

REVIEWING THE VIEWS

Son preference VS Gender equality

KH. KOHINUR AKTER

"MAY you be the mother of 100 sons"- these words of blessing evidently portray the importance of son in family life. Not only in family lives, but there is a universal view that boys tend to have more importance, rights, privilege and freedom than girls. This attitude can be observed through sex ratios, female feticides, and higher mortality rate of female child, unequal gender treatment and gender violence in various countries.

The term 'son preference' is linked to the term sex selection which means the attempt to control the sex of the offspring to achieve a desired sex. It can be accomplished in several ways, both pre- and post-implantation of an embryo, as well as at birth or after birth. It has been marketed under the title family balancing. Moreover it is also considered as a core reason behind unequal treatment and violence against women in society.

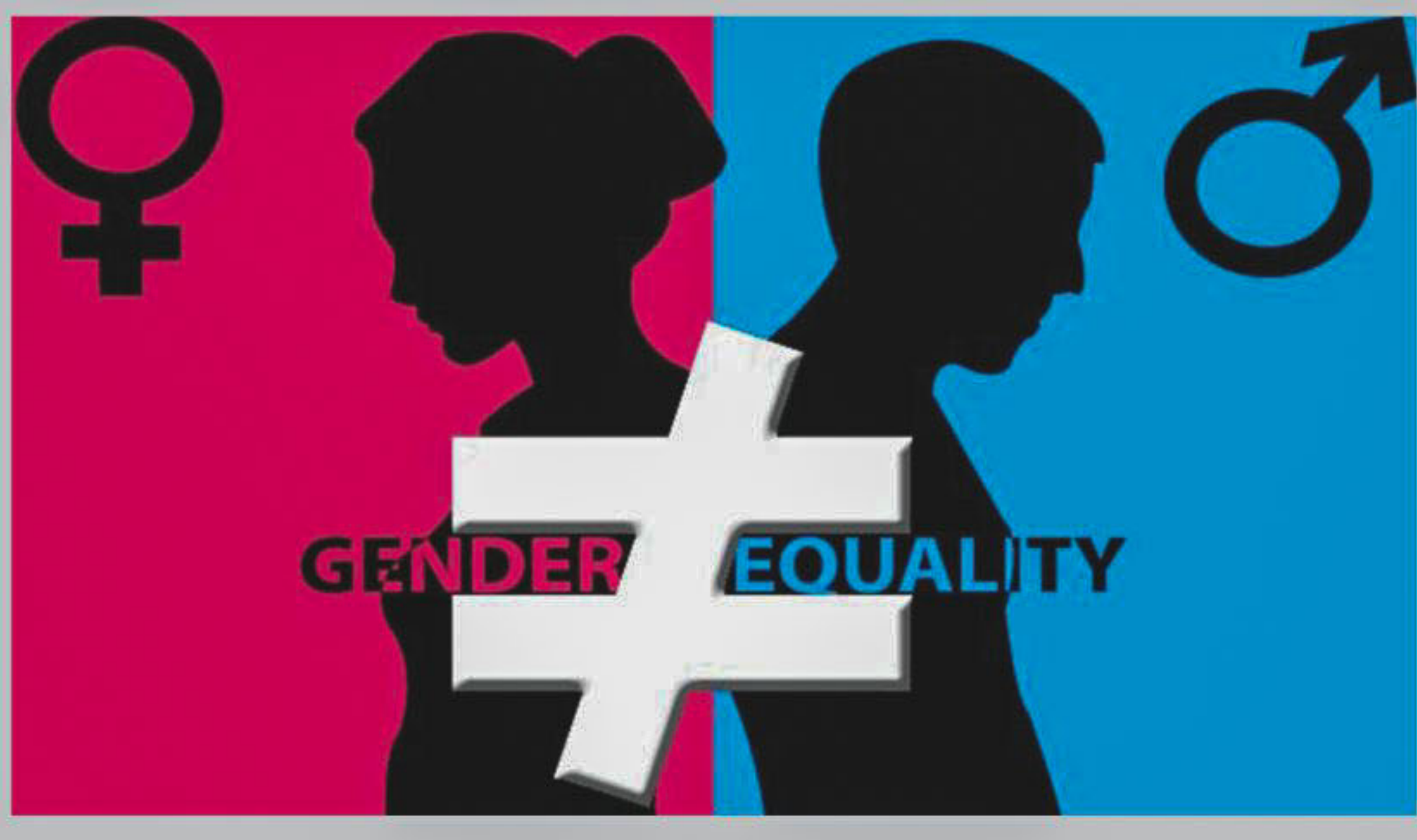
Demographically, South Asia is one of the main regions in the world contributing to what has been dubbed the phenomenon of 'missing women' mentioned by the noble prize winner economist Amartya Sen. He mentioned son preference as the main reason behind those 'missing women' as they die in much larger numbers than men at almost every age in

Bangladesh, along with India and Pakistan. To add, according to the 2006 UN World Population Prospects there were 104 boys born for every 100 girls in Bangladesh which indicates higher mortality of female child than male child.

