestic abuse. The common perpetrators of domestic and dowry-related abuse are husbands or other family members (see [Sexual and gender-based violence](#)).
- 2.4.10 As a global comparison, a 2013 World Health Organization (WHO) report estimated 35% of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence, whilst some national studies indicate that up to 70% of women have experienced physical and/or sexual violence from an intimate partner during their lifetime. In the UK, a survey found 29% of women had experienced sexual and/or physical violence at the hands of an intimate partner at least once in their lifetime (see [Domestic abuse](#)).
- 2.4.11 More recent country information continues to indicate gender-based violence in Bangladesh is widespread and sharply increased in 2019. Moreover the risk of gender-based violence has been exacerbated by Cyclone Amphan and the lockdown associated with COVID-19. Children and women victims of rape experience levels of societal stigma that may affect their marriage prospects and mean that they cannot stay in their home area. Many rape victims subsequently commit suicide. However, whether the level of abuse, by its nature, degree and repetition, amounts to persecution, will depend on the facts of the case.
- 2.4.12 The level of societal discrimination, in general, is not sufficiently serious by its nature and repetition that it will reach the high threshold of being persecutory or otherwise inhuman or degrading treatment. However, each case must be considered on its facts.
- 2.4.13 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

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2.5 Protection

- 2.5.1 Where the person has a well-founded fear of persecution from the state, they are unlikely to be able to avail themselves of the protection of the authorities.
- 2.5.2 Where the person has a well-founded fear of persecution from non-state actors, including ‘rogue’ state actors, decision makers must assess whether the state can provide effective protection.
- 2.5.3 In the Country Guidance case [SA \(Divorced woman- illegitimate child\) Bangladesh CG \[2011\] UKUT 254 \(IAC\)](#), the Upper Tribunal held that:

‘There is a high level of domestic violence in Bangladesh. Despite the efforts of the government to improve the situation, due to the disinclination of the police to act upon complaints, women subjected to domestic violence may not be able to obtain an effective measure of state protection by reason of the fact that they are women and may be able to show a risk of serious harm for a Refugee Convention reason. Each case, however, must be determined on its own facts’ (paragraph 110a).

- 2.5.4 Since the promulgation of [SA](#), laws aimed at protecting women continue to remain largely unimplemented due to stereotypes and gender bias, lack of gender sensitivity on the part of law enforcement officials, lack of expertise, facilities, resources and witness protection, inefficient prosecutorial systems and absence of modern forensic medicine infrastructures, as well as corruption, delays in the criminal justice system and the lack of training and capacity among judges and lawyers. Police have been reported to view domestic violence as a family matter and there may be impunity for perpetrators with ruling party affiliations. Thousands of cases lodged under the Prevention of Women and Children Repression Act are pending (see [Access to justice](#) and [Implementation of the law](#)).
- 2.5.5 It is reported that women are often reluctant to report violent crimes against them, including rape, to the police. This may be because of social or cultural reasons, such as fear of being without a husband; stigma; police reluctance to take the case seriously and a lack of sensitivity in questioning; police taking bribes from the perpetrator; lack of access to services; and/or a fear of police harassment. Women’s lack awareness, legal literacy and costly legal procedures create further hurdles to access to justice (see [Access to justice](#)).
- 2.5.6 Support services are available across the country through the Multi-Sectoral Programme on Violence Against Women (MSPVAW), under the Ministry of Women and Children Affairs. However, the number and capacity of legal services and shelter homes are inadequate compared to the need. Women may lack safety to travel and seek services and experience stigma reintegrating back into their community (see [Support services and shelters](#)).
- 2.5.7 In general, the state is able, but frequently unwilling, to provide effective protection to women fearing gender-based violence. Each case must be considered on its merits.
- 2.5.8 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#). Also see the [Country Policy and Information Note on Bangladesh: Actors of protection](#).

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2.6 Internal relocation

- 2.6.1 Where the person’s fear is of persecution and/or serious harm by non-state, including ‘rogue’ state actors, decision makers must give careful consideration to the relevance and reasonableness of internal relocation taking full account of the individual circumstances of the particular person.

- 2.6.2 The Court of Appeal in [SC \(Jamaica\) v Home Secretary \[2017\] EWCA Civ 2112](#), heard 2 November 2017 and promulgated 20 December 2017, held that: ‘the evaluative exercise is intended to be holistic and ... no burden or standard of proof arises in relation to the overall issue of whether it is reasonable to internally relocate...’ (para 36).
- 2.6.3 In [SA](#) the Upper Tribunal held that:
- ‘The divorced mother of an illegitimate child without family support on return to Bangladesh would be likely to have to endure a significant degree of hardship but she may well be able to obtain employment in the garment trade and obtain some sort of accommodation, albeit of a low standard. Some degree of rudimentary state aid would be available to her and she would be able to enrol her child in a state school. If in need of urgent assistance she would be able to seek temporary accommodation in a woman’s shelter. The conditions which she would have to endure in re-establishing herself in Bangladesh would not as a general matter amount to persecution or a breach of her rights under article 3 of the ECHR. Each case, however, must be decided its own facts having regard to the particular circumstances and disabilities, if any, of the woman and the child concerned. Of course if such a woman were fleeing persecution in her own home area the test for internal relocation would be that of undue harshness and not a breach of her article 3 rights’ (paragraph 110e).
- 2.6.4 Since [SA](#), state-run and non-state-run shelters for women continue to run though they are limited in number and capacity in comparison to their need and have been disrupted by the COVID-19 lockdown (see [Support services and shelters](#)).
- 2.6.5 Social acceptance of single women is low and the ability to live alone is likely to be limited to women from higher socio-economic backgrounds who have family and financial support and to live without male support is very difficult due to social and financial constraints.
- 2.6.6 Internal relocation may be reasonable in some cases but depends on the facts of the case. Also see the [Country Policy and Information Note on Bangladesh: Background, including internal relocation](#).
- 2.6.7 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

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2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

Section 3 updated: 22 June 2020

3. Legal context

3.1 Constitution

- 3.1.1 Article 27 of the Constitution provides for equality of all citizens and states 'All citizens are equal before law and are entitled to equal protection of law.'¹ The Constitution specifically prohibits discrimination on the basis of sex and states 'Women shall have equal rights with men in all spheres of the State and of public life.'² Equal rights for women in education and employment are also provided for³.

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3.2 Statutory provisions

- 3.2.1 Sexual crimes are addressed in the Penal Code of 1860. Section 375 of the Penal Code defines 'rape' as sexual intercourse taking place without the will or consent of, or by obtaining consent with false promises, with any women under the age of 14. Marital rape is not criminalised providing the wife is aged over 13 years⁴.
- 3.2.2 As well as some Constitutional provisions and the Penal Code, further domestic laws and provisions upholding the rights of women in Bangladesh, both generally and regarding violence against women specifically, include: the Human Trafficking Deterrence and Suppression Act 2012; the Hindu Marriage Registration Act 2012; the National Women's Development Policy 2011; the Domestic Violence (Prevention and Protection) Act 2010; the Citizenship Amendment Act 2009; the Acid Crime Prevention and Acid Crime Control Acts 2002; the Prevention of Women and Children Repression Act 2000; the Suppression of Violence against Women and Children Act 2000⁵, and The Dowry Prohibition Act 2018⁶.
- 3.2.3 In its concluding observations on the eighth periodic report of Bangladesh, dated November 2016, the UN Committee on the Elimination of Discrimination against Women (CEDAW) welcomed legislative reforms, and efforts to improve institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, including:
- The Amendment to the Labour Act (2013), which increased the maternity leave to 6 months;
 - The Persons with Disabilities Rights and Protection Act (2013), which also provides for the rights of women with disabilities;

¹ Constitution of the People's Republic of Bangladesh (Article 27), 1972, [url](#).

² Constitution of the People's Republic of Bangladesh (Article 28), 1972, [url](#).

³ Constitution of the People's Republic of Bangladesh (Articles 17, 28, 29), 1972, [url](#).

⁴ Penal Code, (Section 375), 1860, [url](#).

⁵ UNHRC, 'Report of the Special Rapporteur...' (paras 50, 54, 57), 1 April 2014, [url](#).

⁶ Dhaka Tribune, 'House passes dowry prohibition bill', 16 September 2018, [url](#).

- The Prevention and Suppression of Human Trafficking Act (2012);
- The Seventh National Five Year Plan (2016-2020) to implement the Government's Vision 2021, which includes the promotion of women's rights;
- The Domestic Workers Protection and Welfare Policy, which provides legal protection, including access to social benefits, maternity leave and establishes the minimum age of employment in domestic work at 14 years, in 2015;
- The Gender Equity Strategy, in 2014;
- The Climate Change and Gender Action Plan, in 2013;
- The National Action Plan for Implementation of the National Women Development Policy, in 2013;
- The National Action Plan to Prevent Violence against Women and Children (2013-2025);
- The Domestic Violence (Prevention and Protection) Rules, in 2013;
- The National Plan of Action on Combatting Human Trafficking (2012-2014);
- The National Action Plan for Adolescent Sexual and Reproductive Health (2011-2016)⁷.

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Section 4 updated: 22 June 2020

4. Social, economic and political rights and attitudes

4.1 Overview

- 4.1.1 In a total population of 162,650,853 (July 2020 estimate), 82,691,434 are women⁸. In 2019, 20.3% of parliamentary seats were held by women⁹; 45.3% of adult women (aged 25 and over) had reached a secondary level of education compared to 49.2% of their male counterparts¹⁰. A 2018 estimate indicated 71.2% of women were literate compared to 76.7% of men¹¹. For every 100,000 live births, 176 women died from pregnancy related causes in 2015¹²; 83 out of every 1,000 births were born to adolescent (aged 15-19) women in 2018¹³. In 2018, female participation (aged 15 and over) in the labour market was 36% compared to 81.3% of men¹⁴. The estimated gross national income per capita in 2011 was \$2,373 compared to \$5,700 for men¹⁵.

⁷ UNCEDAW, 'Concluding observations...' (paras 4-5), 18 November 2016, [url](#).

⁸ CIA, 'World Factbook – Bangladesh' (people and society), last updated 16 April 2020, [url](#).

⁹ UNDP, 'Human Development Indicators' (Gender), 2019, [url](#).

¹⁰ UNDP, 'Human Development Indicators' (Education), 2019, [url](#).

¹¹ CIA, 'World Factbook – Bangladesh' (people and society), last updated 16 April 2020, [url](#).

¹² UNDP, 'Human Development Indicators' (Gender), 2019, [url](#).

¹³ UNDP, 'Human Development Indicators' (Gender), 2019, [url](#).

¹⁴ UNDP, 'Human Development Indicators' (Work, employment and vulnerability), 2019, [url](#).

¹⁵ UNDP, 'Human Development Indicators' (Gender), 2019, [url](#).

