

Combattling acid violence and rape

WOMEN in Bangladesh make up roughly 49% of the population. They bear a disproportionately greater share of the country's poverty and are discriminated against in both the public and private sphere. Patriarchal, class based, repressive and community mind-sets, certain social behaviours, economic dependence, financial insecurity and high illiteracy keep a majority of the women out of an equal position within the family, society, and the overall development process of the country.



Violence against women

Gender violence is a major issue in Bangladesh and, unfortunately, one that is neglected - especially as it relates to the poor and underprivileged women - by various government agencies of. Despite specialized criminal laws for protecting women - the Suppression of Violence against Women and Children Act, the Dowry Prohibition Act, the Child Marriage Restraint Act, the Acid Crime Control Act, to name a few - instances of violence against women- especially domestic violence and rape - have not decreased in any significant manner. The major reasons why women do not get justice are: barriers to accessing the justice system itself, police corruption, mismanagement of vital evidence, ignorance of the

law and a lack of proper medical reports.

Rape and physical violence

The number of women who experience violence - including rape, beatings, torture and murder - is high in impoverished sections of society and particularly women who live in rural areas of Bangladesh, both in domestic situations and outside the home. In addition, many women who are subjected to violence die by suicide, real or apparent. A study by Odhikar revealed the following:

Year	Reported Acid Attacks On Women	Reported Incidents of Rape
2003	181 (out of 337)	1366
2004	191 (out of 307)	896
2005	104 (out of 196)	907
2006	105 (out of 161)	639

Despite the fact that in most cases the victim knows the violator, the perpetrator often escapes the law through bribery, power and a culture of impunity. In some instances, the protectors of society have become violators, as members of law enforcement agencies are accused of rape and sexual abuse, but are rarely brought to justice under the Code of Criminal Procedure and Penal Code.

Acid violence

Acid violence is the term used for the violence perpetrated when a person throws a corrosive substance like acid on the face or body of another person. Unfortunately, it has become a relatively common form of violence against women in Bangladesh. The first documented case of acid violence was in 1967 when a young girl had acid poured on her by her 'admirer' when the girl's mother refused his proposal of marriage. There is evidence in recent years that there has been an increase in acid attacks.

Victims are attacked for many reasons - because a young girl or woman spurns the sexual advances of an admirer or rejects a marriage proposal for example. Recently, however, there have been acid attacks on children, older women and sometimes on men. These attacks are often the result of family or land disputes, dowry demands or a desire for revenge. Acid violence drastically changes the life of the victim impacting their education, employment and other aspects of normal life. Acid attack survivors are traumatized physically, psychologically and socially.

Acid violence drastically changes the life of the victim including education, employment and other aspects of normal life. Survivors often have to face social isolation that further damages their self-esteem and confidence and undermines their professional and personal future.

What of the availability of acid? Unfortunately, acid is sold openly in chemist and homeopathy shops and local medicine dispensaries and can be found in goldsmith workshops and shops selling and repairing car batteries. It is also openly sold around the tannery and handloom factories. Despite the law, there are no checks as to the trade in acid and other corrosive substances and those selling the liquid ask no questions. There is even, allegedly, a good trade in cross-border smuggling in acid, which may play a role in contributing to the high rate of acid violence in the border districts.

The laws:

Adding to the relevant criminal liabilities under the Penal Code for rape, attempted rape, kidnapping, hurt, and grievous hurt, etc., the Suppression of Violence against Women and Children Act 2000 provides for severe penalties for perpetrators of violence against women. A further significant step has been taken by the Government of Bangladesh by enacting the Speedy Trial Tribunal in November 2002 for the quick trial and disposition of five specified offences including murder and rape.

The President of the Peoples' Republic of Bangladesh approved the Acid Control Act 2002 and the Acid Crime Control Act 2002 on 17 March 2002. The laws were promulgated to meet the demands that acid crimes be controlled, perpetrators receive swift punishment, and that the trade in acid and other corrosive substances be guarded by legal checks and balances to prevent their easy accessibility.

A lot of thought has been given to the drafting of these laws, especially in the area of compensation to the victim, carelessness of the investigation officer, availability of bail, magistrate's power to interview at any location, medical examinations and protective custody, the setting up of an Acid Crime Control Council and (District) Acid Crime Control Committees, establishing rehabilitation centres, licenses for trade in acid, etc.

According to the Acid Crime Control Act, this law aims to rigorously control acid crimes. It provides for stringent punishments ranging from imprisonment for between three and fifteen years, life imprisonment and the death sentence. The variations of punishment depend on the gravity of the crime. Interestingly, the Act provides that if the Acid Crime Control Tribunal feels that the investigating officer has lapsed in his duty in order to 'save someone from the liability of the crime and did not collect or examine usable evidence' or avoided an important witness,



etc., the former can report to the superior of the investigating officer of the latter's negligence and may also take legal action against him.

The Acid Control Act 2002 has been introduced to control the 'import, production, transportation, hoarding, sale and use of acid and to provide treatment for acid victims, rehabilitate them and provide legal assistance'. The National Acid Control Council has been set up under this act, with the Minister / Advisor for Home Affairs as its Chairperson. Under this Council, District-wise Committees have been formed albeit, only in six or seven Districts to date. Members of the Council include the Minister / Advisor for Women and Children Affairs, Secretaries from the Ministries of Commerce, Industry, Home Affairs, Health, Women and Children Affairs, and representatives from civil society as specifically mentioned in the law. This allows for a broad spectrum of representation. More importantly, according to this law, businesses dealing with acid need a license to do so, and the government has arranged for a Fund to provide treatment to victims of the violence and to rehabilitate them, as well as to create public awareness about the bad effects of the misuse of acid.

Source: Odhikar & Action Aid.

