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# Combating Violence against Women in Bangladesh: A Content Analysis of National Legal and Policy Frameworks

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## ABSTRACT

*Addressing violence against women (VAW) is a vital component of Sustainable Development Goal (SDG) 5, which seeks to achieve gender equality and empower all women and girls. VAW remains a significant issue in Bangladesh, despite the country's initiatives to address the issue for decades. This study critically examines Bangladesh's effort in developing and reforming legal and institutional arrangements to address VAW in the last three decades since 1995. Based on a robust conceptual framework for understanding the legal and institutional aspects of VAW, the study uses literature review and content analysis tools to analyze the qualitative data of various legal and policy frameworks related to VAW in Bangladesh. The findings indicate that Bangladesh has made considerable progress in establishing laws and institutional mechanisms to address the issue; however, the impact is limited by ingrained social norms, systemic weaknesses in the justice system, and insufficient support for survivors. The study contends that tackling these complex issues will require sustained commitment, improved sector-wide collaboration, and specific reforms to ensure that the existing legal and policy frameworks contribute to deliver practical results for women and children affected by violence.*

**Keywords:** Bangladesh; Violence against Women; Gender Equality; Gender Justice; Access to justice.

## I. INTRODUCTION

Violence against Women (VAW) is a global issue, which is recognised as a grave human rights violation and a public health concern affecting all sectors of society. A World Health Organisation (WHO) report indicates that about 1 in 3 (30%) of women worldwide have been subjected to either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime.<sup>2</sup> VAW remains a significant issue in Bangladesh, affecting women across various social, economic, and cultural backgrounds. In 2015, it was reported that 50 percent of the women are physically tortured, and 27 percent have experienced sexual abuse in

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<sup>2</sup> World Health Organization, *Violence Against Women Prevalence Estimates, 2018*, <https://www.who.int>

Bangladesh.<sup>3</sup>

The Constitution of Bangladesh guarantees fundamental human rights to all its citizens. Bangladesh is a signatory to The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979, which aims to promote and protect the rights of women and eliminate discrimination against them in all areas of life.<sup>4</sup> Bangladesh is also committed to achieve the Sustainable Development Goal (SDG) 5, which focuses on ‘Gender Equality’ and aims to achieve gender equality and empower all women and girls worldwide. All these national and international legal obligations obligate the country to take measures to protect its women from violence and unequal treatment.

Since its birth in 1971, Bangladesh has been working to address the issue of VAW. A significant step began in 1995, with the passing of a legislation aiming to address the issue of VAW with greater emphasis. Since then, various laws, policies, and institutional arrangements have been developed in this regard. This study aims to critically examine the development of legal and institutional arrangements to address the VAW issues in Bangladesh in the last three decades since 1995.

#### **(A) Rationale for this study**

A country’s legal and institutional frameworks are developed by taking into consideration the nature and contexts of violence in that country. The nature of violence against women in Bangladesh is multifaceted, encompassing physical, psychological, economic, and sexual abuse. Physical violence includes acts such as hitting, slapping, and beating, often resulting in severe injuries and long-term health consequences.<sup>5</sup> Psychological violence involves emotional abuse, threats, and coercion, leading to mental health issues such as depression and anxiety.<sup>6</sup> Economic violence is characterized by controlling access to financial resources and economic deprivation, while sexual violence includes marital rape and other forms of sexual coercion.<sup>7</sup> These forms of violence often coexist, compounding their detrimental effects on women's well-being.<sup>8</sup>

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<sup>3</sup> Bangladesh Bureau of Statistics, *The Bangladesh Bureau of Statistics (BBS) Report, 2015*

<sup>4</sup> United Nations, *The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)*.

<sup>5</sup> Naved, R. T., Samuels, F., Le Masson, V., Talukder, A., Gupta, T., & Yount, K. M., *Understanding Intimate Partner Violence in Rural Bangladesh, Overseas Development Institute (ODI, London, 2017)*.