- 4.1.2 The World Economic Forum's Global Gender Gap Index, where scores are based on economic participation and opportunity, educational attainment, health and survival, and political empowerment, ranked Bangladesh at 50th out of 153 countries in 2019, noting it was the only country in South Asia, of the 7 South Asian countries studied, to feature in the top 100 of the Global Gender Gap Index (with 1 being the lowest gender gap and 153 the largest)¹⁶. For comparison, India ranked 112th and Pakistan 151st¹⁷. Bangladesh dropped 2 positions in 2019 compared to 2018 (from 48 to 50), though this was explained by the greater improvement of other countries¹⁸.
- 4.1.3 The 2019 Index ranked Bangladesh 141 out of 153 countries on 'economic participation and opportunity' and 120 on 'educational attainment'¹⁹. The same source further described that 'In the economic sphere, as of 2018, 38% of adult women were part of the labour force (up from 34% in 2017), compared with 84% of men. Only one in 10 leadership roles is occupied by a woman (139th), and the estimated average annual income of women is 40% that of the men.'²⁰
- 4.1.4 In April 2020, UN Women issued a Rapid Gender Analysis on cyclone Amphan, noting that:
- 'In the hardest hit districts, it is estimated that nearly 820,000 women – including over 49,316 pregnant women and 29,133 female headed households – were affected by Cyclone Amphan. The Rapid Gender Analysis confirmed that certain groups were hit particularly hard, including female-headed households, pregnant and lactating women, people with disabilities, sex workers, transgender persons, adolescent boys and girls. In the aftermath, women and girls are at greater risk of gender-based violence such as domestic violence and early marriage in a context of existing gender inequality and discrimination.'²¹

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4.2 Cultural context – position in society

- 4.2.1 The UN Committee on the Elimination of Discrimination Against Women (UNCEDAW) expressed its concern at '... the persistent patriarchal attitudes and discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society. It is also concerned about the limited efforts made by the State party to eliminate such stereotypes which constitute serious barriers to women's equal enjoyment with men of their human rights and their equal participation in all spheres of their life.'²² The UNCEDAW added that rural women in particular had limited access to education, health, social services, land ownership and/or inheritance²³.

¹⁶ World Economic Forum, 'Global Gender Gap 2020' (pages 9 and 24), 16 December 2019, [url](#).

¹⁷ World Economic Forum, 'Global Gender Gap 2020' (page 9), 16 December 2019, [url](#).

¹⁸ World Economic Forum, 'Global Gender Gap 2020' (page 29), 16 December 2019, [url](#).

¹⁹ World Economic Forum, 'Global Gender Gap 2020' (page 12), 16 December 2019, [url](#).

²⁰ World Economic Forum, 'Global Gender Gap 2020' (page 29), 16 December 2019, [url](#).

²¹ UN Women, 'Rapid Gender Analysis Cyclone Amphan' (page 7), 18 June 2020, [url](#)

²² UNCEDAW, 'Concluding observations...' (para 16), 18 November 2016, [url](#).

²³ UNCEDAW, 'Concluding observations...' (para 38), 18 November 2016, [url](#).

- 4.2.2 A representative from Boys of Bangladesh, an LGBTI rights group, consulted during the Home Office Fact Finding Mission (FFM) to Bangladesh in May 2017, told the delegation that there was an expectation on women and girls to marry after graduation and they would face family pressure to do this²⁴. The representative opined that ‘If a girl is not married by a certain age (about 30) her immediate family would face pressure from wider family members and neighbours. In rural areas the youth, especially girls, are expected to get married at an even younger age than in urban areas – where the average marriage age is 23 – opposed to 16-17 years old in rural areas.’²⁵ An official from the National Human Rights Commission said that marriage was seen as the ‘main source of social acceptance’ for women²⁶.
- 4.2.3 In its concluding observations on the initial report of Bangladesh, dated 18 April 2018, the UN Committee on Economic, Social and Cultural Rights (UNCESCR) expressed its concern that ‘... women do not enjoy equality in the enjoyment of economic, social and cultural rights. In particular, article 28 (2) of the Constitution confines the equality between men and women to the State and the public sphere, and the religious personal laws governing women’s rights in relation to marriage, divorce, maintenance and property inheritance are largely discriminatory against women.’²⁷
- 4.2.4 A report by the World Bank Group on the situation of widowed, deserted and destitute women in Bangladesh, dated 1 January 2019, noted:
- ‘Women’s situation in Bangladesh has progressed through improved literacy; better access to family planning options and reproductive and maternal health care; and enhanced access to education and formal sector jobs among other milestones. However, such empowerment is not uniform throughout the country and multiple challenges still exist. Social norms in Bangladesh continue to prescribe roles, rights and responsibilities according to gender. Patriarchy is prominent as men are deemed to be the breadwinners while women manage the household and raise children. Women, in many cases, have limited role in household decision making, little access to household and individual resources and assets, heavy domestic workload and poor knowledge and skills. Therefore, the majority of women continue to depend on fathers, and husbands following marriage, for decision making and financial and social welfare. As a result, especially when poor women lose their husbands or get divorced, their vulnerability to poverty, exploitation and social isolation increases significantly.’²⁸
- 4.2.5 The Department of Foreign Affairs and Trade (DFAT) noted in its report on Bangladesh, compiled using a range of sources, dated 22 August 2019, ‘While women participate in all areas of Bangladeshi society, longstanding societal, cultural and religious attitudes continue to place limits on the extent of that participation.’²⁹

²⁴ Home Office, ‘FFM to Bangladesh’ (page 118), September 2017, [url](#).

²⁵ Home Office, ‘FFM to Bangladesh’ (page 118), September 2017, [url](#).

²⁶ Home Office, ‘FFM to Bangladesh’ (page 90), September 2017, [url](#).

²⁷ UNCESCR, ‘Concluding observations...’ (para 29), 18 April 2018, [url](#).

²⁸ World Bank Group, ‘Allowances for the Widow...’ (page 2), 1 January 2019, [url](#).

²⁹ DFAT, ‘Country Information Report Bangladesh’ (para 3.118), 22 August 2019, [url](#).

4.2.6 In April 2020 UN Women issued a Rapid Gender Analysis on cyclone Amphan noting that:

‘In Bangladesh, the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men perpetuate discrimination against women and girls and are reflected in their disadvantageous and unequal status in many areas, including in employment, decision making, marriage and family relations, and the persistence of violence against women. These inequalities contribute to women, girls and excluded groups appearing to be the worst-affected by Cyclone Amphan, subject to greater food insecurity and increased risk of gender-based violence. [...] Bangladesh has a dominant and harmful patriarchal societal structure with norms and practices that place females of any age at higher risks of violence. These social norms prescribe domestic violence and intimate partner violence as exclusively private matters; as a result, the actual number of cases are never known; 25.4% of women think partner (husband) violence is justified (MICS 2019), hence the under reporting.’³⁰

4.2.7 The same source described the intensified gender inequalities during disaster:

‘Gender inequalities induced by patriarchal social structures with power hierarchies exacerbates the exploitation of women and girls under different intersections during disaster when the essential life-saving services are not easy to access. 78 percent respondents reported that everyone in the community do not have equal access to basic services. Women, girls, persons-with-disabilities, and sex workers are among those at the bottom in terms of access to life-saving services. Reasons cited for this include: women’s lack of access to information; offered services are not gender and diversity responsive such as inconvenient location; distribution time; male led distribution; insecurities to travel; exclusion of the most marginalized women and girls like persons-with disabilities, sex workers, ethnic groups to travel to take services. Additionally, patriarchal values-driven support prioritizes men over women, women’s restricted mobility also perpetuates exploitation.’³¹

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4.3 Employment, financial support and education

4.3.1 The UNCEDAW report noted its concern over:

‘The low participation rate of women in the formal economy and the persistent wage gap between women and men in most sectors. [...] The Committee is concerned that women domestic workers in the State party are subjected to violence, abuse, food deprivation and even murder. It is also concerned that such crimes remain unreported and that the victims have limited access to justice and redress. [...] However, it remains concerned about the high rates of poverty and malnutrition among women and girls, especially those who belong to disadvantaged and marginalized communities, who reportedly have limited access to social security benefits and programmes. The Committee is also concerned about the limited access

³⁰ UN Women, ‘Rapid Gender Analysis Cyclone Amphan’ (pages 6 and 24), 18 June 2020, [url](#)

³¹ UN Women, ‘Rapid Gender Analysis Cyclone Amphan’ (page 24), 18 June 2020, [url](#)

by rural women to financial credit and loans from public banks, as laws and policies do not recognize them as farmers. [...] The Committee is concerned that disadvantaged groups of women and girls, including Dalit women, women with disabilities, elderly women, Rohingya refugee women and women of ethnic minorities face multiple intersecting forms of discrimination due to their gender, health, indigenous identity, caste and socio-economic status.’³²

- 4.3.2 During the Home Office Fact Finding Mission (FFM) to Bangladesh in May 2017, several sources indicated that it was ‘very difficult’ for a single woman to get a job in Bangladesh³³. An official from the National Human Rights Commission told the Home Office FFM that ‘Employment would be accessible to single women but mostly available to those from middle classes with access to family support.’³⁴
- 4.3.3 The UK Bangladesh Education Trust (UKBET), an international NGO, told the Home Office FFM that there were financial support systems in place for divorcees and single mothers, but they were ‘inadequate’³⁵. The same source added there was no social security system in place to protect women³⁶.
- 4.3.4 However, the World Bank Group report of January 2019 noted that since the 1970s, the Government of Bangladesh:

‘... has been implementing important social safety nets focused on women. Such programs include the Ministry of Disaster Management and Relief (MoDMR)’s Vulnerable Group Feeding (VGF), part of which, in subsequent years, evolved into the Vulnerable Group Development (VGD) program with an empowerment and graduation element for working age women. In FY [financial year] 1998, the Government of Bangladesh introduced Allowances for the Widow, Deserted and Destitute Women (Widow Allowance [WA]).’³⁷
- 4.3.5 According to the DFAT report ‘Many women now occupy positions in the civil service, judiciary, police, military, and local government institutions.’³⁸ The same source noted:

‘The rise of the ready-made garment industry has enabled many of Bangladesh’s poorest women to access employment for the first time. Working conditions are often very poor, however, particularly in smaller operations, and the nature of the work is generally low-skilled without the possibility of promotion. The overall participation rate of women in employment remains low and has not increased appreciably in the previous decade.’³⁹
- 4.3.6 Though not referring specifically to women, the UNCESCR expressed its concern in its April 2018 concluding observations, at ‘Repeated reports of

³² UNCEDAW, ‘Concluding observations...’ (paras 30a, 32, 36 and 40), 18 November 2016, [url](#).

³³ Home Office, ‘FFM to Bangladesh’ (page 43), September 2017, [url](#).

³⁴ Home Office, ‘FFM to Bangladesh’ (page 90), September 2017, [url](#).

³⁵ Home Office, ‘FFM to Bangladesh’ (page 89), September 2017, [url](#).

³⁶ Home Office, ‘FFM to Bangladesh’ (page 89), September 2017, [url](#).

³⁷ World Bank Group, ‘Allowances for the Widow...’ (page 2), 1 January 2019, [url](#).

³⁸ DFAT, ‘Country Information Report Bangladesh’ (para 3.117), 22 August 2019, [url](#).