LAW watch

Female criminality in Bangladesh

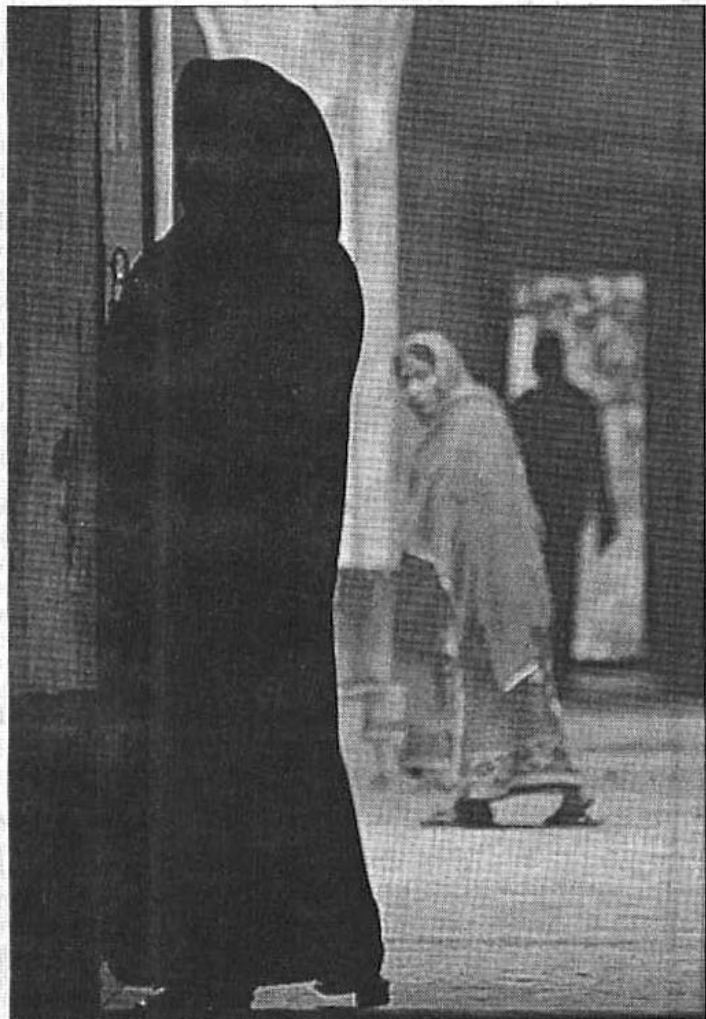
SHEIKH HAFIZUR RAHMAN
KARZON

IN Bangladesh women commit much less crime than that of men. The ratio of male-female criminality is around 97:3. At the end of the past century, in 2000, there were 1899 female prisoners in different jails of Bangladesh. Three categories of prisoners, convicted, under-trial, and detainees under safe custody constitute the total number of female prison population. (Ain O Salish Kendro).

In recent years female presence is seen in the business and transfer of different types of drugs, namely heroin, phensidyl, and marijuana etc. Their involvement has been reported in different types of offences, namely, trafficking, hijacking, smuggling, keeping counterfeit currency, carrying illegal arms, etc. Within a time-span of January to December of 2005, 340 reports were published in 12 national and 198 regional newspapers of Bangladesh on women's involvement in criminal activities. 477 women were reported to be involved in different criminal activities, among whom 406 were arrested by police. 108 criminal cases were filed in those incidents. In 2005, different courts gave 13 judgments convicting female criminals; sentences included imprisonment of different terms and fine. (Sangbadpatra Paribikhan 2005; Bangladesh Nari O Sishu Parishithi by Mass-Line Media Centre)

Women's involvement in criminal activities is attributed to poverty, paying dower-money, collecting money for release of husband from jail, or for fulfilling the demand of addict husband. Women have been reported to control more than 50 drug spots in Dhaka. In the world of drug business 'drug-queens' have emerged with overwhelming authority side by side their male counterparts. Parul Begum (30) is leading a crime syndicate, of which 50 females are active members. On February 24, 2005 the officers of the Bureau of Drug Control arrested Lipi Begum (25), a so called drug-queen, with 1 kilogram heroin and 2 lakh taka, which she earned from illegal drug business. She was reported to have requested the officers of the Bureau to release her in exchange of one crore taka to be paid in two installments.

In Dhaka, most of the women



who are involved in drug business, work at the field-level. Some women became wealthier within very short time. Many voluntarily have chosen this illegal profession; some got involved due to their husband's involvement in drug business.

Women are reported to involve in terrorists activities of extremist religious groups. Dividing in different geographically identified sectors, religious extremists are engaged in subversive activities. In every sector they have trained activists, suicide squad, and women extremists. In all over Bangladesh, more than five thousand women extremists are active to assist their male counterparts, who are well-trained in launching arms and bomb attacks.

The low rate of female criminality in Bangladesh seems to be the result of bio-social factors. In discussing the conduct of male and female, biological difference can-

not be overlooked, which is claimed to be functional behind their different behaviour, though society plays the major role in determining their destiny. The society in Bangladesh is predominantly religious and patriarchal, the latter gets stimuli from the former, though patriarchy is wider and deeper than religion in society, which, in the language of Kate Millett, has an extensive design to make women subservient to men.

Here, like most human societies, patriarchy has taken a strong hold, and created a role model for women. Male and female are taught to be masculine and feminine, respectively. A boy is destined to take the role of father, which is translated into all types of responsibilities, including the responsibility to ensure the protection of woman. A girl, on the other hand, is trained up to be feminine, whose responsibility, in most of the families, is confined to giving birth to

children and their upbringing and household chores working women have to shoulder double burden, responsibility of work-place and house, where they are joint-breadwinner, though it does not ensure their participation in the decision making.

Of late women's education rate has increased. Socio-economic changes have major bearing on women, for which their tradition-bound lifestyle is changing. Development of western-style democracy has contributed to their freedom, though slow and partial. Large numbers of women are working outside household, particularly in garments, NGO, and corporate sectors. Taking small loan under the scheme of micro-credit many village women have involved in various economic activities and become financially self-reliant. It is an important indicator of women's liberation in our society; nevertheless, the decision-making process is overwhelmingly male-dominated. In the making and breaking of law, female participation is almost zero, though both the leader of the house and leader of the opposition were women.