<sup>6</sup> Islam, M. M., Jahan, N., & Hossain, M. D., *Violence Against Women and Mental Disorder: A Qualitative Study in Bangladesh, Tropical Medicine and Health, 46, 1-12 m(2018)*.

<sup>7</sup> Bates, L. M., Schuler, S. R., Islam, F., & Md. Khairul Islam, *Socioeconomic Factors and Processes Associated with Domestic Violence in Rural Bangladesh, 30 Int’l Fam. Planning Perspectives 190 (2004)*.

<sup>8</sup> Hossain, M. M., Abdulla, F., Rahman, A., & Khan, H. T., *Prevalence and Determinants of Wife-Beating in Bangladesh: Evidence from a Nationwide Survey, 22 BMC Psychiatry 9 (2022), doi:10.1186/s12888-021-03652-*

Several determinants contribute to the prevalence of violence against women in Bangladesh. Socioeconomic factors play a significant role, with poverty and economic dependency being primary drivers. Women from lower socioeconomic backgrounds are more vulnerable to violence due to their limited access to resources and support systems.<sup>9</sup> Educational attainment is another critical factor; lower levels of education among women are associated with a higher risk of experiencing violence.<sup>10</sup> Education empowers women with knowledge and skills, enhancing their ability to resist and escape abusive situations.

Cultural norms and patriarchal values significantly influence the occurrence of violence against women in Bangladesh. Traditional gender roles and societal expectations perpetuate the subjugation of women, normalizing violence as a means of maintaining male dominance and control.<sup>11</sup> Practices such as dowry demands and child marriage further exacerbate the situation, placing women in vulnerable and dependent positions within their households.<sup>12</sup> Moreover, the lack of effective legal frameworks and enforcement mechanisms hinders efforts to protect women and hold perpetrators accountable.<sup>13</sup>

Given the multifaceted nature and contexts of violence against women, Bangladesh requires multifaceted interventions to address the issue. As the previous studies suggests, economic empowerment initiatives, such as vocational training and microfinance programmes, can help women achieve financial independence and reduce their vulnerability.<sup>14</sup> Education and awareness campaigns are essential for changing societal attitudes and norms, promoting gender equality, and informing women about their rights.<sup>15</sup> Strengthening legal frameworks and improving the enforcement of existing laws are crucial for providing protection and ensuring justice for victims.<sup>16</sup> Additionally, providing accessible support services, including healthcare, counselling, and legal aid, is vital for assisting survivors of violence.<sup>17</sup>

Though Bangladesh has been working towards developing and improving its legal and

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<sup>9</sup> Supra notes 7 and 8.

<sup>10</sup> Marium, S., Women's Level of Education and Its Effect on Domestic Violence in Rural Bangladesh, 19(5) *IOSR Journal of Humanities and Social Science* 40-45 (2014).

<sup>11</sup> Samuels, F., Le Masson, V., & Gupta, T., One Step Forward, Half a Step Backward: Changing Patterns of Intimate Partner Violence in Bangladesh, 34 *J. Family Violence* 107 (2019).

<sup>12</sup> Biswas, R. K., Khan, J. R., & Kabir, E., Trend of Child Marriage in Bangladesh: A Reflection on Significant Socioeconomic Factors, *Children & Youth Services Review*, 104, 104382 (2019).

<sup>13</sup> Khatun, M. T., & Rahman, K. F., Domestic Violence Against Women in Bangladesh: Analysis from a Socio-Legal Perspective, 9(2) *Bangladesh e-Journal of Sociology* 19 (2012).

<sup>14</sup> Kabeer, N., Economic Pathways to Women's Empowerment and Active Citizenship: What Does the Evidence from Bangladesh Tell Us?, 53 *J. Dev. Stud.* 649 (2017).

<sup>15</sup> Supra note 10.

<sup>16</sup> Supra note 13.

