



Online Discussion Meeting On “Implementation of Existing Laws and Regulations to Ensure the Protection and Rights of the Girl Children”

The screenshot displays a Zoom meeting in progress. The top portion shows a grid of participants, including Anny (NGCAF), MD.MAHBUBU HAQUE, Tarana Shahid, Shaheen Akter, Nasima, Forhad, Nurjahan riya, Ferdous Nigar, Barnaly, Salma Mahub, and others. A central window shows a presentation slide with the following content:

ফিরে দেখা...
আমরা গত ০৬ মাসে (জুলাই-সেপ্টেম্বর) ২৪টি সৈনিক পরিচালিত (জাতীয়, স্থানীয় এবং দুটি অসহায়) থেকে কন্যাশিশুদের প্রতি নির্ধারিতের চিত্র সংগ্রহ করে দেখতে পেয়েছি-

Category	Count
SEXUAL HARASSMENT AND ABUSE	49
INCIDENTS OF SEXUAL HARASSMENT	39
INCIDENTS OF SEXUAL HARASSMENT	9
INCIDENTS OF SEXUAL HARASSMENT	1
TORTURE OF DOMESTIC WORKERS	14
INCIDENTS OF DOMESTIC WORKERS	7
INCIDENTS OF DOMESTIC WORKERS	1
INCIDENTS OF DOMESTIC WORKERS	5
INCIDENTS OF DOMESTIC WORKERS	1
RAPE	47
INCIDENTS OF RAPE	266
INCIDENTS OF RAPE	38
INCIDENTS OF RAPE	1
INCIDENTS OF RAPE	64
INCIDENTS OF RAPE	67
INCIDENTS OF RAPE	0
INCIDENTS OF RAPE	15
INCIDENTS OF RAPE	4
INCIDENTS OF RAPE	36
INCIDENTS OF RAPE	5

Below the presentation, a Microsoft Word document is visible, containing text in Bengali under the heading 'সংকটের সাথে ফোরামের উদ্যোগে কয়েকটি কার্যক্রম'. The text discusses the forum's initiatives to address child protection issues, including awareness campaigns and support services.



Background:

Violence against girls is one of the most serious human rights violations entrenched in gender-based discrimination, systemic sexism and patriarchal structures. Torture and violence against girls are one of the biggest obstacles in Bangladesh too.

Although the government has taken some steps, Not only have this, the government of Bangladesh already formed the 'National Children Policy', the 'National Woman Development Policy 2011', and the 'Child Day Care Center Act 2021', also many Laws, which ultimately helps girls protect their rights. Also, the government incorporated the death penalty as a sentence into the 'Women and Children Repression Prevention (Amendment) Act of 2020' and passed statutes to prevent child marriage as 'Child Marriage Restraint Act 2017' and encourage their fundamental education. As a result, girls' literacy rate has increased; on the other hand, child marriage has decreased. But a number of problems are there which distressing girl's empowerment, such as substantial numbers of girls living in poverty, facing inequality, tolerating violence & torture, child labor & early marriage victim. Moreover, like many other countries across the globe, Bangladesh is facing an unprecedented challenge brought about by the Covid-19 pandemic. Grossly aggravated in the post COVID-19 period.

There are many laws to stop violence in Bangladesh, but justice is not available many times due to its lengthy trial, loopholes in the law, legal process and concerned persons are not women-friendly. NGCAF has always been very vocal in raising awareness, review policies, lobbying for specific amendments to legal statutes relating to child marriage and other forms of gender-based violence. With this vision in mind, NGCAF has taken a first ever publish a report on Status of Girl Children in Bangladesh which will explicitly analyze the overall condition and status of girl children.

It's very important to take everyone's opinion and review the current status of girl children for publish the report. For this, NGCAF has scheduled several activities. For example, holding virtual dialogues with policy level individuals, interviewing policy level individuals through KII, reviewing the status of working girl children through FGDs.

In this context, NGCAF organized an Online Discussion Meeting with the Topic of "Implementation of existing laws and regulations to ensure the protection and rights of the girl children".

Overview of the Event

Date and Mood of the Meeting: July 26, 2022 at Zoom Platform.

No of Participants: 49 Persons

The Objective of the Meeting:

The overall objective of the meeting were-

- To analyze different insights of the legal statutes of Bangladesh on proclaiming the rights and protection of girl children from violence and abuse.
- To assess the gaps that violates the effective implementation of these laws.
- To take opinions from eminent persons regarding the implementation of existing laws and laws to ensure the rights and protection of girls in order to achieve sustainable development goals and the



Millennium Development Goals. Finally, to capture some high-level recommendations for going forward.

Welcome Speech: This speech was made by Ms. Nasima Akhter Jolly- Secretary of National Girl Child Advocacy Forum.

Presided by: Ms. Shaheen Akhter Dolly-Vice President of National Girl Child Advocacy Forum & Executive Director of Nari Maitree presided over the event.

Moderated by: The Meeting was moderated by Ms. Nazmun Zaman Chowdhury.

Guest and Discussants of the Meeting:

Md. Muhibuzzaman-Additional Secretary of Women & Children Ministry was present as the Chief Guest in the meeting. Ms. Debi Chanda-Deputy Secretary of Ministry of Health and Family Welfare was the Special Guests. Ms. Wahida Banu-Executive Member of National Girl Child Advocacy Forum and Executive Director of Aparajeyo Bangladesh. Mst Wahida Begum- Advocacy and Outreach Component Lead, USAID. Adv. Ferdous Nigar- Assistant Director-Advocacy, BNWLA, Ms. Salma Mahbub- General Secretary, BSCAN, Adv. Fahmida Rinki- Senior Advocate, Dhaka Judge Court were also as hon'ble Discussants.

Brief Description of the Meeting



As chair of the meeting Ms. Shaheen Akhter Dolly started the meeting by welcome and greetings to everyone, also expects active participation from everyone.

Ms. Nasima Akhter Jolly delivered a welcome speech and convey her thanks to all distinguished guests and participants for their presence in the meeting and shared the meeting objectives. At the



beginning of the meeting, she expressed deep condolences on the death of the hon'ble Deputy Speaker of the National Parliament and proposed to observe 01-minute silence. Then 01-minute silence was observed. She hoped, in this discussion meeting, we will talk about what steps can be taken to implement existing laws, rules and policies, what steps can be taken by government and non-government to create an enabling environment for girl children, etc. After described the purpose of the meeting, she gave a power point presentation with pictures of violence against girl children in the last 06 months (Jan-June'22).

Ms. Nazmun Zaman Chowdhury facilitated the whole meeting and encouraged the participants to share their views and recommendations so that more steps can be taken at the GO and NGO levels to protect our



girl children. Also, through this meeting can be identified the gaps in the policies and the areas of advocacy with our government.

Discussant Ms. Wahida Banu said about the Children Act and the Legal Aid Act 2000 regarding access to legal aid that both the laws mention the provision of free legal aid. But talking to panel lawyers and legal section persons, it's clear that there are many challenges in pursuing these cases. For example,



1/ cases are presented in court at the end. 2/ Senior lawyers are not available in this case. Junior lawyers spend the money from their own pocket to litigate cases but go through a lengthy process to get reimburse that money 3/ Free legal aid for children is not possible in many cases due to various complications 4/ Hence, those laws should be aid-friendly for children to get legal aid.



Senior Advocate, Dhaka Judge Court Adv. Fahmida Rinki from her real experience mentioned the existing legislative provisions and the reality for women and girls to get the legal support.

Ms. Salma Mahbub from BSCAN mentioned that, In the Persons with Disabilities Act, the category of disable children or women is not mentioned separately, they are only known as disable people. There is no separate program for female children or women in the Ministry of Social Welfare, just like that, there is no separate program for disabled girls or women in the Ministry of Women and Children. Otherwise However, under the current system, girls and women with disabilities afford the opportunity, but there is no quota. On the other hand, girls and women with disabilities who are victims of violence are often unable to explain properly when filing complaints. For example, the inadequacy of sign language. Disability friendly environment is not available for complaints. However, various sections of the Women's Development Implementation Guidelines mention various programs for girls and women with disabilities.



Open Floor Discussion:

After the discussion of the discussants, the floor was opened to receive the views of all. Founder and Honorary Executive Director Dr. Ehsan Hoque of Distressed Children & Infants International (DCI), Assistant Director of BNWLA Adv. Ferdous Nigar, Educo Bangladesh representative Ms. Halima Akhter, Good Neighbors Bangladesh representative Ms. Razia Sultana, Concern Worldwide representative Ms. Moushumi Sharmin spoke about the limitations of the existing laws and the laxity of law enforcement.



Speech of the Chief Guest and Special Guest:



Special Guest Ms. Devi Chanda said, the girl children are not our burden, although the society still consider it a burden. There is no opportunity to separate the society between boys and girls for the prosperity of our nation. We are also not very aware of the concept of girl children reproductive health. The government is conducting various activities to ensure all types of medical services including reproductive health of the girl children.

The chief guest Mr. Md. Muhibuzzaman at the beginning of his speech informed about a new unique initiative by the Ministry of Women and Children Affairs around the World Drowning Prevention Day (on July 25). He said that a portable swimming pool has been inaugurated at Bangladesh Shishu Academy around the day. The initiative has been taken with the target of teaching swimming to 1000 children. Later it will be expanded to various districts. Currently, the drowning death rate of children has increased a lot. