
VIOLENCE AGAINST DALIT WOMEN

**Input to the UN Special Rapporteur on Violence against Women in connection
with her visit to Bangladesh between 20 – 29 May 2013**

SUBMITTED BY

BANGLADESH DALIT AND EXCLUDED WOMEN'S FEDERATION
BANGLADESH DALIT EXCLUDED RIGHTS MOVEMENT
NAGORIK UDDYOG – CITIZEN'S INITIATIVE
INTERNATIONAL DALIT SOLIDARITY NETWORK



Sweeper Colony, Dhaka

JOINT NGO SUBMISSION FOR THE VISIT OF SPECIAL RAPPOREUR ON VIOLENCE AGAINST WOMEN TO BANGLADESH 20-29 MAY 2013

Submitted in May 2013 by:

Bangladesh Dalit and Excluded Women Federation (BDEWF)

Bangladesh Dalit and Excluded Rights Movement (BDERM)

Nagorik Uddyog (Citizen's Initiative)

International Dalit Solidarity Network (IDSN)

BDERM	is a national platform of Dalit civil society organizations. The platform was formed in April in 2008 and is advocating at national and international level. www.bderm.org
BDEWF	is a national network formed in November in 2010, working to advance Dalit and Excluded women's rights. It consists of 10 Dalit women headed organizations from the country.
Nagorik Uddyog	is a human rights organization working with Dalit and socially excluded communities to support their human rights struggle. www.nuhr.org
IDSN	is an international network advocating for the elimination of discrimination based on work and descent globally. www.idsn.org

Dalit women in Bangladesh

“Violence and sexual assault are used by non-Dalits as a control mechanism for humiliating Dalit communities. Instances of rape, torture and harassment are all common atrocities against Dalit women.”¹

INTRODUCTION

The Dalit community in Bangladesh is estimated to count at least 6.5 million people. Dalits live at the bottom of the caste system and are among the most marginalised and socially excluded groups in the country. Caste systems and prejudice against so-called “untouchables” are traditionally regarded as part of traditional practices and originate from Hindu scriptures; but in Bangladesh these traditions and practices have also been adopted by sections of the Muslim majority. In Bangladesh, members of the “low castes” increasingly refer to themselves as Dalits – the “downtrodden” people – to emphasize the fact that they have been exploited, oppressed and excluded through generations.

In Bangladesh girls and women, who rank the lowest in literacy rates, often fall victim to prostitution, trafficking and bonded labour. Discrimination against women is also reinforced by traditional norms and customs in Hinduism and Islam that deprive the women not only of control over property, but also over their own bodies. They are also excluded from participation in politics, community development and employment. Dalit women are most marginalized amongst marginal people. Dalit women in Bangladesh face discrimination, exclusion and violence as a result of both their caste and gender. A study undertaken in 2011 explored Dalit women’s participation in the political sphere – at national level as well as at local and community level. The study found that Dalit women in Bangladesh lack political representation and are subject to continuous and systematic deprivation, exclusion and neglect.

The majority of Dalit girls drops out of school and miss one of the most crucial opportunities to escape poverty. Given the vast numbers of Dalit women and men living in poverty, justice will not be achieved if Dalits continue to be excluded, and their human rights denied. The status of Dalit women is dictated by the socio-cultural, economic and political situation of Dalit people in Bangladesh today and the extreme levels of exclusion and marginality they experience.

Dalit women in Bangladesh are also victims of political violence and the country witnessed a number of fatwas issued against women’s right to vote, accompanied by violent attacks.

DISCRIMINATION AND VIOLENCE AGAINST DALIT WOMEN

According to United Nations Gender Development Index, Bangladesh is ranked 121st out of 146 countries worldwide². Thus, the patriarchal society has made the women in Bangladesh more exposed to violence and discrimination. Among them Dalit women are more vulnerable due to multiple forms of discriminations, i.e. they are facing both gender and caste discriminations. Women in Dalit communities cannot be plugged under similar groups in terms of profession, religion or their needs for empowerment. Several profession and sub-castes has created various group within themselves. Example women in sweeper communities are mostly housewives and they generally does only reproductive works such as raising children, taking care of the in-laws etc. Women in Tea garden areas generally are the income source of the family. Yet, discrimination and domestic violence against women seem to be equally prevailing irrespective of status and income making for the family.