In Bangladesh female criminality does not seem to increase, as it has happened in USA, with the women's coming out of their home-bound activities. For instance, in 1997 female prisoners constituted 4.09 percent of the total prison population, in 2003 the percentage was 2.8. Among the convicts females constitute only 3.02 percent of the total criminal population. Among the working males and females, who are involved in corruption, 60.1 percent are males and only 2.6 percent are females. (Transparency International, Bangladesh, July 5, 2006.)

Though there is dearth of statistical data, nevertheless, the available data indicate very low rate of women's offending, in comparison with their male counterpart. The cause of this low frequency may be attributed to gender-based, and sexually stratified society. Girls are more closely supervised than boys, determining their destiny to be feminine, which restricts them from entering into the world of dominant culture, and also into the world of crime and delinquency.

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HUMAN RIGHTS monitor

UN faces calls for action in Somalia

ROB CRILLY

As violence mounts, the Security Council is to consider helping an overwhelmed African Union force. Pressure is growing on the United Nations Security Council this week to bolster a beleaguered African peace-keeping force in Somalia, as fresh evidence of human rights abuses and an impending humanitarian catastrophe emerge. The Horn of Africa nation has been a focus of violence and humanitarian crises since the ouster of its military dictator in 1991. But Somalia has reached a breaking point, say analysts and aid organizations, and international action is now crucial.

Without rapid moves toward political stability, the country's fragile, UN-backed Transitional Federal Government risks fragmenting along clan lines, says an official within the government. Two battalions of Ugandan soldiers, under the auspices of the African Union (AU), have failed to make an impact in the capital Mogadishu, where Islamic insurgents and clan-based militia have clashed repeatedly with Somali government forces and their Ethiopian allies. "The Ugandan troops have had almost no impact, and it is time for the UN and the international community to use its influence to get a genuine peace and reconciliation process moving," says Mohamed Guyo of the Institute for Security Studies in Nairobi.

The UN Security Council began discussions on the future of the undermanned AU mission 'with the intention of drafting a fresh resolution on Somalia. UN officials say the international organization is committed to replacing the 1,600-strong AU force once a negotiated peace is in place - an eventuality that observers say looks increasingly unlikely in the near future. Other African countries have failed to send the forces they promised obligations that, if met, would bring the total to 8,000 troops.

Hundreds of thousands of civilians have been forced out of the capital since militias loyal to a network of Islamic Courts relinquished their hold on Mogadishu at the end of last year. But so far attempts at reconciling the country's fragile government with opposition elements have made little progress. A clan-based conference organized last month in Mogadishu by Somalia's tenuous transitional government has been criticized for failing to represent dissident Islamists.