³⁹ DFAT, ‘Country Information Report Bangladesh’ (para 2.11), 22 August 2019, [url](#).

continuing abuse and exploitation, and poor conditions, in workplaces, particularly in the garment industry.’⁴⁰

4.3.7 The DFAT report noted in regards to barriers to education for girls:

‘While girls’ rates of primary school education are generally on par with those of boys, girls face additional barriers to school education. While both boys and girls have high drop-out rates after primary school, girls are less likely to attend secondary or tertiary education due to factors such as a cultural preference for educating boys, who are more likely to earn an income. Seat availability in schools may preference boys. Girls who reach 12 or 13 are often expected to stay at home and support their mothers (or other female family members) with domestic duties. Parents may also be deterred from sending their daughters to school due to concerns over long (and potentially unsafe) commutes, a lack of appropriate sanitation facilities, and the possibility of sexually-based violence and harassment.’⁴¹

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4.4 Employment during the coronavirus pandemic

4.4.1 UN Women explained in April 2020 that:

‘COVID-19 has a significant implication on livelihoods of women and transgender people in Bangladesh as 91.8% of the total employment of women is in the informal sector. Domestic workers, owners and workers in MSMEs [Micro, Small and Medium Enterprises], daily labourers, street vendors, cleaners, sex workers including transgender persons, and other informal workers have rapidly lost their means to earn an income; thousands of migrant workers including women returnee migrant workers have lost their jobs with no hope for reinstatement in the near future. Even in the formal sector, massive job losses of female workers in the Ready-Made Garment (RMG) sector are being reported, although some garment factories have started opening up; in such cases the workers including the female workers safety measures remains to be a concern.’⁴²

4.4.2 To stop community transmission of COVID-19, Bangladeshi families who had domestic workers have let them go. For many domestic workers, the majority of whom are women, this has meant they have lost their means to earn an income. Migrant female workers have also been forced to return to Bangladesh and, along with the loss of livelihoods, returnees have also experienced social stigma as a result of the coronavirus outbreak and being shunned by their community⁴³.

4.4.3 Pre-COVID-19, women on average performed 3.43 times more unpaid domestic care work than men. The closure of schools and the entire family staying at home has further exacerbated the burden of unpaid care work on women, who have had to absorb the additional work of constant family care duties⁴⁴.

⁴⁰ UNCESCR, ‘Concluding observations...’ (para 33c), 18 April 2018, [url](#).

⁴¹ DFAT, ‘Country Information Report Bangladesh’ (para 2.21), 22 August 2019, [url](#).

⁴² UN Women, ‘COVID-19 Bangladesh Rapid Gender Analysis’ (page 6), May 2020, [url](#).

⁴³ UN Women, ‘...women workers are among the hardest hit by COVID-19...’, 27 April 2020, [url](#).

⁴⁴ UN Women, ‘COVID-19 Bangladesh Rapid Gender Analysis’ (page 6), May 2020, [url](#).

4.5 Political participation

- 4.5.1 In its April 2018 concluding observations, the UNCESCR acknowledged the Bangladesh government's '... initiatives to improve women's representation in political decision-making, such as the bill on the seventeenth amendment to the Constitution (approved by the Cabinet) and the reservation, in elections for local government bodies, of one third of the seats for women candidates.'⁴⁵
- 4.5.2 Of the 350 parliamentary seats, 50 are reserved for women⁴⁶, who are nominated by political parties based on their share of elected seats⁴⁷. A further 22 women won seats in the December 2018 elections, the highest number in Bangladesh's parliamentary history⁴⁸.
- 4.5.3 World Economic Forum Global Gender Gap Index 2020, covering 2019, noted Bangladesh was among the 10 countries with the most years with a female head of state in the past 50 years, adding it was the only country in the world where that number exceeded the number of years with a male head of state (25.6 compared with 24.4)⁴⁹.
- 4.5.4 However, DFAT noted in its report on Bangladesh, dated 22 August 2019, that, although Bangladesh has had 2 female Prime Ministers, this was not representative of the general position of women in political parties or society⁵⁰. According to a publication from the International Foundation for Electoral Systems (funded by USAID and DFID), gender-based violence – psychological, physical and sexual – were found to negatively impact on women's electoral and political participation⁵¹.

4.6 Marriage, divorce and inheritance

- 4.6.1 The right to marriage is governed by both personal laws and statutory laws. Statutory laws predominantly apply where the parties to a marriage profess different religions⁵². The UNCESCR noted in its concluding observations, dated April 2018, that 'religious personal laws governing women's rights in relation to marriage, divorce, maintenance and property inheritance are largely discriminatory against women.'⁵³
- 4.6.2 The key codified laws governing marriage and divorce in Bangladesh include, for Muslims: the Muslim Family Laws Ordinance (1961), the Dissolution of Muslim Marriages Act (1939) and the Muslim Marriages and Divorces (Registration) Act (1974); for Hindus and Buddhists: the Hindu Married Women's Right to Separate Residence and Maintenance Act (1946);

⁴⁵ UNCESCR, 'Concluding observations...' (para 4), 18 April 2018, [url](#).

⁴⁶ Bangladesh Parliament, 'List of 11th Parliament Members', n.d., [url](#).

⁴⁷ DFAT, 'Country Information Report Bangladesh' (para 2.24), 22 August 2019, [url](#).

⁴⁸ Dhaka Tribune, 'Bangladesh likely to see highest ever number of female MPs', 1 January 2019, [url](#).

⁴⁹ World Economic Forum, 'Global Gender Gap 2020' (page 24), 16 December 2019, [url](#).

⁵⁰ DFAT, 'Country Information Report Bangladesh' (para 3.117), 22 August 2019, [url](#).

⁵¹ IFES, 'The effect of violence on women's electoral and political participation', March 2017, [url](#).

⁵² UNCESCR, 'Consideration of reports submitted by States...' (para 141), 4 August 2017, [url](#).

⁵³ UNCESCR, 'Concluding observations...' (para 29), 18 April 2018, [url](#).

and for Christians: the Christian Marriage Act (1872) and the Divorce Act (1869)⁵⁴.

- 4.6.3 In a January 2016 report on early and forced marriage, UK-based lawyer Shabina Begum stated that, under the Child Marriage Restraint Act 2012, the minimum age for marriage is 21 years for men and 18 years for women. The report added:

‘It should be noted that there are several existing personal laws which are not congruous to this definition. The Special Marriage Act 1872 sets the age of a girl for marriage at 14 years, the Muslim Family Laws Ordinance 1961 (while amending the Child Marriage Restraint Act, 1929) sets the age of marriage of a girl at 16 years, the Christian Marriage Act 1872 refers to any person under the age of 21 years as a minor and the Hindu Marriage Registration Act 2012 is silent about the minimum age of marriage.’⁵⁵

For information on child marriage see [Early and forced marriage](#).

- 4.6.4 The Government of Bangladesh (GoB) report submitted to the UNCESCR, dated August 2017, provided an overview under which marriage law was applied. The report noted:

‘According to Islamic law, marriage is a civil contract between men and women of marriageable age as prescribed by the law. Under Muslim law if any adult sane person does not consent to marriage or the consent is obtained by coercion or fraud, there will be no marriage at all. In Bangladesh, a Muslim marriage has to be registered. Offer and acceptance in front of the adult and sane witnesses are the pre-requisite of a Muslim marriage in Bangladesh... Polygamy is prohibited without the prior permission of the existing wife.’⁵⁶

- 4.6.5 The same report stated as regards Christians ‘According to the Christian Marriage Act, 1872; marriage between the Christians can only be solemnized after a notice in writing to the Minister of Religion/Registrar and submission of a declaration of belief and before at least two witnesses. Registration of Christian marriage is compulsory.’⁵⁷

- 4.6.6 Adding for Hindus that:

‘Among the Hindus, marriage is governed by the Hindu personal law. However, the Hindu Widows Re-Marriage Act, 1856 provides that no marriage contracted between Hindus will be invalid and the issue of no such marriage will be illegitimate only because the woman had been previously married or betrothed to another person who was dead at the time of such marriage. The Hindu Marriage Registration Act, 2012 has made provisions for registration of Hindu marriages, albeit on optional basis.’⁵⁸

⁵⁴ UNHRC, ‘Report of the Special Rapporteur...’, (footnote 25), 1 April 2014, [url](#).

⁵⁵ Begum, S., ‘Ending Early and Forced Marriage...’ (page 4), January 2016, [url](#).

⁵⁶ UNCESCR, ‘Consideration of reports submitted by States...’ (para 142, 151), 4 August 2017, [url](#).

⁵⁷ UNCESCR, ‘Consideration of reports submitted by States...’ (para 143), 4 August 2017, [url](#).

⁵⁸ UNCESCR, ‘Consideration of reports submitted by States...’ (para 144), 4 August 2017, [url](#).

- 4.6.7 Under the Hindu Marriage Registration Act, the minimum age for marriage is 18 years for a woman and 21 years for a man⁵⁹, although the Child Marriage Restraint Act 2017 appears to apply to all Bangladeshis irrespective of religion⁶⁰. (see [Early and forced marriage](#)).
- 4.6.8 For interfaith marriages, the GoB report to the UNCESCR noted:
 ‘In Bangladesh, marriage between persons professing different religions (interfaith marriage) is permissible in law. The Special Marriage Act, 1872 provides that marriages may be solemnized under this law between persons of different religious faiths. Under the Special Marriage Act, 1872, marriage may be solemnized between persons either of whom may be a Hindu, Sikh, Buddhist or Jain, or a person who does not profess the Christian, Hindu, Muslim, Jewish, Buddhist, Sikh or Jain faiths.’⁶¹
- 4.6.9 Reuters reported in August 2019 that the High Court ruled that women no longer had to declare if they are virgins (kumari) on marriage certificates. The court ordered that the term kumari should be replaced with ‘unmarried’, and that the groom should also have to declare if they were unmarried, divorced or widowed⁶².
- 4.6.10 There are no provisions for divorce under Hindu personal law, although, according to a Dhaka Court Judge, the [Divorce Act, 1869](#), provides for the dissolution, nullity and legal separation of marriage, and is applicable to all citizens of Bangladesh⁶³.
- 4.6.11 The UNCEDAW noted that there was ‘... no legal regime recognizing, defining, or setting out rules for control over marital property during marriage or the division of marital property on an equal basis between spouses upon divorce.’⁶⁴
- 4.6.12 The US Department of State noted in its report on human rights for 2019 (USSD HR Report 2019), ‘Women do not enjoy the same legal status and rights as men in family, property, and inheritance law. Under traditional Islamic inheritance law, daughters inherit only half of what sons do. Under Hindu inheritance law, a widow’s rights to her deceased husband’s property are limited to her lifetime and revert to the male heirs upon her death.’⁶⁵
- 4.6.13 The DFAT report noted:
 ‘Under the Muslim family ordinance, a widow receives one-eighth of her husband’s estate. The remainder is divided among the children, with each female child receiving half the share of each male child. Muslim wives have fewer divorce rights than husbands. Courts must approve divorces. The law requires a Muslim man to pay a former wife three months of alimony, but these protections generally apply only to registered marriages. Authorities do not always enforce the alimony requirement.’⁶⁶

⁵⁹ The Hindu, ‘Hindu Marriage Act in Bangladesh’, 20 September 2012, [url](#).

⁶⁰ UNCESCR, ‘Consideration of reports submitted by States...’ (para 146), 4 August 2017, [url](#).

⁶¹ UNCESCR, ‘Consideration of reports submitted by States...’ (para 145), 4 August 2017, [url](#).

⁶² Reuters, ‘Bangladesh rules women need not say if virgins...’, 27 August 2019, [url](#).

⁶³ Banglanews24, ‘Overview of Divorce Law in Bangladesh’, 11 January 2015, [url](#).

⁶⁴ UNCEDAW, ‘Concluding observations...’ (para 42), 18 November 2016, [url](#).

⁶⁵ USSD, ‘Country Report on Human Rights Practices for 2019’ (Section 6), 11 March 2020, [url](#).

⁶⁶ DFAT, ‘Country Information Report Bangladesh’ (para 3.31), 22 August 2019, [url](#).

4.7 Single and divorced women

- 4.7.1 A representative from Ain o Salish Kendra (ASK), a national legal aid and human rights organisation, consulted during the Home Office FFM to Bangladesh in May 2017, stated with regards to single women:

‘There are big problems with the social acceptance of single women, even for educated women who are working. There are also financial constraints. To live without male support is almost impossible. Bangladesh is a very family-orientated society. Even educated women are afraid to leave their families. [...] It is difficult for single women to rent a place to live in Dhaka or anywhere since society does not accept this and the state fails to assure security. It turns out to be a great obstacle towards single potential women’s empowerment. Single childless women may be able to find work in someone else’s home (as a domestic worker), but a woman with children would find such work difficult to obtain. [...] Single woman living alone are often called Bhabi which means “sister-in-law”. It is for their protection and also suggests they are unfamiliar with or unaccustomed to being with a single woman.’⁶⁷

- 4.7.2 The representative from the National Human Rights Commission (NHRC) told the Home Office FFM that:

‘It would not be easy for a young single woman to relocate or live alone without a good family support base. It would not be usual or seen as normal for a woman to live alone. Some professional affluent women might be able to do this but would still face harassment – even older single women. Renting a property alone would be difficult. Employment would be accessible to single women but mostly available to those from middle classes with access to family support. Single women from poor backgrounds would be destitute. Marriage is seen as the main source of social acceptance.’⁶⁸

- 4.7.3 The DFAT report noted ‘There is significant social stigma against single women. Most Bangladeshi women are married very young, and being single by choice is virtually unheard of. Remarriage in the case of widowhood or divorce is often considered socially unacceptable.’⁶⁹

- 4.7.4 The Economist reported in February 2019 that divorce application rates submitted by women were rising in Bangladesh, particularly amongst the middle classes. The report noted ‘According to the Bangladesh Bureau of Statistics, the number of applications for divorce has increased by 34% in the past seven years.’⁷⁰

- 4.7.5 A report by the World Bank Group on the situation of widowed, deserted and destitute women in Bangladesh, dated 1 January 2019, noted:

‘Many widows resort to very low paid menial jobs, begging or charity especially as their access to dignified jobs is limited by their poor literacy, lack of marketable skills and in many cases conservative social norms that

⁶⁷ Home Office, ‘FFM to Bangladesh’ (page 66), September 2017, [url](#).

⁶⁸ Home Office, ‘FFM to Bangladesh’ (page 90), September 2017, [url](#).

⁶⁹ DFAT, ‘Country Information Report Bangladesh’ (para 3.127), 22 August 2019, [url](#).

⁷⁰ The Economist, ‘Why Bangladesh’s divorce rate is rising’, 28 February 2019, [url](#).

dictate their mobility, lifestyle and choice of livelihood. Also, there are social insecurities associated with living alone without male guardian.’⁷¹

- 4.7.6 For information on documentation relating to marriage and divorce, see the Country Policy and Information Note on [Bangladesh: Documentation](#).

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4.8 Women with children born outside of marriage

- 4.8.1 Mohammed Asaduzzaman Sayem of the UK Bangladesh Education Trust (UKBET) told the Home Office FFM delegation that it was ‘extremely rare’ for women to have children outside of marriage; the National Human Rights Commission (NHRC) stated that to have a child outside of marriage would be unacceptable to family and society; although sex before marriage was not illegal, it was particularly frowned upon for women⁷². Spanish international news agency, EFE, reported in February 2017 on the NGO, Hope for the Destitute Women and Children (HDWC), which offered support to unwed pregnant women and girls. The report noted the ‘social stigma associated with pregnancy before marriage in deeply the conservative society [of Bangladesh].’⁷³

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4.9 Health care

- 4.9.1 Access to healthcare facilities is reported to be greater for women living in urban areas, or from higher socio-economic backgrounds, than those from rural areas^{74 75}.
- 4.9.2 For information on the health care system, see the Country Policy and Information Note on [Bangladesh: Medical and healthcare issues](#).

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4.10 LGBTI women

- 4.10.1 For information on lesbian, bisexual and transgender women, see the Country Policy and Information Note on [Bangladesh: Sexual orientation and gender identity and expression](#).

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Section 5 updated: 22 June 2020

5. Sexual and gender-based violence

5.1 Overview

- 5.1.1 The UNCESCR noted in its concluding observations, dated 18 April 2018: ‘While noting legislative measures taken by the State party to combat sexual and gender-based violence, the Committee remains concerned at the lack of implementation of the legislation; the prevalence of such violence in all

⁷¹ World Bank Group, ‘Allowances for the Widow...’ (page 2), 1 January 2019, [url](#).

⁷² Home Office, ‘FFM to Bangladesh’ (pages 85 and 90), September 2017, [url](#).

⁷³ EFE, ‘Bangladesh charity offers hope to unwed pregnant girls’, 28 February 2017, [url](#).

⁷⁴ Sheikh, T. et al, ‘A comprehensive analysis of trends ...’, 28 September 2017, [url](#). 8

⁷⁵ Asian Development Bank, ‘Making Health Care Affordable ...’, 23 February 2017, [url](#).

forms, including domestic violence, rape and sexual harassment; the lack of recognition of marital rape as an offence in the Penal Code, except in the case of a child bride younger than 13 years of age; and the inadequacy of the support services provided for victims of such violence.’⁷⁶

- 5.1.2 A 2015 survey, by the Bangladesh Bureau of Statistics (BBS), on violence against women in Bangladesh, found nearly two thirds of women had experienced some form of violence by their husbands at least once in their lifetime⁷⁷.
- 5.1.3 According to Odhikar, a human rights NGO in Bangladesh, in its annual human rights report covering 2019, which was based on data collection, reports sent by human rights defenders associated with Odhikar from different districts of the country and information published in various media⁷⁸, ‘Violence against women increased drastically in 2019 compared to other years. During this period, many women and girls became victims of domestic violence, including dowry related violence, rape and sexual harassment. There are allegations of the involvement of ruling party leaders-activists and members of law enforcement agencies in perpetrating violence against women.’⁷⁹
- 5.1.4 In its annual report covering 2019, Amnesty International, whilst not stating from where it obtained its statistics, noted ‘a sharp increase in violence against women and girls during the year’, adding there were ‘at least 17,900 reported cases of violence against women...’⁸⁰

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5.2 Acid attacks

- 5.2.1 The Bangladesh Bureau of Statistics (BBS) recorded that, between 2012 and 2017, there were 289 registered police cases of acid throwing against women⁸¹.
- 5.2.2 The National Human Rights Commission (NHRC) of Bangladesh and a human rights organisation, both told the Home Office FFM delegation that acid attacks against women had decreased⁸². The NHRC stated ‘A public movement against such attacks and acid being less easy to obtain has led to the decrease.’⁸³
- 5.2.3 Statistics provided by human rights groups varied, likely due to the different methodologies used in data collection, primarily obtained from media reports and through their own investigations. Due to the nature of collecting such data, cases are likely to be higher than reported.
- 5.2.4 Odhikar noted, in its annual human rights report covering 2019:

⁷⁶ UNCESCR, ‘Concluding observations...’ (para 52), 18 April 2018, [url](#).

⁷⁷ BBS, ‘Report on Violence Against Women (VAW) Survey 2015’, (page xviii), August 2016, [url](#).

⁷⁸ Odhikar, ‘Annual Human Rights Report 2019; Bangladesh’ (page 2), 8 February 2020, [url](#).

⁷⁹ Odhikar, ‘Annual Human Rights Report 2019; Bangladesh’ (pages 54-55), 8 February 2020, [url](#).

⁸⁰ Amnesty International, ‘Bangladesh 2019’, 30 January 2020, [url](#).

⁸¹ BBS, ‘Gender statistics of Bangladesh 2018’ (page 146), May 2019, [url](#).

⁸² Home Office, ‘FFM to Bangladesh’ (pages 89 and 99), September 2017, [url](#).

⁸³ Home Office, ‘FFM to Bangladesh’ (page 89), September 2017, [url](#).

‘After analyzing the cause of acid attacks, it was found that acid violence resulted when victims refused to accept love proposals, due to dowry demands, for seeking justice for rape, and due to land related dispute. In 2019, almost all of the victims of acid violence were women and children. Although acid violence is an extreme human rights violation, according to a report from the Ministry of Home Affairs, most of the accused are being acquitted, as the allegations in the cases relating to acid violence could not be proved. Only 9 percent of the accused were given punishment. In the last 16 years, there were 2,169 cases in relation to acid violence. Police submitted final reports in 866 cases, claiming that the allegations had not been proved. Of these cases, only 199 persons were convicted and 1,950 accused were acquitted. According to the Acid Crime Prevention Act of 2002, a trial has to end within 90 working days, but the cases are kept pending for years. As a result, the victims are deprived from justice.’⁸⁴

- 5.2.5 The majority of acid-violence victims were female. Odhikar reported ‘In 2019, it was reported that 31 persons became victims of acid violence. Of them, 21 were female and 10 were male.’⁸⁵ Odhikar reported 17 women and girls were victims of acid violence in 2018 (and 9 males)⁸⁶ and 42 female victims in 2017 (and 10 males)⁸⁷.
- 5.2.6 Ain O Salish Kendra (ASK), a Bangladeshi legal aid and human rights organisation, which collected data from media reports and through its own investigations, recorded 19 incidents of acid violence against women between January and December 2019⁸⁸, compared to 22 in 2018 (of whom 1 died as a result)⁸⁹ and 32 in 2017 (of whom 1 died)⁹⁰.

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5.3 Domestic abuse

- 5.3.1 The Bangladesh Bureau of Statistics (BBS) Report on Violence Against Women Survey 2015 found that 72.6% of ever-married women experienced one or more forms of violence (physical, sexual, economic, and emotional abuse, and controlling behaviour) by their husband at least once in their lifetime and 54.7% had experienced one or more such forms in the previous 12 months. Rates of lifetime partner violence (any form) were highest in rural areas (74.8% of ever-married women) and lowest in city corporation areas (54.4%). Most women did not report incidents of violence for reasons including not considering it necessary to report it, family honour, fear of the perpetrator and shame or embarrassment. The report noted that in comparison to 2011, the 2015 survey showed a lower occurrence of all forms violence (aside from physical violence) though accepted this could be

⁸⁴ Odhikar, ‘Annual Human Rights Report 2019’ (page 60), 8 February 2020, [url](#).

⁸⁵ Odhikar, ‘Annual Human Rights Report 2019’ (page 60), 8 February 2020, [url](#).

⁸⁶ Odhikar, ‘Annual Human Rights Report 2018’ (page 40), 8 August 2019, [url](#).

⁸⁷ Odhikar, ‘Annual Human Rights Report 2017’ (page 69), 12 January 2018, [url](#).

⁸⁸ ASK, ‘Violence Against Women – Acid Attacks (Jan-Dec 2019)’, 6 January 2020, [url](#).

⁸⁹ ASK, ‘Human Rights Situation of Bangladesh in 2018’ (page 11), January 2019, [url](#).

⁹⁰ ASK, ‘Human Rights Situation of Bangladesh in 2017’ (page 13), 2018, [url](#).

due to methodological differences rather than a true reduction in violence against women⁹¹.