Violence against women in Dalit communities is similar in character. They are physically and mentally abused both inside and outside of their communities. Domestic violence is one of the major problems faced by the Dalit women. Husbands are not only the doer but the in-laws and other family members are also involved in such activities. Violence against Dalit women are not conducted only by other upper castes but within the different sub-groups among Dalit community.

¹ Dalit Rights are Human Rights, One World Action, 2011

² United Nation Development Programme (2001): human development report 2001. New York: Oxford University Press

Women, whether housewife or working women cannot take any decision by her own without the permission of her husband. Dalit women cannot use her own income without the concern of her husband; she generally gives away her income to her husband and he spends it at his will. Mobility of women in Dalit community has been restricted by their community and the Panchayt committee. Women have to go through various inquiries if they go out of the community for work or education. The women who work or study outside the community are considered as characterless and shameless women, who must be cast out from the society. There are number of women who have left work and dropped out of schools due to such circumstances in her community.

Child marriage, arranged marriage and dowry are issues which are playing vital role behind violence against women. Dowry has become the most vicious concern among the Dalit community for the recent years. Rate of dowry is growing and proportionately the violence due to dowry is also intensifying. Deprivation of education, mobility and freedom in decision making is the root behind the girls of Dalit communities being dependent on a man, i.e. father, husband or son.

Lack of solidarity among the Dalit women is another issue which is making the women more vulnerable. Women are concerned about their reputation and respect which prevent them help a woman who is experiencing domestic violence. Women victims of violence are considered to be the culprits and carry bad omen for the families. She is cast out from the community and sometimes along with her family. Panchayt (an elected body by the community—an informal one) inside Dalit community is a decision making body and there no women representative represent. Panchayt are generally male dominated committee where women are not allowed to be part of the decision making process. Women are not expected to participate in the Panchayt except they have direct involvement to the case being resolved³. Generally women in Dalit community are afraid to go to the Panchayt for justice, as they have the experiences of being harassed and insulted by the male dominated Panchayt. Communities members also discourage women to put complaints against men in public and the disputes among the family should be kept inside the home. Women who raise their voice against any violence she is sometimes cast out from her own family or community.

Case Study

Case 1

A girl name Ruma Rani Das in Dalit community belonging has been raped and killed by a group of local men. The community and family members filed a case against them but yet the culprits are not arrested. It has been alleged that the police officer in charge has been bribed by a lump sum amount and the case has been turned in another way. Since Dalit are vulnerable in the society the influential class can easily manipulate them and the law agency force⁴.

Case 2

A girl from Nazira bazar City Colony was married to a man in Gonoktuli City Colony, as arranged by her parents. The girl's family had to give 1.5 lakh Taka and furniture as a dowry at the time of marriage ceremony. The wife has been physically and mentally tortured by her husband. The reason was, she did not listen to her in-laws. The husband had asked the wife to listen and do whatever his family member wished. After few years the violence became intolerable and she came back to her parent's house. The girl and her family members went for the help of Panchayt. Panchayt committee has been corrupted with bribe by the husband's family and she has been blamed for everything.