<sup>17</sup> Newaz, M. S., Saha, S., Salekuzzaman, K., & Sultana, S., Victims of Gender-Based Violence at One-stop Crisis Centers of Bangladesh, 6(1) *Int'l J. Soc. Sci. Research & Review* 132-143 (2023).

institutional arrangements to address violence against women, previous studies depict an unsatisfactory scenario of the arrangements. For example, a 2004 study highlights the lack of legal protection of women in domestic violence cases.<sup>18</sup> A 2007 study suggests how access to justice was a great challenge within the then legal and institutional arrangements, with limited access to legal services, particularly for poor, rural women. Legal services were primarily urban-based and costly, creating significant barriers for many rural women who were victims of injustice and crimes including various types of violence against women.<sup>19</sup> A 2009 study rural justice suggest that two third of the rural cases does not go to formal courts due to ineffectiveness of judicial measures constrained by complex, opaque, and disorganized legal process.<sup>20</sup> A 2012 study suggest the lack of effective legal frameworks and enforcement mechanisms as a key barrier for women's access to justice.<sup>21</sup> However, a considerable improvement and reform of legal and institutional arrangements has occurred in the last three decades beginning with the passing of the Prevention of Oppression Against Women and Children Act, 1995.

Against this backdrop, this study aims to examine the existing law and policy frameworks to explore whether the specific nature and social, cultural and economic contexts of VAW in Bangladesh have been considered and addressed effectively. The study holds significance both nationally and internationally. It identifies gaps and strengths in the current legal and policy frameworks, which can guide legislative and policy reforms that can better protect victims and enhance the efficiency of the justice system in Bangladesh. Internationally, the lessons learned from Bangladesh's efforts can guide similar countries in improving their own frameworks, contributing to global efforts towards gender equality and justice.

## **II. CONCEPTUAL FRAMEWORK OF LEGAL AND INSTITUTIONAL ARRANGEMENTS FOR ADDRESSING VAW**

Addressing violence against women involves a comprehensive approach that includes legal frameworks, institutional mechanisms, and societal interventions. This approach is supported by key international documents that provide guidelines and standards for effectively combating violence against women.

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<sup>18</sup> *Supra* note 7.

<sup>19</sup> Wahed, T., & Bhuiya, A., *Battered Bodies & Shattered Minds: Violence Against Women in Bangladesh*, 126(4) *Indian J. Med. Research* 341 (2007).

<sup>20</sup> Islam, Z., *Strengthening State-Led Rural Justice in Bangladesh: Views from the Bottom* (CCB Foundation, Dhaka, 2009).

<sup>21</sup> *Supra* note 13.

### **(A) Legal and Policy Frameworks**

A robust legal and policy framework is essential to criminalise all forms of violence against women, provide protection to survivors, and ensure justice. According to the United Nations Declaration on the Elimination of Violence Against Women (1993), member states should enact laws that address various forms of violence, including domestic violence, sexual assault, and trafficking.<sup>22</sup> The laws should include provisions for restraining orders, prosecution of offenders, and compensation for victims.

### **(B) Institutional Mechanisms**

Effective institutional mechanisms are crucial for the implementation and enforcement of laws. The World Health Organization (WHO) highlights the importance of training law enforcement officials, judiciary members, and healthcare providers to respond appropriately to cases of violence.<sup>23</sup> Specialized units or task forces within police departments and dedicated courts for handling cases of violence against women can improve the efficiency and sensitivity of the response.

### **(C) Support Services**

Comprehensive support services for survivors are necessary to address the physical, psychological, and legal needs of women who experience violence. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) General Recommendation No. 19 emphasizes the need for accessible healthcare, counseling, legal aid, and shelter services.<sup>24</sup> These services should be coordinated to provide a holistic response to survivors.

### **(D) Societal Interventions**

Addressing the root causes of violence against women requires societal interventions that promote gender equality and challenge harmful norms and stereotypes. The Beijing Declaration and Platform for Action (1995) calls for educational programs and community-based initiatives that raise awareness about women's rights and the unacceptability of violence.<sup>25</sup> Engaging men and boys in these efforts is critical to fostering a culture of respect and equality.<sup>26</sup>

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<sup>22</sup> United Nations, *Declaration on the Elimination of Violence Against Women* (1993).