- 5.3.2 As a global comparison, a 2013 World Health Organization (WHO) report estimated 35% of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence⁹². UN Women, who referred to the WHO report, also added that some national studies indicated that up to 70% of women have experienced physical and/or sexual violence from an intimate partner during their lifetime⁹³.
- 5.3.3 As a UK comparison, the European Union Agency for Fundamental Rights (EUFRA) published the results of an EU-wide survey on violence against women in March 2014. The survey found that, in the UK, 29% of ever-partnered women aged 18-74 years had experienced intimate partner physical and/or sexual violence at least once in their lifetime⁹⁴.
- 5.3.4 A small study of 118 rural women, undertaken in 2015, concluded that domestic violence against women in Bangladesh was a 'major concern', caused mainly by 'dowry, addiction, social, cultural as well as political aspects, sexual behavior of the husband, making familial decisions, giving birth to female children...'⁹⁵
- 5.3.5 The DFAT report noted that, despite its criminalisation, domestic violence was widespread⁹⁶.
- 5.3.6 Odhikar did not provide statistics specifically on domestic violence, though indicated, in its annual human rights reports, that such violence occurred during 2017⁹⁷, 2018⁹⁸ and 2019⁹⁹.
- 5.3.7 ASK recorded 423 incidents of domestic violence against women between January and December 2019, 218 of whom were murdered by their husbands and 52 murdered by their husband's family members¹⁰⁰. ASK recorded 409 cases of domestic violence in 2018¹⁰¹ and 442 in 2017¹⁰². Due to the nature of data collection (via media and ASK's own investigations), cases are likely higher than reported.

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5.4 Domestic abuse during the coronavirus pandemic

- 5.4.1 Deutsche Welle, reporting on 12 May 2020, noted that violence against women and children was on the rise amid the COVID-19 lockdown:

'Rights activists say the lockdown has made women and children more vulnerable to domestic violence and abuse as many of them are confined to

⁹¹ BBS, 'Report on Violence Against Women (VAW) Survey 2015', (pages xviii-xix), August 2016, [url](#).

⁹² WHO, 'Global and regional estimates of violence against women' (page 2), 2013, [url](#).

⁹³ UN Women, 'Facts and figures: Ending violence against women', last updated November 2019, [url](#).

⁹⁴ EUFRA, 'Violence against women: an EU-wide survey' (page 19), March 2014, [url](#).

⁹⁵ Hossain, A., 'The Impact of Domestic Violence on Women...' (page 7), 2016, [url](#).

⁹⁶ DFAT, 'Country Information Report Bangladesh' (para 3.121), 22 August 2019, [url](#).

⁹⁷ Odhikar, 'Annual Human Rights Report 2017' (page 9), 12 January 2018, [url](#).

⁹⁸ Odhikar, 'Annual Human Rights Report 2018' (page 37), 8 August 2019, [url](#).

⁹⁹ Odhikar, 'Annual Human Rights Report 2019' (page 54), 8 February 2020, [url](#).

¹⁰⁰ ASK, 'Violence Against Women (Domestic Violence) Jan-December 2019', 6 January 2020, [url](#).

¹⁰¹ ASK, 'Human Rights Situation of Bangladesh in 2018' (page 11), January 2019, [url](#).

¹⁰² ASK, 'Human Rights Situation of Bangladesh in 2017' (page 12), 2018, [url](#).

their homes with no outside support. According to a recent survey by Manusher Jonno Foundation (MJF), a local human rights organization, at least 4,249 women and 456 children were subjected to domestic violence in 27 out of 64 districts of Bangladesh in April, with 1,672 women and 424 children facing violence for the first time in their lives.

“The women, who faced domestic violence for the first time, blame the lockdown for their situation. They say that their husbands are becoming increasingly frustrated at home due to a lack of social interaction,” Arpita Das, a coordinator at the MJF, told DW.

“Men are angry about losing their jobs due to the COVID-19 lockdown. Some are venting their frustration by torturing their wives,” she added.¹⁰³

- 5.4.2 The Business Standard, a news platform based in Dhaka, noted that the number of domestic violence-related calls to a national emergency helpline had increased between 26 March and 12 April 2020 with 769 calls received and the Centre for Policy Dialogue noted that their field-level staff had observed a rising trend in domestic violence¹⁰⁴.

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5.5 Dowry-related violence

- 5.5.1 The Bangladesh Bureau of Statistics (BBS) recorded that, between 2012 and 2017, there were over 35,000 registered police cases of dowry-related violence against women¹⁰⁵.
- 5.5.2 A joint NGO submission to the UN Human Rights Committee, dated February 2017 stated ‘... dowry practice remains deeply rooted in Bangladeshi society and continues to result in the abuse and death of women each year. Many girls, the victims of child marriages, become victims of dowry-related violence. Dowry has become a serious social ailment, affecting women, girls, and their families from all sectors of society.’¹⁰⁶
- 5.5.3 In a statement commemorating the International Day for the Elimination of Violence against Women, November 2017, Odhikar stated that dowry disputes were one of the major causes of domestic violence¹⁰⁷. During the Home Office FFM, lawyers cited dowry disputes, for example non-payment of dowry, as a possible reason for gender-based violence and suicides¹⁰⁸. Odhikar noted in its statement on International Women’s Day, March 2020, that ‘Many women are facing physical and mental abuse and even death in the hands of their husbands and in laws, over illegal demands of dowry.’¹⁰⁹
- 5.5.4 Statistics provided by human rights groups varied, likely due to the different methodologies used in data collection, primarily obtained from media reports and through their own investigations. Due to the nature of collecting such data, cases are likely to be higher than reported.

¹⁰³ Deutsche Welle, ‘COVID-19 lockdown increases domestic violence...’ 12 May 2020, [url](#).

¹⁰⁴ Business Standard, ‘Domestic Violence: a silent epidemic thrives ...’, 21 April 2020, [url](#).

¹⁰⁵ BBS, ‘Gender statistics of Bangladesh 2018’ (page 146), May 2019, [url](#).

¹⁰⁶ Joint submission, ‘Joint NGO Alternative Report...’ (para 10), 24 February 2017, [url](#).

¹⁰⁷ Odhikar, ‘Statement in Commemoration ...’, 24 November 2017, [url](#).

¹⁰⁸ Home Office, ‘FFM to Bangladesh’ (page 80), September 2017, [url](#).

¹⁰⁹ Odhikar, ‘Statement to Commemorate International Women’s Day’, 6 March 2020, [url](#).

5.5.5 Odhikar noted in its annual human rights report, covering 2019, that, despite protection laws, the giving and taking of dowry was widespread:

‘Unlawful demands for dowry have led to several inhumane incidents, including women being tied to trees and their heads shaved; setting women on fire; strangulation; cutting tendons of hands and legs; and stabbing to death over dowry demands have been reported in 2019. Some of the victims were pregnant. Women with disabilities, children and adolescents who have been victims of child marriage were also killed for dowry. [...] Even family members of the women suffer extreme psychological pain due to dowry demands.’¹¹⁰

5.5.6 In 2019, Odhikar reported 103 married women were subjected to dowry-related violence (of whom 48 were killed)¹¹¹, compared to 142 in 2018 (71 allegedly killed)¹¹² and 256 in 2017 (118 killed)¹¹³.

5.5.7 Though dowry-related violence appeared to have decreased over recent years, ASK reported in February 2020 that ‘Despite the government’s various efforts, dowry-related domestic violence rates are still very high in Bangladesh. A survey of national newspapers conducted by ASK shows that during the first eight months of 2019, a total of 110 such cases were reported in the national dailies, among which 41 were physically tortured and 63 were tortured to death.’¹¹⁴ According to data collected by ASK, 167 women were victims of dowry-related violence between January and December 2019, of whom 96 were tortured to death and 97 cases were filed¹¹⁵. ASK recorded 195 cases of dowry related violence in 2018 (85 died)¹¹⁶ and 303 in 2017 (145 died)¹¹⁷.

5.5.8 In April 2020 the murder of a woman by her husband was live-streamed on Facebook, reportedly over a dowry dispute¹¹⁸.

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5.6 Early and forced marriage

5.6.1 The representative from Ain o Salish Kendra (ASK) told the Home Office FFM that ‘Girls in Bangladesh are victims of forced marriage though forced marriage per se is not recognised in Bangladesh, so there are no statistics recording how many take place, but ASK acknowledge it is a problem. Many underage girls marry, who by definition cannot give their consent as they are under 18.’¹¹⁹

5.6.2 The DFAT report further noted:

¹¹⁰ Odhikar, ‘Annual Human Rights Report 2019’ (page 59), 8 February 2020, [url](#).

¹¹¹ Odhikar, ‘Annual Human Rights Report 2019’ (page 59), 8 February 2020, [url](#).

¹¹² Odhikar, ‘Annual Human Rights Report 2018’ (page 39), 8 August 2019, [url](#).

¹¹³ Odhikar, ‘Annual Human Rights Report 2017’ (page 68), 12 January 2018, [url](#).

¹¹⁴ ASK, ‘Farhana’s Escape From the Weight of Dowry’, 16 February 2020, [url](#).

¹¹⁵ ASK, ‘Violence Against Women – Dowry (Jan-Dec 2019)’, 6 January 2020, [url](#).

¹¹⁶ ASK, ‘Human Rights Situation of Bangladesh in 2018’ (page 11), January 2019, [url](#).

¹¹⁷ ASK, ‘Human Rights Situation of Bangladesh in 2017’ (page 12), 2018, [url](#).

¹¹⁸ Business Standard, ‘Domestic Violence: a silent epidemic thrives ...’, 21 April 2020, [url](#).

¹¹⁹ Home Office, ‘FFM to Bangladesh’ (page 65), September 2017, [url](#).

‘Bangladesh has one of the highest child marriage rates in the world: 52 per cent of girls are married before the age of 18 and 18 per cent married before the age of 15, although girls as young as 12 may be forced to marry. According to human rights observers, a wide range of social, cultural and economic factors drives these high rates of early marriage. Girls and women are generally less valued in families and communities, and keeping girls safe can represent a burden. Child marriage may be used as a coping mechanism for poverty, including in Rohingya communities where feeding and clothing girls is seen as stretch on tight resources.’¹²⁰

5.6.3 A policy brief on child marriage in Bangladesh, published by the Center for Reproductive Rights in 2018, noted:

‘The prevalence of child marriage in Bangladesh can be attributed to several factors, including, in no particular order, its use to create or maintain family ties and relationships, the persistence of gender inequality and adherence to discriminatory and patriarchal attitudes regarding the safeguarding of virginity for family honor, poverty and the lack of economic opportunities for women, demand for increased dowry as a girl ages, fear of sexual violence, and non-enforcement and inconsistency in laws aimed at preventing or punishing child marriage and its various dimensions.

‘Gender-based stereotypes are a driving factor behind the prevalence of child marriage. Girls are often considered financial burdens who must be passed from their family to their husband’s family or are married off to protect their “honor” and chastity. As a result, parents often arrange for their daughters’ marriages, which are seen as necessary and inevitable. Child marriages are often initiated by a man’s family or arranged by both families jointly. Societal pressures and gender inequality remove a girl’s ability to give full, free, and informed consent when she marries. These harmful, gendered views are also engrained in religious personal laws in Bangladesh, further legitimizing gender-based discrimination and child marriage. Additionally, poverty and lack of education contribute to the prevalence of child marriage in Bangladesh. Girls from poorer and less educated families are at a greater risk of being forced into child marriage because of the dowry system and the belief that education for girls is a wasted investment. Poorer families are also more likely to find it difficult to raise daughters or invest in their education, leaving marriage as a more financially viable option. Recent research has also shown an increase in child marriage occurring after natural disasters as a means of financial survival for affected families.’¹²¹

5.6.4 The UNCESCR noted in its concluding observations, dated 18 April 2018:

‘The Committee is concerned that, while it has decreased, the incidence of child marriage remains high, indicating that in the State party over 10 per cent of girls under the age of 15, and more than half of girls under the age of 18, are married. It is particularly concerned at the serious negative impact that child marriage has on those girls throughout their life cycle, illustrated by high mortality and morbidity rates; high school dropout rates and lower levels of education; unemployment and employment segregation in low-paid jobs;

¹²⁰ DFAT, ‘Country Information Report Bangladesh’ (para 3.126), 22 August 2019, [url](#).