Police Violence

Violence against women by police in socio-cultural and political affairs is also a common scenario in the country. Women, particularly the Dalits, are the real victims as either they fail to satisfy police with bribe or have no access to power structure to influence the police. They are not treated on equal terms in the police stations when they go for lodging complaints against miscreants. More recently, the police seems to have

³ Islam, F (2011): Dalit Women in Bangladesh: Multiple Exclusion. Dhaka: Nagorik Uddyog; p.20

⁴ Sangbad, Daily Newspaper (10th December 2011)

targeted women politicians in particular, perhaps to prevent them from participating in rallies or meetings. Violence against women political activists may be an emerging trend as such incidents have occurred during the past two elected governments. Though the minority issue and extent and duration of violence against them had become the lead news in national press and electronic media in the post-election period, police did not receive complaints formally or recorded all the cases properly, therefore, the numbers and types of violence recorded by the government differed a great deal with the press.⁵

Right to Freedom from Violence

Lack of political power of women in public forums is reflected in their marginalization in the community. The consequences of marginalization of women are noted in the discriminatory attitudes and practices towards girl children and women, which resists their talents to develop and acquire skills to participate equally in family, social, economic and political life. The other notable consequence is the subjugation of women to patriarchal norms often resulting in violence against women by the community members. The major crimes against women and girl children are instigated by fatwa as described below or through rape, acid attacks, and women's insecurity at home.⁶

GENERAL RECOMMENDATIONS TO ELIMINATE DISCRIMINATION AGAINST DALIT WOMEN

At the International Consultation on Good Practices and Strategies to Eliminate Caste Based Discrimination (29 Nov – 1 Dec 2011), the following recommendations were made:

- 1) Governments should take into account the situation of women and girls in all measures taken to address caste-based discrimination and should adopt specific provisions to ensure the human rights of women and girls affected by caste-based discrimination. Particular attention should be paid to combating intersecting forms of discrimination in the sectors of education, employment, health care, access to land and personal security.
- 2) Women from caste-affected communities should be supported to increase participation at all levels of political governance as well as in other decision-making structures. The formation of high-level skills in capacity building training for Dalit women should be prioritised, in order to provide them with opportunities for employment in donor and other international organizations at the regional and global level, which will lead to increased development and financial support to eliminate caste-based discrimination. Proportional representation of caste-affected women elected into parliaments, legislatures and local governance systems should be mandated. Gender discrimination within caste-affected communities should be challenged through programmes of dialogue and sensitization of men.
- 3) National Human Rights Institutions in every caste-based country are encouraged to bring out an annual White Paper to appraise their performance in relation to caste and gender-based human rights violations.
- 4) Gender-disaggregated data on caste-based discrimination should be collected. This data should be collected in consultation with affected women and should aim for the participation of affected women in the design, collection and evaluation of data.
- 5) Women and girls affected by caste-based discrimination are particularly vulnerable to various forms of sexual violence, forced and ritual prostitution, trafficking, domestic violence and punitive violence when they seek justice for crimes committed. Measures should be taken to increase protection from these crimes and to tackle impunity and discrimination in access to justice. Such measures can include police and judicial training and monitoring, legal assistance for prosecution of crimes, strengthening laws against domestic violence and other forms of violence against women, awareness campaigns to help prevent exploitation, and investing resources into education for women and girls affected by caste-based discrimination.

⁵ [Caste-based discrimination in South Asia: a study of Bangladesh](#), 2008; p. 125

⁶ [Caste-based discrimination in South Asia: a study of Bangladesh](#), 2008; p. 125

SPECIFIC RECOMMENDATIONS TO ADDRESS DISCRIMINATION AND VIOLENCE OF DALIT WOMEN IN BANGLADESH

1. Develop and implement a national action plan to eliminate work and descent based discrimination, with a particular emphasis on Dalit women and children and other severely marginalized groups, seeking guidance from the draft UN Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent for such an action plan.
2. Government action to promote Dalit women's rights should include consultations with Dalit women on the need for enactment of special measures for their enhanced protection. Establish a special cell at the Ministry of Women and Children Affairs to prevent and monitor violations against Dalit women and children.
3. Incorporate the Dalit issue into the work of the National Human Rights Commission (NHRC) to monitor and investigate cases of violence against Dalits and other excluded groups.
4. Studies on the issues of violence against Dalit women in Bangladesh should be undertaken, and recommendations for actions for its elimination addressed in a national action plan to eliminate caste discrimination in Bangladesh
5. Discrimination against Dalit women and children should be prevented and measures should be taken to empower them through national initiatives, such as income generating schemes
6. Women clubs could be encouraged to be built by the Dalit women in every community. Women clubs will assist the women to increase solidarity among them and unite against any violence occurring against the women in the community.
7. Government and NGOs need to work together for empowerment of Dalit women. Initiative should be undertaken to support the women to identify their own needs; as individual Dalit women has different needs for self-empowerment and take action accordingly.

