



Save the Children

STATUS REPORT: VIOLENCE AGAINST CHILDREN IN BANGLADESH

Input to the Government's Voluntary
National Report 2020

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SDG 16-2: End abuse, exploitation, trafficking and all forms of violence against and torture of children

Statement of the problematic:

Globally it is estimated that up to 1 billion children aged 2-17 years, have experienced physical, sexual or emotional violence or neglect in the past years¹. Maltreatment (including violent punishment) encompasses physical, sexual, and psychological/ emotional violence, and neglect of infants, children, and adolescents. Sexual violence includes non-consensual completed or attempted sexual contact. Emotional or psychological violence includes restricting a child's movements, denigration, ridicule, threats and intimidation, discrimination, rejection and other non -physical forms of hostile treatment. Experiencing violence in childhood impacts lifelong health and wellbeing.

As in all countries thought the world, children living in Bangladesh experience situations of violence. Children continue to be subjected to various formsⁱ of violence, including killings, torture and rapes in their homes, within their communities, schools, and work environments. The perpetrators range from parents, caregivers, peers or strangers. Some specific categories of children remain more vulnerable than others, especially trafficking victims, children of sex workers, those with disabilities, those from ethnic or religious minority groups, refugees, those affected by AIDS, *Dalit* (untouchable) children. Working children are subjected to cruel torture, which many cases leading to their deaths.

Impact of Violence against Children:

Violence against children has severe negative consequence on the children, communities and nations on the whole. The phenomenon contributes to death, severe injuries, while exposure to violence at an early age can hinder brain and nervous system development. This can lead to negative coping and health risk behaviors, and unintended pregnancies, sexually transmitted infections, including HIV. Children subjected to such violence can ultimately be trapped in a circle of violence and hamper the flourishing of the potential of the future generation.²

Legal and Policy Framework:

Bangladesh is one of the first nations to ratify the United Nations Convention on the Rights of the Children (UNCRC) in 1990. In alignment with UNCRC, Bangladesh has attempted to implement and apply the principles and provision in national policies and laws to prevent physical and harmful punishment (PHP), child marriage and sexual and gender based violence (SGBV).

¹ <https://www.who.int/news-room/fact-sheets/detail/violence-against-children>

² <https://www.who.int/news-room/fact-sheets/detail/violence-against-children>

In recent years, the Government has taken important steps to prevent PHP. In 2010, in response to a writ petition, filed by BLAST and ASK, challenging the wide prevalence of PHP in schools, the Ministry of Education published a circular prohibiting corporal punishment in educational institutions. In January 2011, the High Court issued a judgment declaring corporal punishment in educational institutions, schools and madrasas, to be unconstitutional.⁶ In compliance with this ruling, the Ministry of Education issued guidelines prohibiting both physical and psychological punishments in April 2011. In the same year, the Government adopted the National Children Policy 2011 referencing the duty to prevent all forms of physical and mental punishment in educational institutions. In 2013, it adopted the new Children Act, (replacing the Children Act of 1974); although this does not specifically address PHP, it introduces some useful provisions.

National Action Plan to Prevent Violence against Women and Children, 2013-2025 has prioritized ending physical violence, sexual violence and exploitation, trafficking, and child marriage. Bangladesh Penal Code (Section 375) and the Prevention of Women & Children Repression Act 2000 (as amended in 2003) stipulate measures against sexual abuse and violence. Bangladesh introduced the Child Marriage Restraint Act, 2017 forbidding early marriage under the age of 18 for men and women. However, it has been criticized for Section 19 which allows for child marriage under specific circumstances.

In spite of these efforts, however, children continue to face PHP, child marriage and SGBV. To date there is no comprehensive law banning PHP in all settings, despite its widespread prevalence. There is no law banning PHP in all settings, while enactment of the laws by adequate sensitization and public mobilization remains a challenge.

Trend and analysis:

The overall national trend reveals an alarming prevalence of violence experienced by the children. The Multiple Indicator Cluster Survey 2019 reported that proportion of children aged 1-14 years experienced any physical punishment and /or psychological aggression by caregivers in the past month is 88.8% in 2019 which is 6.5% higher compare to 2012-13. A Save the Children and Bangladesh Legal Aid and Services Trust (BLAST) conducted a survey 'Stop Tolerating Violence Against Children' in 2018 revealed that 69.62% parents and caregivers think that it is either justifiable or strongly justifiable to punish a child when they make any mistake. 55.7% among the children who participated in the researcho mentioned that, they faced physical punishment in their house while 49.29% children said they faced physical punishment in their educational institutions.

Child Rights Advocacy Coalition in Bangladesh (CRAC,B) reported in 3rd cycle of Universal Periodic Review on child rights that 1141 children were killed during the period of 2013-2016 and 222 children were killed during the first eight months of 2017 (Jan-August)³. In 2019, Bangladesh Shishu Adhikar Forum (BSAF) found that a total 4,381 children experienced different forms of violence and exploitations of whom 1383 children have been subjected to sexual violence⁴. BSAF also indicated that 365 children have been subjected to different forms

³ https://docs.google.com/viewerng/viewer?url=http://www.askbd.org/ask/wp-content/uploads/2018/01/UPR_Child_Rights_English.pdf

⁴ <http://bsafchild.net/wp-content/uploads/2020/01/January-December-2019.pdf>

violence every month on an average in the last year. The rights body's comparative scenario between 2018 and 2019 indicate that the incidents of sexual violence increased (by 70.32%) alarmingly in 2019.