<sup>23</sup> World Health Organization, *Preventing Intimate Partner and Sexual Violence Against Women: Taking Action and Generating Evidence* (2010).

<sup>24</sup> United Nations, *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), General Recommendation No. 19: Violence Against Women* (1992).

<sup>25</sup> United Nations, *Beijing Declaration and Platform for Action* (1995).

<sup>26</sup> World Health Organization, *Responding to Intimate Partner Violence and Sexual Violence Against Women: WHO Clinical and Policy Guidelines* (2013).

### **(E) Multisectoral Coordination**

A multisectoral approach ensures that various sectors, including health, legal, social services, and education, work together to address violence against women comprehensively. The United Nations Sustainable Development Goals (SDGs), particularly Goal 5 on gender equality, advocate for integrated policies and programs that involve multiple stakeholders, including government agencies, civil society, and international organizations (United Nations, 2015).<sup>27</sup>

This conceptual framework helps us understand breadth and depth of the issues related to VAW. It also helps us realise how the legal and policy frameworks work just as a component of a holistic approach to deal with the issues. With this conceptual understanding, we have attempted to analyse the legal and policy frameworks in Bangladesh.

### **(F) Research Methodology**

The study adopted a qualitative research design, and used literature review and content analysis tools to examine relevant law and policy instruments. Based on the above conceptual framework of legal and institutional arrangements for addressing VAW, it collected all the relevant laws and policies related to various forms of violence and relevant literature. Thematic analysis was employed to analysis the contents and key provisions of the laws and policies to identify and examine various access to justice aspects. The aspects examined include objectives of the law, definition and conceptual understanding of violence, adjudication covering the provisions for prosecution of offender and restraining orders and compensation for victims, and implementation of orders and decisions.

## **III. FINDINGS**

The findings of the study are presented below:

### **(A) Development of Legal and Institutional Arrangements since 1995**

Bangladesh has made substantial progressed in developing legal and institutional arrangements for combating VAW since 1995. At present Bangladesh has a range of laws, policies, and institutions aimed at prevention of violence against women and children, protection of the vulnerable people and to ensure access to justice for the victims.

Bangladesh has two historical legislations, the Penal Code of 1860,<sup>28</sup> and the Code of Criminal Procedure of 1898,<sup>29</sup> which were given by the British Colonial rulers, to deal with many of the

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<sup>27</sup> United Nations, *Sustainable Development Goals* (2015).

<sup>28</sup> The Penal Code, 1860 (Act No. XLV of 1860).

<sup>29</sup> The Code of Criminal Procedure, 1898 (Act No. V of 1898).

crimes and violence against women and children. These crimes include criminal force, sexual harassment, stalking, human trafficking, dowry, death, cruelty towards a married woman (domestic violence), rape and aggravated rape. However, these laws and procedures were proved inadequate to meet the need of the changed social and criminological contexts.

Consequently, Bangladesh has enacted some new laws and reformed the existing laws and procedure to deal with the increasing violence against women issues. The key laws of this kind include the Dowry Prohibition Act, 1980<sup>30</sup> and 2018,<sup>31</sup> the Prevention of Oppression Against Women and Children Act, 1995<sup>32</sup> and 2000,<sup>33</sup> the Acid Crime Deterrence Act, 2002,<sup>34</sup> and the Domestic Violence (Prevention and Protection) Act, 2010.<sup>35</sup> There are also specialized tribunals to handle cases related to violence against women and to ensure speedy trial. In the following, we discuss the objectives, contents and key provisions of these Acts and laws.