¹²¹ Center for Reproductive Rights, ‘Ending impunity...’ (page 7), 2018, [url](#).

higher vulnerability to domestic and gender-based violence; and high poverty rates.

‘While welcoming the Child Marriage Restraint Act, 2017, the Committee is concerned by weaknesses in this legislation, including the absence of provisions declaring child marriages as void, the exception in the legislation that permits child marriage without any minimum legal age in “special circumstances ... in the best interests of the minor” provided there is parental consent and a court order, and the lack of clarity on the primacy of the Act over personal laws.’¹²²

- 5.6.5 Referring to the 2017 Child Marriage Restraint Act and the exceptions to the minimum marriage age (18 years for women and 21 years for men), the DFAT report noted:

‘The law permits parents and guardians to obtain a court order to allow children to be married if it is in their “best interests”. Human rights groups have criticised the law for not providing a definition of what “best interests” may mean, nor stipulating a minimum age for when marriage can occur. These groups have expressed concern that the law could result in rape victims or impregnated minors being married to their abusers without their consent.’¹²³

- 5.6.6 The same source stated, ‘The new law came in spite of a 2014 government pledge to end child marriage before the age of 15 by 2021, and to end marriage before the age of 18 by 2041.’¹²⁴

- 5.6.7 In April 2020 UN Women issued a Rapid Gender Analysis on cyclone Amphan, noting that:

‘Experiences from previous disasters show increased rate of child marriage in the affected areas. Without exception, data from the Amphan affected areas indicate child marriage is becoming one of the most significant safety security concerns among the respondents. Education institutions have been closed since March 2020 due to COVID 19 and respondents anticipate it will not be easy for students to continue education in the aftermath of Amphan because of having to deal with the detrimental consequences of the cyclone. Not being able to continue education, loss of livelihoods of families, having significant safety security concerns for girls and women increased the risk of child marriage in the Amphan affected areas.’¹²⁵

- 5.6.8 Deutsche Welle (DW), reporting on 12 May 2020, noted that violence against women and children was on the rise amid the COVID-19 lockdown:

‘Some families married off girls to ease the financial burden.

“The coronavirus lockdown has increased financial pressure on these families. Some parents decided to marry off their underage daughters to reduce the burden,” Arpita Das, a human rights activist, told DW.

¹²² UNCESCR, ‘Concluding observations...’ (paras 49-50), 18 April 2018, [url](#).

¹²³ DFAT, ‘Country Information Report Bangladesh’ (para 3.32), 22 August 2019, [url](#).

¹²⁴ DFAT, ‘Country Information Report Bangladesh’ (para 3.126), 22 August 2019, [url](#).

¹²⁵ UN Women, ‘Rapid Gender Analysis Cyclone Amphan’ (p.24), 18 June 2020, [url](#)

“Child marriage is illegal in Bangladesh. But in the present situation, law enforcement agencies and local administrators are busy dealing with coronavirus. Some families are taking it as an opportunity to arrange marriages for their daughters,” Das added.’¹²⁶

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5.7 Fatwa-instigated violence

5.7.1 The USSD HR Report 2019 noted:

‘A Supreme Court Appellate Division ruling allows the use of fatwas (religious edicts) only to settle religious matters; fatwas may not be invoked to justify punishment, nor may they supersede secular law. Islamic tradition dictates only those religious scholars with expertise in Islamic law may declare a fatwa. Despite these restrictions, village religious leaders sometimes made such declarations. The declarations resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

‘Incidents of vigilantism against women occurred, sometimes led by religious leaders enforcing fatwas. The incidents included whipping, beating, and other forms of physical violence.’¹²⁷

5.7.2 According to a report by the Dhaka Tribune, between 2012 and 2017, 135 women became victims of fatwa and salish (informal village arbitration)¹²⁸. According to the Deccan Herald, reporting in 2018, over 500 women were subjected to public flogging, ordered by fatwa since 2000¹²⁹. ASK recorded 7 incidents of violence against women instigated by salish and fatwa in 2018¹³⁰ and 10 in 2017¹³¹.

5.7.3 The Dhaka Tribune reported on 27 July 2019, that there had been a ‘54% decrease in reported cases of fatwa and salish (village arbitration) – practices that have often been associated with extrajudicial punishment and human rights violations.’¹³² The reduction – 503 cases between 2000 and 2011 fell to 135 cases between 2012 to 2017 – was attributed to cooperation between NGOs and law enforcement agencies as well as greater media coverage¹³³.

5.7.4 The DFAT report noted ‘Religious leaders in rural areas sometimes impose flogging and other extrajudicial punishments on women accused of violating strict moral codes, but do not impose these punishments on men.’¹³⁴

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¹²⁶ Deutsche Welle, ‘COVID-19 lockdown increases domestic violence...’ 12 May 2020, [url](#).

¹²⁷ USSD, ‘Country Report on Human Rights Practices for 2019’ (Section 6), 11 March 2020, [url](#).

¹²⁸ Dhaka Tribune, ‘How did Bangladesh succeed in curbing fatwas?’, 27 July 2019, [url](#).

¹²⁹ Deccan Herald, ‘500 women fatwa victims in Bangladesh in past 10 years’, 3 May 2018, [url](#).

¹³⁰ ASK, ‘Human Rights Situation of Bangladesh in 2018’ (page 11), January 2019, [url](#).

¹³¹ ASK, ‘Human Rights Situation of Bangladesh in 2017’ (page 12), 2018, [url](#).

¹³² Dhaka Tribune, ‘How did Bangladesh succeed in curbing fatwas?’, 27 July 2019, [url](#).

¹³³ Dhaka Tribune, ‘How did Bangladesh succeed in curbing fatwas?’, 27 July 2019, [url](#).

¹³⁴ DFAT, ‘Country Information Report Bangladesh’ (para 3.118), 22 August 2019, [url](#).

5.8 Rape

- 5.8.1 The representative from Ain o Salish Kendra (ASK) told the Home Office FFM that ‘Children and women who are raped face humiliation from the society and their future becomes stigmatized. The families of the raped also struggle with the continuous humiliation and at some point those impact the victim child. They are likely to lose any hope of marriage and may not be able to stay in their village.’¹³⁵
- 5.8.2 The Bangladesh Bureau of Statistics (BBS) recorded that, between 2012 and 2017, there were 22,467 registered police cases of rape against women¹³⁶.
- 5.8.3 Statistics provided by human rights groups varied, likely due to the different methodologies used in data collection, primarily obtained from media reports and through their own investigations. Due to the nature of collecting such data, cases are likely to be higher than reported.
- 5.8.4 The DFAT report noted that, ‘NGOs report that a high-percentage of rapes and attempted rapes involve girls aged between seven and 12 years of age, and many rape victims subsequently commit suicide.’¹³⁷
- 5.8.5 According to data collected in 2019 by Odhikar, incidents of reported rape of women and children increased in 2019 to 1,080¹³⁸, compared to 635 in 2018¹³⁹ and 783 in 2017¹⁴⁰. Odhikar provided a breakdown of the 2019 statistics, noting:
- ‘Among them, 330 were women, 737 were girls below the age of 18 and the identity of 13 persons were not reported. Of the women, 150 were victims of gang rape, 10 were killed after being raped and two committed suicide. Out of the 737 girls, 137 were victims of gang rape, 32 were killed after being raped and five committed suicide. Furthermore, 149 women and girls were also the victim of attempted rape.’¹⁴¹
- 5.8.6 ASK also recorded an increase in reported rape, citing 1,413 women were raped between January and December 2019, of whom 76 were killed and 10 committed suicide¹⁴², compared to 732 in 2018 (63 killed, 7 suicides)¹⁴³ and 818 in 2017 (47 killed, 11 suicides)¹⁴⁴. At least 328 of the 2019 cases were against minors¹⁴⁵. According to media monitoring, some rapes were committed by police¹⁴⁶. The USSD HR Report 2019 also reported police were perpetrators of rape¹⁴⁷.

¹³⁵ Home Office, ‘FFM to Bangladesh’ (page 63), September 2017, [url](#).

¹³⁶ BBS, ‘Gender statistics of Bangladesh 2018’ (page 146), May 2019, [url](#).

¹³⁷ DFAT, ‘Country Information Report Bangladesh’ (para 3.119), 22 August 2019, [url](#).

¹³⁸ Odhikar, ‘Annual Human Rights Report 2019’ (page 55), 8 February 2020, [url](#).

¹³⁹ Odhikar, ‘Annual Human Rights Report 2018’ (page 37), 8 August 2019, [url](#).

¹⁴⁰ Odhikar, ‘Annual Human Rights Report 2017’ (page 67), 12 January 2018, [url](#).

¹⁴¹ Odhikar, ‘Annual Human Rights Report 2019’ (page 55), 8 February 2020, [url](#).

¹⁴² ASK, ‘Violence Against Women – Rape (Jan-Dec 2019)’, 6 January 2020, [url](#).

¹⁴³ ASK, ‘Human Rights Situation of Bangladesh in 2018’ (page 10), January 2019, [url](#).

¹⁴⁴ ASK, ‘Human Rights Situation of Bangladesh in 2017’ (page 11), 2018, [url](#).

¹⁴⁵ ASK, ‘Violence Against Women – Rape (Jan-Dec 2019)’, 6 January 2020, [url](#).

¹⁴⁶ ASK, ‘Violence Against Women – Rape (Jan-Dec 2019)’, 6 January 2020, [url](#).

¹⁴⁷ USSD, ‘Country Report on Human Rights Practices for 2019’ (Section 6), 11 March 2020, [url](#).

- 5.8.7 Amnesty International cited 5,400 reported cases of rape in its report covering 2019, although did not indicate from where it obtained its statistics¹⁴⁸.
- 5.8.8 Marital rape is not considered a crime if the female is aged older than 13 years¹⁴⁹.

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5.9 Sexual harassment

5.9.1 As noted in the DFAT report:

'A 2009 High Court guideline prohibits sexual harassment, known euphemistically (and inaccurately) as "Eve-teasing", in both private and public areas. The High Court's guideline includes requirements to form complaints committees and install complaints boxes at educational institutions and workplaces. Activists report, however, that enforcement and monitoring of the guideline is rarely enforced, and that women commonly experienced sexual harassment. Although women's seats on buses have been introduced in Dhaka to accommodate the relatively recent phenomenon of women commuting to work, groping is common on crowded transport. Women have also been sexually harassed and raped at their workplaces, particularly in garment factories. In many cases, fear of experiencing sexual harassment reportedly prevents women and girls from attending work or school.'¹⁵⁰

5.9.2 Statistics provided by human rights groups varied, likely due to the different methodologies used in data collection, primarily obtained from media reports and through their own investigations. Due to the nature of collecting such data, cases are likely to be higher than reported.