Here in our country, we experience son preference even before the child is born. As like, before conception, by continuing childbearing until reaching their desired number of sons and stopping after that. Moreover, during pregnancy, through sex-selective abortion and at birth through sex-selective infanticide female child are being killed. Even during early childhood through neglect, malnutrition and other mechanisms female child are dying that reflects the higher mortality rate of girls.

The fundamental reasons behind son preference in Bangladesh are the socio-economic set-up of the society, religious and cultural beliefs, illiteracy, poverty, cultural restrictions on women, traditional gender role, male's dominance and their validity as earning heads of the households, kinship systems, old age support expecting only from son, demand of dowry, advancement of technology in medical science for abortion etc.

On the other hand, the provisions of constitution of the People's Republic of Bangladesh believe to



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provide adequate guarantee for women's rights in Bangladesh. Article: 10, 15, 17, 18, 19, 27, 28, 29 of the constitution deal with the rights to be equally enjoyed by men and women. But it must be kept in mind that killing of female fetuses are nothing but the violation of right to life guaranteed under article-32. So abortion laws should be enacted to address and prevent such sex-selective abortions.

Along with national legal man-

dates, international instruments also urge to take actions against such cultural norms like son preference and to promote equal rights of female child and women. The International Conference on Population and Development (ICPD) in 1994 and the Beijing Declaration 1995 squarely identify son preference as a form of gender discrimination. They urge to governments to eliminate all forms of discrimination against the girl child and the root causes of son preference,

which results in harmful and unethical practices regarding female infanticide and prenatal sex selection.

Reality shows that in Bangladesh sons are considered as future heads of the family, who will be able to assist and provide for their parents in their old age. In such social pattern, sons are viewed as assets and girls as liabilities. A study of 2006 by a NGO called 'Promoting Human Rights in Bangladesh' showed that 93% of Bangladeshi families preferred a son viewing them as a

"blessing" to home and country while 93% viewed girls as a "problem." So what is required is to reduce the incentive to discriminate against girls by making daughters and sons more equally valuable to their parents. Much can be done to accelerate the process of reducing son preference through social movements, legislation, and the mass media.

THE WRITER IS LECTURER OF LAW, BANGLADESH OPEN UNIVERSITY.

To combat human trafficking

MUHAMMAD MAHDY HASSAN

A SERIES of news on human trafficking across the sea route of Cox's Bazar have been getting highlighted in national and international media in recent days. More significantly, the discovery of mass graves of the victims of trafficking in Thailand, Malaysia and Indonesia has pushed the human conscience to think about the practice of 'modern-slavery' through trafficking. Therefore, the following measures are needed to take immediately to stop this heinous crime across the sea route of Cox's Bazar.

The government enacted the Human Trafficking (Deterrence and Suppression) Act in 2012 and Overseas Employment and Migration Act in 2013 complying with the international standards. These laws incorporated a number of provisions to protect and implement the rights of the victims of human trafficking by ensuring safe migration.

However, the rules under these laws have not been made yet. Section 42 of the Human Trafficking Act, 2012 requires establishing a "Human Trafficking Prevention Fund" to support the victims of trafficking but this fund has not also been established. This fund is needed



to be established immediately so that the local administration can effectively help, repatriate and rescue the victims of human trafficking.

According to the report of 'Monitoring Cell for Combating Trafficking in Person' from 15th June 2004 to 30th April 2015, 2501 cases of human trafficking have been instituted in the court of law and only 688 cases have been disposed. Therefore, the trial of human trafficking should be accompanied with speedier means. As per section 21(1) of

the Act of 2012, the government is obliged to set up an Anti-human Trafficking Offence Tribunal for the purpose of the speedy trial of offences. However, the tribunal has not been established yet.

The maritime boundary of Cox's Bazar is the easiest route for trafficking human beings to abroad. This sea route needs to be monitored and controlled by the law enforcing agencies especially by BGB and local administration. We have Counter Trafficking Committees

(CTC) in district, upazila and unions level which are required to be more functional. In cases of trafficking through the maritime boundary there are few concerning issues, for example, the organized gang of human trafficking use the ID of fisherman to cross the sea area of Bangladesh through Cox's Bazar route; they use the mobile network and maintain the monetary transaction by mobile banking of Bangladesh from abroad.

Considering this, the ID of fisherman must be monitored and checked properly. Likewise, some "observatory points" need to be marked identifying the hotspot of human trafficking in the Cox's Bazar area with a view to monitoring the process of human trafficking properly.

Sometimes the BGB can see the process of trafficking outside the maritime boundary or within the boundary of Myanmar but they cannot take any action crossing boundary of Bangladesh. In this regard, the bilateral tie between Myanmar and Bangladesh deserves to be strengthened. The concerned embassy of Bangladesh should set up a 'Help Desk' for assisting the victims of trafficking. Assisting the helpless migrant workers is the

obligation of embassy and right of the workers under section 29 of the Overseas Employment and Migrant Act, 2013. It is worth-mentioning here that Bangladesh made two National Plan of action for combating Human Trafficking but no measure is mentioned for combating human trafficking by sea route. It needs to be included in next National Plan of Action. The Ministry of Expatriates' Welfare and Overseas Employment should scrutinise and monitor the fake advertisements that offer attractive jobs in abroad.

It is indeed necessary to make people aware about the spirit of anti-trafficking. It may be by playing Potho Natok (street drama), publishing Public Service Announcement (PSA), telecasting Natika in each radio and television channels, conducting essay competition in schools and colleges, encouraging the religious leaders to make people conscious. The national and international NGOs can play an important role. Media can be a powerful institution in this regard. Finally, cumulative efforts from different stakeholders can facilitate to combat this heinous crime.

THE WRITER IS WORKING AT RELIEF INTERNATIONAL.

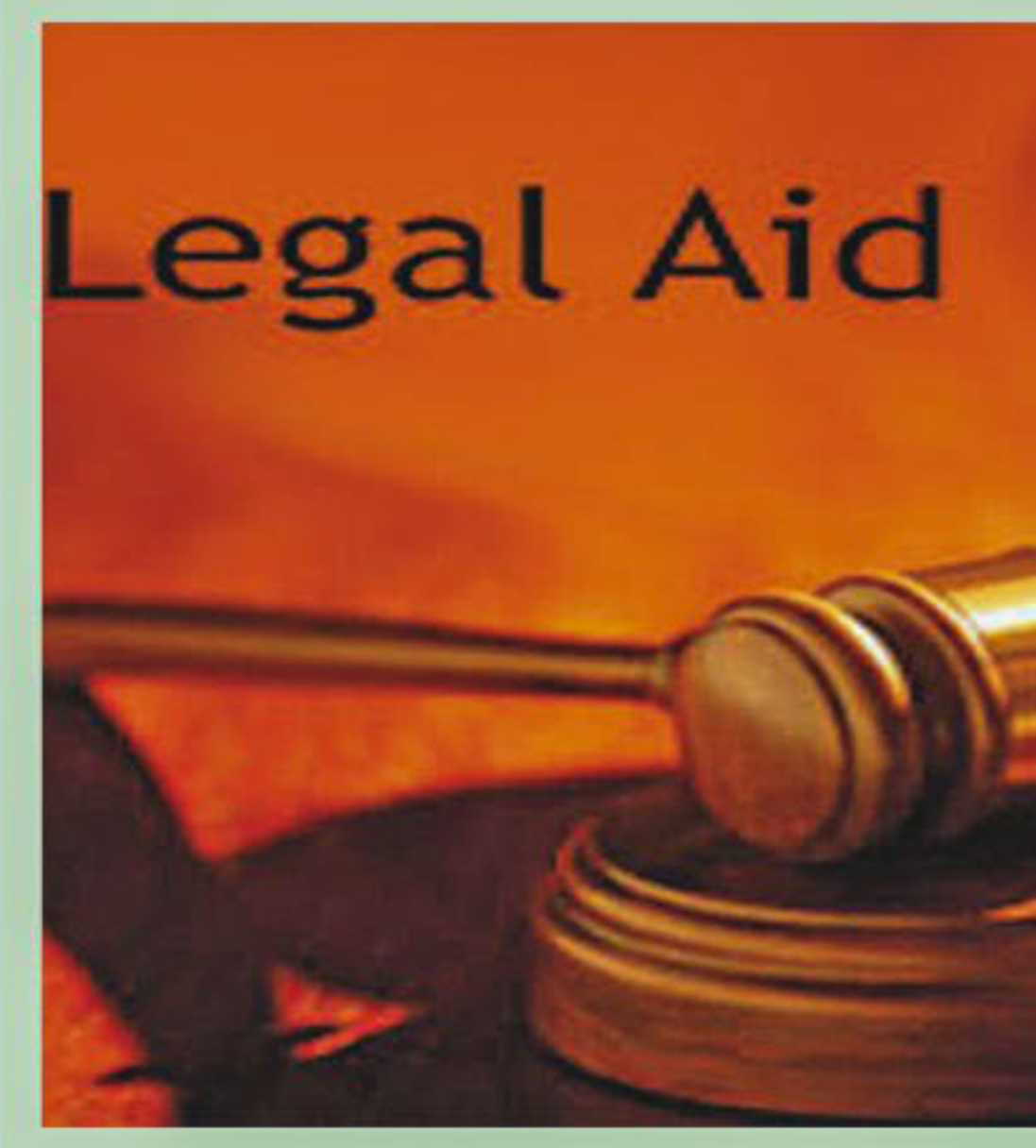
LAW LETTER

Legal aid to ensure justice to the poor

The shade of good administrative law largely relies on the expansion of legal aid concept. The emergence of legal aid bears etymological exhibition of judicial resort. No doubt, countries across the world resemble the term legal aid as judicial mechanism for providing all probable legal assistance to the underprivileged sections of society. Likewise, the Government of Bangladesh is leaving no stone unturned to launch such a trend in our society. The motive is pretty clear, bringing the deprived folk into the touch of justice, abiding by the ratification and international agenda signed by us.

April 28 has been remarked as National legal aid day by the present Government of Bangladesh. This day contains a package of few sublime purposes. In the meanwhile, under the shade of legal aid organization, every Session Judge court of the country acts as office for the legal aid service.

Under the scheme of legal aid issue, the under-



privileged folk include any deported babies and women, acid victims, divorcee, dyeing and destitute, income-less or little earning people below 5000 Taka in a month, incapable sections to work and earn, disadvantaged persons owing to socio-economic menaces, natural calamities, VGD/VGF card holders and so on. However, the services contain free institution of suits both in civil and criminal matters, free supply of decree document and judgment copy, mediation and conciliation as to ADR (alternative disputes resolution), hot line service via phone conversation and all other awareness building mechanisms in grass root levels to all possible extent.

Questions might appear on how much people know about this agenda or to what extent this aiding segment successfully touches the disadvantaged people. Here lies the necessity of awareness or consciousness. The more we can preach the notion of legal aid, more success stories of ensuring justice can be depicted.

Students of law around the country can play pivotal role to popularize the concept of legal aid through their writings, engagements and movements. Campaigns on social networking sites can help to disseminate the information. National Legal Aid Services organization should conduct practical sessions like workshops, seminars in order to make this issue more highlighted.

Khairul Islam Taj
Student of Law, University of Dhaka

LAW NEWS

Education to fight against child labour

THE United Nations has announced it is marking the 2015 edition of the World Day Against Child Labour with a call for the international community to invest in quality education as a key step in the fight against child employment - a scourge that consumes over one hundred million children worldwide.

ensuring that their hopes for a more prosperous future remain unrealized.

"As things stand, the aspirations of many parents for their children and of children themselves for a decent education will remain unfulfilled dreams," ILO Director-General Guy Ryder confirmed in his statement for the Day.

We must work to ensure that children

the legal age of employment and become child labourers."

Despite some dramatic improvements which have seen the total number of child labourers shrink by one-third since the year 2000, the situation on the ground nevertheless remains dire. As a region, Asia and the Pacific still has the largest total numbers at 78 million but Sub-Saharan Africa continues to be the region with the highest incidence of child labour with some 59 million, or over 21 per cent of the child population, engaged in work which, more often than note, entails long hours in agricultural and services industries.

Mr. Ryder noted that the child labour situation was also being further aggravated by the preponderance of conflicts and crises around the globe as schoolchildren, educational facilities, and teachers suffered undue hardships caused by flare-ups in violence. With children fleeing the hostilities, added the ILO Director-General, they are often compelled to travel alone, embarking on paths that frequently lead to child labour and exploitation.

"Without adequate education, former child labourers are more likely than others to end up in poorly paid and insecure work as adults or to be unemployed. And there is a high probability that they will live in poverty and that their children will share the same fate," he continued.

"A collective challenge and responsibility is to enable all children, girls and boys, to have access to education, quality education. Second-class education perpetuates second-class citizens. We all know that a solid education and good teachers can make a world of difference to the lives and futures of children and young people, he added"

As the UN mobilises to raise awareness on the issue, it is seizing the opportunity to review the reasons for the failure to reach development targets on education and rebooting with a series of new goals and strategies.

In particular, the Organization and its affiliates are pointing to three specific calls for action including the implementation of free, compulsory and quality education for all children at least to the minimum age for admission to employment and action to reach those presently in child labour; new efforts to ensure that national policies on child labour and education are consistent and effective; and policies that ensure access to quality education and investment in the teaching profession. Joining the call for a greater global emphasis on child education, President of the General Assembly, Sam Kutesa, similarly urged Member States to imagine a world "in which every child attended school and nobody was forced to work against their will."

have access to basic resources including nutrition, health and education, so that they may fully realize their potential.

"Many girls and boys have no chance to attend school. Some try to combine school and work, but all too often must drop out of school well before reaching

According to data from the UN's International Labour Organization (ILO), an estimated 168 million children around the world between the ages of five and 14 work, many full-time and more than half in conditions deemed hazardous to their health, keeping them out of school and