### **(B) The Dowry Prohibition Act, 1980 and 2018**

The Dowry Prohibition Act of 1980 in Bangladesh was enacted with the primary objective of eliminating the practice of dowry, a pervasive social issue in South Asia. Dowry involves the transfer of gifts, money, or property from the bride's family to the groom's family during the marriage process. This practice places significant financial strain on the bride's family and can lead to exploitation and harassment. Recognizing the detrimental effects of dowry, the 1980 Act sought to prohibit its giving or taking in connection with marriage, thereby protecting brides and their families from such coercive practices.

This law, however, was proved inadequate. Hence, in September 2018, Bangladesh introduced a new Dowry Prevention Act, reforming and strengthening the original law with 11 additional provisions. The revised Act offers a more robust framework for addressing dowry-related issues. One of the key provisions of the Act is the definition of dowry, which encompasses any property or valuable security given or agreed to be given, either directly or indirectly, at any time around the marriage. This broad definition includes gifts, money, properties, or any demands for such, ensuring comprehensive coverage of all forms of dowry transactions.

The Act explicitly prohibits the giving or taking of dowry by any party involved in the marriage, extending this prohibition to both the bride's and groom's families. To enforce this prohibition, the Act prescribes penalties for those who violate its provisions, including imprisonment and

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<sup>30</sup> The Dowry Prohibition Act, 1980 (Act No. 35 of 1980)

<sup>31</sup> The Dowry Prohibition Act, 2018 (Act No. 26 of 2018).

<sup>32</sup> The Prevention of Oppression Against Women and Children Act, 1995 (Act No. 18 of 1995).

<sup>33</sup> The Prevention of Oppression Against Women and Children Act, 2000 (Act No. 8 of 2000).

<sup>34</sup> The Acid Crime Control Act, 2002 (Act No. 2 of 2002).

<sup>35</sup> The Domestic Violence (Prevention and Protection) Act, 2010 (Act No. 58 of 2010).



finer. This legal deterrent aims to discourage the practice of dowry and hold violators accountable.

Additionally, the Act establishes a complaint mechanism that empowers individuals to report dowry-related offenses. Magistrates are authorized to take cognizance of such offenses and initiate legal proceedings, providing a clear pathway for justice. To further support complainants, usually the bride or her family, the Act includes provisions to protect them from harassment or harm resulting from their complaints.

### **(C) Laws and institutional mechanisms to address Acid Violence**

Acid violence, characterized by the deliberate throwing of acid on individuals, particularly women, is a grievous social issue in Bangladesh. To combat this problem and support victims, the government and various organizations have enacted legal measures and established institutional arrangements. The Acid Crime Deterrence Act, 2002, and the Acid Control Act, 2002, together form the cornerstone of Bangladesh's legislative response to acid violence.

The Acid Crime Deterrence Act, 2002, provides a robust legal framework for the prevention and punishment of acid violence. It prescribes severe penalties for perpetrators, including the death penalty or life imprisonment for causing death through acid attacks. This act aims to deter potential offenders by ensuring stringent consequences for such heinous crimes.

Complementing this is the Acid Control Act, 2002, which regulates the sale, use, and distribution of acid. This act restricts the sale of acid to individuals under the age of 18 and mandates vendors to maintain records of acid sales. These measures are designed to track and control acid distribution, making it easier to identify buyers during investigations and prevent unauthorized sales, which are punishable offenses under the law.

Addressing acid violence extends beyond legal measures and requires tackling social and cultural dimensions. Our literature review suggests there are various non-governmental organizations (NGOs) and government initiatives which play a vital role in supporting acid attack survivors. The Acid Survivors' Foundation (ASF), a prominent NGO in Bangladesh, provides crucial support including medical treatment, rehabilitation, and legal aid to survivors. ASF helps victims access necessary care and pursue legal action against perpetrators, significantly contributing to their recovery and justice (ASF, 2022).<sup>36</sup>

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<sup>36</sup> Acid Survivors Foundation, Acid Attack Statistics (1999-2022) (2022).

**(D) Prevention of Oppression Against Women and Children Act, 1995 & 2000**

In Bangladesh, the Prevention of Oppression Against Women and Children Act, 1995 was the first special legislative framework dedicated to addressing violence and oppression faced by women and children. This groundbreaking law was introduced to tackle issues such as domestic violence, rape, and sexual harassment, aiming to bring offenders to justice and provide legal support for victims. However, the 1995 Act faced criticism for gaps in effectiveness and enforcement. In response, the government introduced the Prevention of Oppression Against Women and Children Act, 2000 to replace the earlier version.

A key aspect of the Act of 2000 is its comprehensive definitions of various forms of oppression and violence. These include physical abuse, mental cruelty, dowry-related offenses, sexual harassment, and trafficking. By clearly defining these terms, the Act ensures that a wide range of harmful behaviours are recognized and can be prosecuted under the law. This clarity is essential for both victims seeking justice and law enforcement agencies tasked with upholding the law.

The Act prescribes penalties for a wide array of offenses related to violence and oppression against women and children. These include physical and sexual assault, acid attacks, trafficking, and child marriage. The severity of the penalties reflects the seriousness of these crimes and serves as a deterrent to potential offenders. Moreover, the Act outlines detailed legal procedures for filing complaints, conducting investigations, and prosecuting offenders. It empowers designated law enforcement agencies and courts to handle these cases, ensuring that they are dealt with promptly and effectively.

In addition to punitive measures, the Act includes provisions for the protection of victims. These provisions include restraining orders against alleged offenders and measures to ensure the safety and confidentiality of victims during legal proceedings. This is crucial for encouraging victims to come forward and participate in the legal process without fear of retaliation or further harm.

The Act also allows for the payment of compensation to victims by the offender as part of the legal process. This provision acknowledges the harm suffered by victims and provides a means for them to receive some form of restitution. Furthermore, the Act provides for the establishment of specialized tribunals and courts to handle cases efficiently under this law.

**(E) Domestic Violence (Prevention and Protection) Act, 2010:**

In response to the demands of the civil society organisations and human rights workers of the country for a long time, the government enact the Domestic Violence (Prevention and Protection) Act in 2010. It is a pivotal legislative measure aimed at combating domestic

violence, safeguarding the rights and safety of victims, and providing legal remedies and support mechanisms. This Act addresses various forms of abuse within households, emphasizing the protection and well-being of those affected by domestic violence.

A fundamental aspect of the Act is its comprehensive definitions of domestic violence, encompassing physical abuse, mental cruelty, economic abuse, and other forms of harm within the family context. By clearly defining these types of violence, the Act ensures that victims can seek justice for a wide range of abusive behaviours.

Another key provision of the Act is the issuance of protection orders. Victims can obtain these orders from concerned courts to prevent perpetrators from engaging in further acts of violence or harassment. Additionally, the Act empowers courts to issue restraining orders, prohibiting perpetrators from entering or approaching the victim's residence, workplace, or other specified locations, a measure that ensures the immediate and long-term safety of victims.

In situations of immediate danger, the Act allows for the issuance of emergency protection orders to ensure the victim's safety. Thus, the Act also recognizes the rights of victims to live in a safe environment, free from violence and harassment, and establishes mechanisms to protect these rights.

To ensure the compliance of such orders, the Act prescribes penalties for violating protection orders and restraining orders. These penalties, which may include imprisonment and fines, serve as a deterrent to potential offenders and reinforce the seriousness of adhering to legal protections. Furthermore, the Act includes provisions for counselling, medical support, and assistance for victims, including legal aid and counselling services.

#### **(F) National Action Plan to Prevent Violence against Women and Children 2013-2025 & 2018-2030**

The National Action Plan to Prevent Violence against Women and Children (NAPVAWC) 2013-2025 is a comprehensive policy framework developed by the Government of Bangladesh to tackle the widespread issue of violence against women and children. Broadly, the NAPVAWC involves four components: prevention, protection, prosecution, and partnerships.