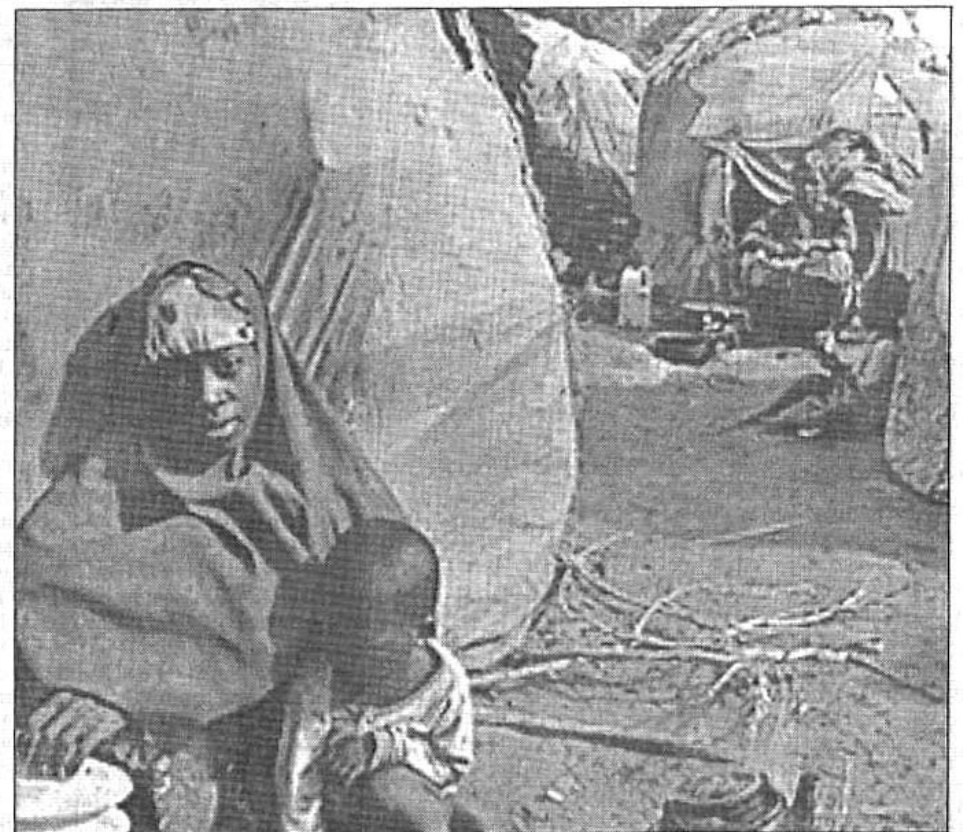
An adviser to the Transitional Federal Government says the Mogadishu conference is a means of showing international donors that attempts at peace are being made, though actual progress is constrained by clan conflict. "In international terms, the conference has some miles to go," says the anonymous official. "As usual in Somalia, things are being divided up along clan lines."

The Union of Islamic Courts took control of much of central and southern Somalia last year, sending shock waves through the Horn of

Africa and governments further afield. Although they brought a degree of stability to a country bereft of central government for 15 years, their hard-line sharia law raised fears that Somalia would become a haven for Islamic terrorists. They were forced out after six months by Ethiopian warplanes and artillery with tacit US backing sent to prop up the feeble interim government.

The result is largely business as usual for Somalia's war-weary population. The capital has been the scene of repeated fighting as insurgents try to topple the Transitional Federal Government. During the most intense clashes between February and May, more than 400,000 civilians fled Mogadishu.

A report published Human Rights Watch



casts fresh light on that fighting and underlines the need for a progress towards peace. The study concluded that ferocious battles in the capital constituted war crimes by all sides. The New York-based group said Ethiopia's army had indiscriminately bombarded highly populated areas, targeted and looted hospitals, and summarily executed civilians.

The group blamed the transitional Somali government for mistreating detainees and failing to warn civilians of impending military strikes, while the insurgents were guilty of using heavily populated areas as bases. "None of the parties has taken as international law requires all feasible precautions to spare the

civilian population from the attacks," says the analysis. The Ethiopian and Somali governments deny any abuses. Ethiopia's government said the report was propaganda for Islamist radicals and distorted Ethiopia's beneficial role in supporting the Somali government.

"The UN Security Council's indifference to this crisis has only added to the tragedy," said Ken Roth, executive director of Human Rights Watch. He called on the UN to use its power to force Ethiopia and Somalia to end the abuses.

Drought may amplify Somali crisis At the same time, the failure of this year's seasonal rains, normally from April to June, have increased to 1.5 million the number of people in need of humanitarian assistance, according

to an assessment by the Food Security Analysis Unit, an independent group backed the UN, European Commission, and the US.

"Malnutrition is going to increase in parts of southern Somalia because of the failed harvest and at the same time we have to reach the people who have been displaced from Mogadishu," says Peter Smerdon, spokesman for the UN's World Food Programme in Nairobi. "There's got to be real security on the ground for distributions to take place in Mogadishu, where we last held a distribution on June 25."

Source: Global Policy Forum