5.9.3 Odhikar noted in its annual human rights report, covering 2019, that:

'Stalking and sexual harassment is commonplace in Bangladesh, especially in public places. In 2019, a large number of female students were sexually harassed by teachers at various educational institutions. There have also been allegations of sexual harassment against ruling party leaders-activists and members of law enforcement agencies. Women have been sexually harassed in the workplace and while traveling on public transport. After being victimized, women have been subjected to assaults and even killed during protest. Some committed suicide after being sexually assaulted.'¹⁵¹

5.9.4 The same source noted that, in 2019, 189 women and children were victims of sexual violence [though the report did not specifically define 'sexual violence', it named injury, abduction and assault in its statistics]¹⁵². The report noted 112 victims of stalking/sexual harassment¹⁵³. Odhikar recorded 157 cases of sexual violence (82 cases of stalking/harassment) in 2018¹⁵⁴

¹⁴⁸ Amnesty International, 'Bangladesh 2019', 30 January 2020, [url](#).

¹⁴⁹ Penal Code, (Section 375), 1860, [url](#).

¹⁵⁰ DFAT, 'Country Information Report Bangladesh' (para 3.124), 22 August 2019, [url](#).

¹⁵¹ Odhikar, 'Annual Human Rights Report 2019' (page 57), 8 February 2020, [url](#).

¹⁵² Odhikar, 'Annual Human Rights Report 2019' (page 57), 8 February 2020, [url](#).

¹⁵³ Odhikar, 'Annual Human Rights Report 2019' (page 57), 8 February 2020, [url](#).

¹⁵⁴ Odhikar, 'Annual Human Rights Report 2018' (page 39), 8 August 2019, [url](#).

and in 2017, 242 women and girls were victims of sexual harassment, which included assault and injury, and 134 victims of stalking¹⁵⁵.

5.9.5 ASK recorded 258 incidents of sexual harassment of women between January and December 2019¹⁵⁶, compared to 116 in 2018¹⁵⁷ and 255 in 2017¹⁵⁸.

5.9.6 The DFAT report noted:

‘Although Islamic clothing and head coverings (hijab) are not as commonly associated with Bangladesh as with other Muslim countries, Bangladeshi women are reportedly increasingly choosing to wear hijab because they believe that it reduces the risk of harassment and violence. A police source reported that at least 1,139 women and children were subjected to physical and sexual harassment over a three month period in early 2019, although this figure likely understates considerably the true number. Both women and men who have challenged sexual harassment and abuse have been physically assaulted. In one particularly egregious case in April 2019, fellow students doused with kerosene and set on fire a female student at a madrassah who had filed a sexual harassment case against the school’s principal. The attacked student died five days later.’¹⁵⁹

5.9.7 Human Rights Watch (HRW) noted in its World Report 2020, covering 2019 events, that there were no laws against sexual harassment, adding ‘Protests broke out nationwide calling on the government to reform and enforce Bangladeshi laws and practices concerning sexual assault after Nusrat Jahan Rafi, 19, was burned to death after she filed a complaint of attempted rape against her madrassa teacher.’¹⁶⁰

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Section 6 updated: 22 June 2020

6. State treatment and attitudes

6.1 Implementation of the law

6.1.1 Despite the enactment of laws aimed at protecting women, a joint NGO submission to the UN Human Rights Committee, dated February 2017, stated the laws remained largely unimplemented, therefore violence against women continued unabated. The reasons for lack of application of the laws were cited as ‘... corruption in police investigations, inefficient prosecutorial systems, absence of modern forensic medicine infrastructures, delay in criminal justice system, non-judicial mind-set of the judges, lack of public awareness, and impunity to the perpetrators having ruling political party affiliation.’¹⁶¹

¹⁵⁵ Odhikar, ‘Annual Human Rights Report 2017’ (page 65), 12 January 2018, [url](#).

¹⁵⁶ ASK, ‘Violence Against Women – Sexual Harassment (Jan-Dec 2019)’, 6 January 2020, [url](#).

¹⁵⁷ ASK, ‘Human Rights Situation of Bangladesh in 2018’ (page 10), January 2019, [url](#).

¹⁵⁸ ASK, ‘Human Rights Situation of Bangladesh in 2017’ (page 10), 2018, [url](#).

¹⁵⁹ DFAT, ‘Country Information Report Bangladesh’ (para 3.125), 22 August 2019, [url](#).

¹⁶⁰ HRW, ‘World Report 2020’ (Women’s and Girls’ Rights), 14 January 2020, [url](#).

¹⁶¹ Joint submission, ‘Joint NGO Alternative Report...’ (para 8), 24 February 2017, [url](#).

- 6.1.2 The UNCEDAW report noted with concern that ‘Existing rules, policies and plans addressing gender-based violence against women are rarely implemented due to stereotypes and gender bias, and lack of gender sensitivity on the part of law enforcement officials, and lack of capacity among judges and lawyers.’¹⁶²
- 6.1.3 According to Odhikar’s annual human rights report, covering 2019, ‘According to the Dowry Prohibition Act 1980, and the Prevention of Oppression against Women and Children Act 2000, giving and taking dowry and committing violence for dowry, are punishable offences, but this perverted culture is prevalent in society. There is almost zero implementation of law in terms of giving and taking dowry.’¹⁶³
- 6.1.4 The DFAT report noted that the Domestic Violence (Prevention and Protection) Act, 2010, was not effectively enforced¹⁶⁴ and 2009 High Court guideline prohibiting sexual harassment remained largely unmonitored and unimplemented¹⁶⁵.
- 6.1.5 The USSD HR Report 2019 stated:
 ‘In April 2018 the High Court released a 16-point guideline on the handling of rape cases by law enforcement personnel and other parties to the matter. The guidelines came in response to a 2015 writ petition following complaints of delays in recording rape cases. According to the guidelines, the OC [officer in charge] of a police station must record any information relating to rape or sexual assault irrespective of the place of occurrence. Chemical and DNA tests are required to be conducted within 48 hours from when the incident was reported. The High Court guidelines also stipulated every police station must have a female police officer available to victims of rape or sexual assault during the recording of the case by the duty officer. The statements of the victim are required to be recorded in the presence of a lawyer, social worker, protection officer, or any other individual the victim deems appropriate. Victims with disabilities should be provided with government-supported interpretation services, if necessary, and the investigating officer along with a female police officer should escort the victim to a timely medical examination.’¹⁶⁶
- 6.1.6 Human Rights Watch (HRW) noted in its World Report 2020, covering 2019 events, that the Bangladeshi authorities ‘failed to properly enforce laws to protect women and girls...’¹⁶⁷
- 6.1.7 In its annual report covering 2019, Amnesty International considered that ‘The alarming rise of violence against women and girls is partly due to the prevailing culture of impunity and lack of government commitment.’¹⁶⁸

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¹⁶² UNCEDAW, ‘Concluding observations...’ (para 18b), 18 November 2016, [url](#).

¹⁶³ Odhikar, ‘Annual Human Rights Report 2019’ (page 59), 8 February 2020, [url](#).

¹⁶⁴ DFAT, ‘Country Information Report Bangladesh’ (para 3.121), 22 August 2019, [url](#).

¹⁶⁵ DFAT, ‘Country Information Report Bangladesh’ (para 3.124), 22 August 2019, [url](#).

¹⁶⁶ USSD, ‘Country Report on Human Rights Practices for 2019’ (Section 6), 11 March 2020, [url](#).

¹⁶⁷ HRW, ‘World Report 2020’ (Women’s and Girls’ Rights), 14 January 2020, [url](#).

¹⁶⁸ Amnesty International, ‘Bangladesh 2019’, 30 January 2020, [url](#).

6.2 Access to justice

6.2.1 The UNCEDAW report noted its concern:

‘... about the lack of access to justice for women, especially women and girls in marginalized and disadvantaged situations, due to their lack of awareness, legal illiteracy, costly legal procedures and the lack of capacity building programmes for judicial and law-enforcement officials as well as stigmatization of women seeking justice. While noting that the State party established a Legal Aid Fund for persons in need, the Committee is concerned that the Fund is largely inaccessible for women and girls without sufficient means.’¹⁶⁹

6.2.2 UKBET told the Home Office FFM delegation that some women, particularly from conservative-religious backgrounds, were reluctant to report cases of domestic violence to the police for fear they would be left without a husband and there were no social security systems in place to support single or divorced women¹⁷⁰.

6.2.3 The representative from Ain o Salish Kendra (ASK) told the Home Office FFM that ‘According to statistics, only one percent people can access to police and only 3 per cent of victims get some form of support from the authorities. [...] Mostly with the cases of rape police show reluctance to receive complaints.’¹⁷¹ At a meeting with lawyers they observed that ‘Women may face problems reporting an incident of GBV at a police station. Some officers refuse to take GBV cases, others may have been bribed by the perpetrator, so the case is not accepted. However, there is a case in progress dealing with charges brought for bribery in such an incident.’¹⁷²

6.2.4 The FFM report cited the National Human Rights Commission as stating, with regards to support for victims of gender based violence, that: ‘... people who were aware of the law could file charges against the perpetrator but social stigma often prevents many women from seeking help. The NHRC official had experience of taking women – who wanted to leave their homes – to the police to record a General Diary (GD) note regarding this. However, the NHRC official stated that, in a patriarchal society, the police do not always wish to take this on and would call the woman’s husband, father, brother or other members of family, asking them if they wanted to take the woman back home. Some police may take on a case at the behest of human rights organisations. Women’s rights become submerged beneath religious and social norms.’¹⁷³

6.2.5 A human rights organisation told the FFM that ‘Police say it is a personal thing when there are issues of domestic violence. Then police do not like to take the case and say “sort it out between yourselves”. In rape cases male police ask humiliating questions to victims. The social shame is so high that women do not want to seek justice. The judiciary is also weak and

¹⁶⁹ UNCEDAW, ‘Concluding observations...’ (para 12), 18 November 2016, [url](#).

¹⁷⁰ Home Office, ‘FFM to Bangladesh’ (page 84), September 2017, [url](#).

¹⁷¹ Home Office, ‘FFM to Bangladesh’ (page 64), September 2017, [url](#).

¹⁷² Home Office, ‘FFM to Bangladesh’ (page 80), September 2017, [url](#).

¹⁷³ Home Office, ‘FFM to Bangladesh’ (page 89), September 2017, [url](#).

dysfunctional. Usually there is a monetary compromise between the victim's family and perpetrator. In many instances there are threats from the perpetrators. Also social stigma is there. Women's lives are very cheap here. Police are very corrupt – nobody wants to call the police.'¹⁷⁴ Transparency International considered that 'There is a reluctance on the part of the police to accept complaints, for example from women victims of gender based violence.'¹⁷⁵

6.2.6 The Hague Institute for Innovation of Law (HiIL) conducted a nationwide Justice Needs and Satisfaction survey (JNS), with the cooperation of the Ministry of Foreign Affairs of The Netherlands, of 6,000 adults in Bangladesh in 2017. Its subsequent report, dated March 2018, noted 'Women in Bangladesh face an uphill battle. When faced with a legal problem, particularly related to violence against women, they are often afraid to speak up or are persuaded to drop their cases; the system seems to work against them.'¹⁷⁶

6.2.7 The HiIL report noted:

'... family disputes and especially violence against women, is a known problem in Bangladesh. However, women are quite reluctant to discuss these matters with others. Experts inform us that women are often assumed to be lying and presenting a false case. Moreover, even when a case is filed, local elites try to intervene and convince the woman to drop the case. Alternatives are often suggested, such as paying the woman off, evicting the perpetrator from the community, etc.'¹⁷⁷

6.2.8 A June 2019 Civil Society Joint Alternative Report submitted to the Committee against Torture noted that:

'According to a report from the Ministry of Home Affairs, most of the accused of acid violence were acquitted, as the allegations in the cases relating to acid violence could not be proved. Only 9% of the accused were given punishment. In the last 16 years, 2,169 cases in relation to acid violence were filed against 5,837 accused persons, but only 343 accused were convicted. Despite widespread incidents of violence against women and girls, trials and punishment of perpetrators rarely delivers justice. [...] Police are particularly reluctant to take action and conduct investigations on the complaints filed by victims of rape perpetrated by the ruling party members.'¹⁷⁸

6.2.9 According to Odhikar's annual human rights report, covering 2019, referring to access to justice for survivors of rape, 'In most cases, victims of rape do not get justice. Influential people influence the justice system by intimidating or otherwise "managing" witnesses and victim families. In addition to this, it is alleged that the ruling party leaders and activists gain a large amount of

¹⁷⁴ Home Office, 'FFM to Bangladesh' (page 98), September 2017, [url](#).