Prevention efforts under the Action Plan include launching public awareness campaigns to change social norms and attitudes that perpetuate violence, incorporating gender-sensitive education and life skills training into school curricula, and engaging community leaders and religious institutions in promoting gender equality and non-violence. Establishing helplines and support services for victims of violence is also a crucial component of these efforts.

Protection measures involve creating safe spaces and shelters for survivors of violence, providing medical, psychological, and legal support, and strengthening the capacity of law enforcement agencies to respond to cases of violence. Encouraging the reporting of incidents through anonymous mechanisms is also emphasized to ensure that survivors feel safe and supported in coming forward.

The prosecution component of the Action Plan focuses on amending and strengthening laws related to violence against women and children, training judges, lawyers, and law enforcement personnel on gender-sensitive legal procedures and establishing special courts to expedite cases of violence. Enhancing the capacity of forensic laboratories to support investigations is also included to ensure that evidence is collected and analysed effectively.

The Action plan recognises that partnerships are essential for the successful implementation of the NAPVAWC. The partnership component of the Plan involves fostering collaboration between government ministries and departments, engaging civil society organizations and grassroots initiatives, seeking international support and expertise to address cross-border issues like trafficking, and regularly monitoring and evaluating the plan's progress and impact.

In 2018, the Bangladesh government revised the existing NAPVAWC for 2018-2030 and developed a monitoring and evaluation (M&E) framework to measure the implementation of the plan.

#### **IV. DISCUSSION**

The above findings of the study highlight that a notable progress has been made in Bangladesh through robust legislation, policy making, and coordinated campaigns. However, the overall effectiveness of these measures in tackling broader forms of violence remains a critical concern.

The findings about the legal and policy frameworks show Bangladesh's strong commitments to combat VAW. Considering the inadequacy of the Penal Code, enacted in 1860, and the criminal justice system inherited from the British colonial power, Bangladesh has made a number of legislations providing legal protection and institutional arrangements since the beginning of this century.

The Dowry Prohibition Act of 1980 and its 2018 amendment have strengthened legal provisions and enforcement mechanisms to eradicate dowry and promote a more equitable and just society. The Acid Crime Deterrence Act, 2002 provides prevention and punishment framework for acid violence against women, and Acid Control Act 2002 provides for regulation of acid sale and distribution, which is very important for prevention of the crime. Moreover, Bangladesh has

taken multi-faceted approach and various initiatives to combat acid violence including awareness campaigns, training for law enforcement personnel, and monitoring the implementation of laws.

The Prevention of Oppression Against Women and Children Act, 2000 addresses crimes such as physical and sexual violence against women and children, including rape, dowry-related violence, abduction, trafficking, and acid attacks. The Act provides stringent punishments to offenders and institutional measures to protect the rights and safety of women and children.

The Domestic Violence (Prevention and Protection) Act, 2010 provides a comprehensive legal framework aimed at protecting victims of domestic violence and ensuring their safety and well-being. This Act defines domestic violence broadly to include physical, emotional, sexual, and economic abuse within domestic settings. It provides mechanisms for victims to seek protection orders, residence orders, and monetary relief. The Act also mandates the establishment of service providers and shelters for victims and emphasizes the role of law enforcement and judicial systems in responding effectively to domestic violence cases. This legislation, thus, marks a significant step towards addressing and mitigating domestic violence in Bangladesh.

Moreover, Bangladesh has adopted a strategic framework aimed at addressing and eliminating all forms of violence against women and children in 2013. This framework, named as the National Action Plan to Prevent Violence Against Women and Children (NAPVAWC) for 2013-2025, outlines a multi-sectoral approach involving government agencies, non-governmental organizations, and community stakeholders to implement preventive measures, provide support and protection to victims, and ensure legal and social justice. The NAPVAWC emphasizes awareness-raising, capacity-building, and the establishment of effective response mechanisms, including shelters, counselling services, and legal aid. By fostering a collaborative and coordinated effort, the NAPVAWC aims to create a safer and more equitable environment for women and children in Bangladesh over the twelve-year period. In 2018, the action plan was further amended to ensure that the objectives of the NAPVAWC are met through continuous improvement and adaptation.