UN OBSERVATIONS AND RECOMMENDATIONS

Committee on the Elimination of Discrimination against Women

The Government of Bangladesh was examined by the UN Committee on the Elimination of Discrimination against Women (CEDAW) in January 2011. In its Concluding Observations the Committee voiced its concern at the lack of information and statistics on Dalit women and recommended that Bangladesh collect such data and take measures to eliminate discrimination against them.

Abstracts from the CEDAW Concluding Observations - Bangladesh 2011

Disadvantaged groups of women

37. The Committee is concerned at the very limited information and statistics provided on disadvantaged groups of women and girls, including minority women such as **Dalit women**, migrant women, refugee women, older women, women with disabilities and girls living on the streets. The Committee is also concerned that those women and girls often suffer from multiple forms of discrimination, especially with regard to access to education, employment and health care, housing, protection from violence and access to justice.

38. The Committee recommends that the State party:

- a. Collect disaggregated data on the situation of disadvantaged groups of women facing multiple forms of discrimination and adopt pro-active measures, including temporary special measures, to eliminate such discrimination and protect them from violence and abuse;

UPR 2nd cycle on Bangladesh 29 April 2013

At the second review the Bangladeshi foreign Minister Dipu Moni mentioned the situation of Dalits in her opening statement:

"Our government has officially recognized the socio-economic discriminations faced by Dalits and other underprivileged groups and created provisions for the socio-economic development through affirmative action." Additionally two states made recommendations to the GoB to address the general situation of Dalits:

130.15.

"Adopt an action plan to address the situation of **Dalits** and eliminate discrimination against them, including by ensuring access to safe drinking water and sanitation" (Slovenia)

130.22.

"Continue improving the conditions of children, women, **Dalits**, indigenous people, refugees and migrants taking into account the special situation and difficulties that those groups have to overcome" (Holy See)

Special rapporteurs visit to Bangladesh in 2009

The Special Rapporteur on extreme poverty and human rights and the special Rapporteur on water and sanitation published a joint report from their visit to Bangladesh in December 2009. The experts noted that Dalits suffer from "terrible living conditions."

In the wake of their visit the Independent Experts recommended that the Government of Bangladesh should take concrete steps to address and eliminate caste discrimination, which affects the country's estimated 5.5 million Dalits. One such step would be the establishment of a special commission on Dalit issues.

"In their meetings with Dalits," the report notes, "the experts perceived an overwhelming feeling of their being 'trapped'. Dalits feel they have no opportunity to seek other jobs, since their families have had these occupations for generations and because they lack adequate education. Pervasive discrimination against them keeps them poor, uneducated, in terrible living conditions and in menial jobs."

The experts acknowledged that the Government of Bangladesh "recognizes the pattern of discrimination against occupational groups related to caste systems," but that it "should explicitly recognize the discrimination experienced by Dalits and take more concrete steps to redress it, including through the enforcement of existing laws and the establishment of a special commission with a mandate to address concerns particular to Dalits."

The Independent Expert on water and sanitation expressed concern with discrimination against sweepers, who are predominantly Dalits. Sweepers clean out sewers and septic tanks and are subjected to considerable health risks. In rural areas, their job is akin to manual scavenging. Although they work in sanitation, they have no access to water and sanitation in their own homes. In the concluding chapter of the report, Ms de Albuquerque urged the Government of Bangladesh to "adopt an explicit policy to address the situation of Dalits, and to eliminate discrimination against them; and to take special measures to improve the situation of sweepers."

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