¹⁷⁵ Home Office, 'FFM to Bangladesh' (page 102), September 2017, [url](#).

¹⁷⁶ HiIL, 'Justice Needs and Satisfaction in Bangladesh' (page 7), 12 March 2018, [url](#).

¹⁷⁷ HiIL, 'Justice Needs and Satisfaction in Bangladesh' (page 138), 12 March 2018, [url](#).

¹⁷⁸ OMCT, 'Civil Society Joint Alternative Report on Bangladesh Submitted to the Committee against Torture' (p.24), June 2019, [url](#)

money through mediation of such cases. Even the police station is often involved in hushing up incidents of rape these cases.’¹⁷⁹

- 6.2.10 The DFAT report noted ‘Women often do not report violent crimes, including rape, to police. Local sources told DFAT that attempts to report to police may not be taken seriously. Police reportedly often do not record crimes, or do so in a manner that obscures their true nature: for example, police may record rape as a “dowry-related matter”. Obtaining medical evidence of sexual assault is also difficult and police are likely to demand bribes for accepting reports.’¹⁸⁰
- 6.2.11 The same source further noted that ‘in-country sources report that the very poor are unlikely to be able to access justice through the court system due to the high costs involved in litigation and the need to pay bribes to various court officials.’¹⁸¹
- 6.2.12 The USSD HR Report 2019 noted ‘There were reports of sexual violence with impunity. [...] According to human rights monitors, many victims did not report rapes due to lack of access to legal services, social stigma, fear of further harassment, and the legal requirement to produce witnesses. The burden is on the rape victim to prove, using medical evidence, a rape occurred.’¹⁸²
- 6.2.13 Freedom House noted in its 2020 ‘Freedom in the World’ report that ‘A law requiring rape victims to file police reports and obtain medical certificates within 24 hours of the crime in order to press charges prevents most cases from reaching the courts.’¹⁸³
- 6.2.14 In its quarterly human rights monitoring report, covering the period January to March 2020, Odhikar noted that according to Bangladesh Supreme Court statistics, up to December 2019, around 166,000 cases of rape (lodged under the Prevention of Women and Children Repression Act) were pending in 95 Tribunals across the country¹⁸⁴. The report added: ‘Of these cases, the trial of about 40,000 cases have been running for more than five years. Besides, in many cases, the lawyers of the accused in association with the staff of the tribunal, did not allow the witnesses to appear in court. On the other hand, lawyers of the plaintiff have been known to form secret deals with the lawyers of the accused. As a result, rape victims are being deprived from justice.’¹⁸⁵ Additionally, ‘It is alleged that the victims of rape were prevented from being taken to the hospital for treatment. Intimidation of witnesses in the rape case and/or attacks on them by the accused have also been reported. Furthermore, there have been reports of the ruling party leaders making large amounts of money by reconciliation through mediation. Dowry violence remains unchecked, despite the practice being unlawful. It is

¹⁷⁹ Odhikar, ‘Annual Human Rights Report 2019’ (page 55), 8 February 2020, [url](#).

¹⁸⁰ DFAT, ‘Country Information Report Bangladesh’ (para 3.120), 22 August 2019, [url](#).

¹⁸¹ DFAT, ‘Country Information Report Bangladesh’ (para 5.10), 22 August 2019, [url](#).

¹⁸² USSD, ‘Country Report on Human Rights Practices for 2019’ (Section 6), 11 March 2020, [url](#).

¹⁸³ Freedom House, ‘Freedom in the World 2020’, 4 March 2020, [url](#).

¹⁸⁴ Odhikar, ‘Three-month human rights monitoring report...’ (page 33), 1 May 2020, [url](#).

¹⁸⁵ Odhikar, ‘Three-month human rights monitoring report...’ (page 33), 1 May 2020, [url](#).

unfortunate that the violence is investigated only after the victim of dowry violence is killed.’¹⁸⁶

6.2.15 UN Women explained in an April 2020 report on the impact of COVID-19 that ‘Violence against women and girls remains rampant. Law enforcement and justice agencies have limited capacity to handle violence against women cases and the conviction rate for violence against women and children cases is very low.’¹⁸⁷

6.2.16 In April 2020 UN Women issued a Rapid Gender Analysis on cyclone Amphan noting that:

‘Data shows, 65 percent respondents reported gender-based violence has increased in the communities after cyclone Amphan. Particularly, sexual violence/rape has increased as reported by 17 percent respondents. Damaged shelter, heightened anxiety and insecurity, loss of livelihood, very limited access to basic services are considered as reasons for the increase in percentage of violence against women and girls in the Amphan affected areas.’¹⁸⁸

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Section 7 updated: 22 June 2020

7. Assistance available to women

7.1 Support services and shelters

7.1.1 Support services are provided through the Multi-Sectoral Programme on Violence Against Women (MSPVAW), under the Ministry of Women and Children Affairs¹⁸⁹. Services included 9 One-Stop Crisis Centres (OCCs) in the Medical College Hospitals of Dhaka, Rajshahi, Chittagong, Sylhet, Barisal, Khulna, Rangpur, Faridpur and Cox's Bazar. However these OCCs are located at the Divisional level so the majority of victims of violence against women and children cannot visit these centres. In addition there were 67 One-Stop Crisis Cells, established in 47 District Sadar Hospitals and 20 Upazila (sub-district) Health Centres¹⁹⁰. Between them, the centres and cells provided health care, police assistance, DNA testing, social services, legal assistance, psychological counselling, reintegration, rehabilitation and shelter^{191 192}.

7.1.2 The DFAT report noted:

‘While the government operates a confidential helpline for reporting abuse, local NGOs report that very few Bangladeshi women are aware of the service. The number of women’s shelters and legal aid services nationwide remains inadequate compared to the need, and existing shelters rely heavily on project funding, leading to questions over sustainability. NGOs report that

¹⁸⁶ Odhikar, ‘Three-month human rights monitoring report...’ (page 5), 1 May 2020, [url](#).

¹⁸⁷ UN Women, ‘COVID-19 Bangladesh Rapid Gender Analysis’ (page 9), May 2020, [url](#).

¹⁸⁸ UN Women, ‘Rapid Gender Analysis Cyclone Amphan’ (p.24), 18 June 2020, [url](#)

¹⁸⁹ MSPVAW, (website), n.d., [url](#).

¹⁹⁰ MSPVAW, ‘One-Stop Crisis Cell (OCC)’, n.d., [url](#).

¹⁹¹ MSPVAW, ‘One-Stop Crisis Centre (OCC)’, n.d., [url](#).

¹⁹² MSPVAW, ‘One-Stop Crisis Cell (OCC)’, n.d., [url](#).

indigenous women in remote areas of the CHT [Chittagong Hill Tracts] are particularly vulnerable to violence and sexual assault, and are less likely to be able to access government services than are women residing elsewhere in the country.’¹⁹³

- 7.1.3 ASK reported in February 2020, ‘Every year, ASK provides legal support to 17,000 to 18,000 cases, of which more than a thousand are domestic violence-related mediation cases.’¹⁹⁴
- 7.1.4 The Home Office FFM cited the National Human Rights Commission official as stating with regards to support for victims of gender based violence that ‘if women went to shelters away from their communities they would find it difficult to reintegrate back into those communities due to social stigma.’¹⁹⁵
- 7.1.5 The April 2020 UN Women Rapid Gender Analysis on cyclone Amphan noted, regarding women seeking support for gender-based violence (GBV), that:
- ‘... only 21 percent respondents reported to have access to GBV services (i.e health, legal, psycho-social). Respondents aged below 18 and women headed households have reported less access to these services in comparison to above 18 and male headed households. Additionally, respondents who are living in their own houses are higher in percentage to seek GBV services than who those who are displaced from their shelter. This indicates that intersectional marginalisation perpetuates among the younger aged women from women headed households and displaced women pertaining to seeking services for GBV. On the contrary, 91 percent respondents reported to go to community leaders and women representatives of local government for help if any GBV case occurs. Safety to travel to seek services, non-functional services in the areas and not having enough money to pay are considered as significant reasons for not seeking GBV services.’¹⁹⁶

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7.2 Support services and shelters during the 2020 coronavirus pandemic

The Centre of Policy Dialogue noted that, due to the coronavirus pandemic, victim support shelters were not operating and legal advice was not available as the chambers of legal advisors were closed. However, the Victim Support Centre of the Dhaka Metropolitan Police (DMP) remained open to assist victims¹⁹⁷.

- 7.2.1 Deutsche Welle, reporting on 12 May 2020, noted that violence against women and children was on the rise amid the COVID-19 lockdown:
- ‘Experts say the opportunities to directly help women in distress will remain limited as long as the lockdown continues.

¹⁹³ DFAT, ‘Country Information Report Bangladesh’ (para 3.122), 22 August 2019, [url](#).

¹⁹⁴ ASK, ‘Farhana’s Escape From the Weight of Dowry’, 16 February 2020, [url](#).

¹⁹⁵ Home Office, ‘FFM to Bangladesh’ (page 89), September 2017, [url](#).

¹⁹⁶ UN Women, ‘Rapid Gender Analysis Cyclone Amphan’ (p.24), 18 June 2020, [url](#)

¹⁹⁷ Business Standard, ‘Domestic Violence: a silent epidemic thrives ...’, 21 April 2020, [url](#).

“Legal actions can be taken when a woman faces domestic violence. However, many of them can't even report abuse on the phone,” said Anam [Shaheen Anam, executive director of the Manusher Jonno Foundation]. “They are always surrounded by their husbands or other family members”.¹⁹⁸

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¹⁹⁸ Deutsche Welle, ‘COVID-19 lockdown increases domestic violence...’ 12 May 2020, [url](#).

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context
 - Constitution
 - Statutory provisions
- Social, economic and political rights and attitudes
 - Position of women in society
 - Economic participation
 - Political participation
 - Education
 - Access to health
 - Marriage, divorce and inheritance
 - Single and divorced women
 - Women with children outside of marriage
 - Freedom of movement
 - LGBTI women
- Sexual and gender-based violence
 - Acid attacks
 - Domestic violence
 - Dowry-related violence
 - Early and forced marriage
 - Rape
 - Sexual harassment
- State treatment and attitudes
 - Implementation and enforcement of legislation
 - Access to the justice system
- Assistance available to women
 - Support centres and shelters

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Version control

Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **29 June 2020**

Changes from last version of this note

Updated assessment and country information.

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