All these legislative and policy developments, we argue, reflect Bangladesh's commitment to combat VAW. However, our literature review also suggests that the overall impact of these measures is still very low. According to a 2015 survey, over 70 percent of married women or girls in Bangladesh have faced some form of intimate partner abuse; about half of whom say their partners have physically assaulted them (BSS & UNFPA, 2015).<sup>37</sup> The same survey found

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<sup>37</sup> Bangladesh Bureau of Statistics, *The Bangladesh Bureau of Statistics (BBS) Report, 2015*.

that over half of married women and girls had suffered some form of abuse, also found that over 70 percent of these survivors never told anyone and less than three percent took legal action.

A 2020 report revealed that at least 235 women were murdered by their husband or his family in just the first nine months of 2020 (ASK, 2020).<sup>38</sup> Another report suggested, between January 2001 and December 2019, over 3,300 women and girls were murdered over dowry disputes (Odhikar, 2020).<sup>39</sup>

Therefore, various forms of violence against women continue to persist in both rural and urban societies in Bangladesh. The high rates of intimate partner abuse and other forms of gender-based violence, we argue, underscore the gaps between legal and policy frameworks and their practical implementation.

It is evident from different studies, some of which are referred to above, that societal and cultural norms deeply rooted in patriarchal traditions continue to perpetuate violence against women in Bangladesh. These norms often trivialize or normalize domestic violence.<sup>40</sup> Other studies suggest that there are weaknesses within the criminal justice system which compound these challenges. For example, the absence of a comprehensive victim or witness protection law further exacerbates vulnerabilities, leaving many women without the necessary safeguards to pursue legal recourse without fear of retaliation.<sup>41</sup>

We, therefore, argue that when it comes to legal recourse and protection of women from various forms of violence, the existence of strong legal and policy frameworks is just one of various components of a holistic system. And if the other components are not working effectively, mere the presence of good laws and policies cannot radically change the situation.

Based on the conceptual framework of this study, we also argue that addressing the multifaceted challenges regarding VAW in Bangladesh requires sustained commitment from all sectors of society. It should include enhanced collaboration across government agencies, civil society organizations, and international partners to mobilize resources, share expertise, and implement holistic solutions. We also suggest that there are needs to conduct more research to identify target areas for reforms to strengthen the capacity of the justice system, improve service delivery, and foster a supportive environment that encourages victims to come forward.

## V. CONCLUSION

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<sup>38</sup> Ain o Salish Kendra (ASK), *Human Rights Situation in Bangladesh, 2020* (2021).

<sup>39</sup> Odhikar, *Annual Human Rights Report 2020* (2021).

<sup>40</sup> *Supra* note 7 & 8.

<sup>41</sup> Human Rights Watch, *"I Sleep in my Own Deathbed": Violence against Women and Girls in Bangladesh: Barriers to Legal Recourse and Support*, 2020.

Bangladesh has made significant strides in legislating against violence and implementing institutional frameworks to protect women and children. Landmark laws such as the Prevention of Oppression Against Women and Children Act, 2000, and the Domestic Violence (Prevention and Protection) Act, 2010, along with the National Action Plan to Prevent Violence against Women and Children (NAPVAWC) 2013-2025, reflect the government's commitment to tackling these issues. Furthermore, the establishment of support mechanisms, including shelters, helplines, and specialized tribunals, underscores a proactive approach to safeguarding victims and holding perpetrators accountable. However, the efficacy of these efforts is often compromised by deep-seated societal norms that perpetuate gender-based violence and weak criminal justice system. Addressing these multifaceted challenges requires not only good law and policies, but also sustained commitment, enhanced collaboration across sectors, and targeted reforms to ensure that legal protections translate into meaningful outcomes for women and children affected by violence.

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