

# HUMAN RIGHTS

## When rights go wrong



Protesters join a rally of Bangladesh Chhatra Union on May 4, 2015 with a six-point demand including resignation of the proctor and punishment for the cops who did not take action in the face of sexual assault of females during Pahela Baishakh celebrations.



NAHELA NOWSHIN

NOT only was 2015 filled with moments of national pride and joy but also moments of national tragedy and shame. Bangladesh was faced with some of the worst instances of violence against women, children and minorities in 2015.

### Unabated violence against women and children

The mass molestation of at least 20 women for over an hour by gangs of rowdy youths during Pahela Baishakh celebrations in early 2015 hit international headlines bringing Bangladesh condemnation from all quarters.

Later in the year, the sensational murders of Rajon and Rakib, both minors, that left us shaken to the core, provoked national outcry and brought worldwide attention to the pathetic state of child rights in the country, resulting in one of those rare moments of justice being served as six men were finally sentenced to death for the two killings.

But when such gruesome acts are not highlighted on social media, when they fail to garner enough attention so as to

trigger nationwide outrage, acts of cruelty against women and children largely go unpunished. There is little to no doubt that justice for Rajon would not have seen the light of day if it weren't for social media, especially since the killers did not have any political affiliations. I point out the latter because how else would you explain the sex offenders of the Pahela Baishakh incident getting away with molesting women in broad daylight? The truth is that everyday violence that women and children face, primarily at the hands of grown men, hardly ever make it to mainstream news and media.

In early 2015, Khadija Begum's dead body was found in the West Baligram area. Her family claims that since she got married six years ago, she was constantly harassed and tortured by her in-laws and husband for dowry. As a result of the brutal torture, Khadija had even suffered a miscarriage previously.

On November 2015, Shima Akhter was tortured to death by her husband, Md Shohel, at Amanatpur village in Begumgonj upazila of Noakhali. Shima's mother-in-law, sister-in-law and husband would often beat her demanding a payment of Tk 50,000 for dowry. After Shima refused, she was electrocuted by Shohel and his sister as Shima was sleeping. She later died at a private hospital where she was admitted.

Such tragedies are abound and violence against women is no longer seen as an anomaly.

According to Ain o Salish Kendra, between January and September of 2015,

667 incidents of rape took place with 48 of them resulting in the victim's death. 128 of these victims were between 7 to 12 years old. During the same period, 167 women were murdered by their husbands, 191 women have been victims of sexual harassment (9 of whom committed suicide) and 129 women were tortured to death in dowry-related violence. (Note: The real numbers are likely much higher because many such incidents go unreported)

Violence related laws in Bangladesh include the Penal Code, 1860, the Anti-Dowry Prohibition Act (1980), the Cruelty to Women Ordinance (1983), the Suppression of Immoral Traffic Act (1993), and the Prevention of Repression against Women and Children Act (2000). But these laws are poorly enforced due to the indifference of law enforcement agencies, corrupt-ridden practices within the criminal justice system, and various other reasons, resulting in aggrieved girls and women rarely granted justice.

A continued executive interference in the judiciary, which is supposed to be independent and is responsible for the enforcement of fundamental rights through its constitutional jurisdiction, has fast led to an erosion of trust in the legal system. Partisan politicisation of the judiciary and a complex, high cost legal process has exacerbated public perception of the judicial system.

The few incidents of violence against girls and women that somehow make it to the news in the form of a 200 word backpage story are hardly ever followed up, both by the media or law enforcement

agencies. Such is the fate of most women whose stories are either buried alongside their dead bodies or lost somewhere in cumbersome statistics.

While there is no doubt that women in Bangladesh have made great strides in various spheres of life, women's empowerment (a term that is often discussed without a consideration for its many nuances) and women's rights still have a long way to go.

The state of child rights, too, remains abysmal due to the lack of implementation of existing laws and international treaties. For instance, despite the fact that Bangladesh has ratified the Convention on the Rights of the Child (CRC), which guarantees children's right to life, survival and development on the national agenda, the Child Act 2013 (which replaced the Child Act 1974) that recognises an individual below 18 as a child, and the Labour Act which prohibits employment of children under 14, cruel treatment of children and child labour remain rampant.

One of the factors that make the enforcement of these legislations so challenging is the fact that millions of children work in the informal sector. The UN Committee on the Rights of the Child has claimed that children in Bangladesh work in five of the "worst forms of child labour": welding, auto workshops, road transport, battery recharging and tobacco factories.

Child labour is widely accepted largely

CONTINUED ON PAGE 21