Comparative Scenario of Sexual Violence - 2018 & 2019 (BSAF)

Type of sexual violence	2019	2018	% (+/-)
Rape	1005	571	76.01%
Gang rape	108	94	14.89%
Attempt to rape	128	96	33.33%
Beating by perverts	28	18	55.56%
Sexual harassment	203	130	56.15%
Victim of pornography	19	15	26.67%
Total	1383	830	66.63%

Bangladesh Demographic and Health Survey (BDHS) 2017-18 revealed that 60% of girls get married before their 18th birthday in Bangladesh. The survey found child marriage situation remain unchanged compared to 2014, in 2014 it was 59%. Social attitudes and many factors are main challenges to stop child marriage analysis found. On the other hand, the Multiple Indicator Cluster Survey 2019 stated, compared to 2012-13, child marriage decreased in 2019. It reported 51% child marriage in 2019. Girls not Brides said the median age of marriage for girls living in the poorest household in Bangladesh is 15, compared for those living in the richest households and who have no education is 15 compared to 20 for those who have completed secondary schools or higher.

Online Sexual Abuse

There is an emerging trend of online sexual harassment experienced, particularly by young girls. According to CRAC, B in Bangladesh, young girls are increasingly falling victim to online sexual harassment and abuse. Police reportedly receive 10-12 online harassment complaints every day. 90% of the victims are pre-teen and teenage girls⁵. Girls are increasingly being tricked into sharing sexual photographs and video footage that is later used for blackmailing. For many reasons the real number of incidents are not being reported in most cases. Lack of

⁵ <http://www.dw.com/en/more-bangladeshi-girls-harassed-online-than-ever/a-38485906>

awareness and technical knowledge among relevant stakeholders are among the major obstacles to combating such incidents⁶.

Findings of Focus Group Discussions (FGDs):

As a part of the status report, Save the Children with support of its partners Sushikkha O Susasther Madhomy Surokkha (SSS) and Ain o Salish Kendra (ASK), conducted four Focus Group Discussions (FGDs) with 52 children of four categories of children to understand the situation on gender based violence, child marriage and physical and humiliating punishment at Rajbari and Dhaka.

Children of Sex Workers: Children of sex workers said that they face discrimination due to the stigma associated by the mainstream society. Particularly during the evening, they regularly face teasing, name calling, and even kidnapping. They are aware of the legal age of marriage for girls and boys. They reported that 7-8 child marriage happened in their community and opined that overall half the marriages in their community is child marriage. Though only 2 out of 8 participants reported to having physical punishment in the school, yet almost everybody reported mental/verbal punishment by the teachers in the name of discipline.

Children living in Alternative Care: Girls in safe homes have reported that they face discrimination as their mothers are sex workers. They feel severely insecure traveling alone at night, and face teasing, harassment, verbal abusive and maltreatment by the communities. They reportedly do not feel safe at schools and feel that most of the time teachers do not trust them if they report any harassment. Child marriage is quite prevalent in this demography. They identified love, affection, poverty, inappropriate physical relation, and drop out from school as reasons behind child marriage.

Girls group: The girls said they noticed 5/7 child marriage happening in the last six months in their locality aged despite the awareness of the legal age of marriage. They opined family pressure, insecurity and love affection are the most reasons for child marriage.

Working children: Girls have reported to getting lower wage than boys for the same employment and face physical punishment for any wrongdoing both at workplace and home. They suffer from severe insecurity and widely face teasing, physical and mental abuse the local boys or community peoples. School teachers disgrace them in the case of failure to complete any homework. They consider over populated slum areas, where police usually cannot raid, as mostly unsafe.

Policy recommendations:

Protecting children against all forms of violence and torture is of critical importance to the achievement of all Sustainable Development Goals. Considering the prevalence of

⁶ Progress Towards Commitments, Children in Bangladesh 2018 by Child Rights Advocacy Coalition in Bangladesh

violence against children in Bangladesh, it essential is to ensure access to justice for all children and establish effective, accountable and inclusive policies and institutions at all levels.

- Insert a provision in the Children Act 2013 which specifically and categorically prohibits the use of PHP on children in all settings, be it at home, in educational institutions or anywhere else, in line with the directives of the High Court and guidelines issued by the Ministry of Education.
- Establish a National Child Rights Commission (NCRC) as stipulated in the Children Policy 2011 (i.e. 'Ombudsman for the children') which shall specifically monitor the effective implementation of the UNCRC and Children Policy with a view to preventing violence against children in all settings. The NCRC must also ensure effective complaints and investigative mechanism and redress for victims of PHP, including rehabilitation and compensation.
- Undertake public awareness campaign led by the Ministry of Women and Children Affairs through media to sensitize parents, teachers and caregivers on the negative impact of PHP on children's cognitive development.
- Ensure that the child marriage prevention committees are established, functional and held accountable for all cases of child marriage within their catchment areas (Ministry of Women and Child Affairs & Ministry of Social Affairs)
- Establish rigorous monitoring of the ban on corporal punishment in educational institutions at all levels (Ministry of Women and Child Affairs, Ministry of Education and Ministry of Social Welfare)
- Advocate with duty bearers to file cases under Child Marriage Restrain Act 2017 (Ministry of home, Ministry of Law, Justice and Parliamentary Affairs)
- Define and include the new forms of cyber-crimes in existing Acts e.g., The Digital Security Act 2018, Pornography Control Act 2012, The Information and Communication Technology Act 2006, The Children Act 2013 to combat online sexual exploitation.
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- Develop a National Plan of Action for mainstreaming children from marginalized groups including children of minorities and hard to reach area groups.
- Monitor the implementation of the Children Act specially section- 13 to form child help desk and placement of dedicated police officer for the children in every police station and Probation Officer to take care of the children in contact with law.

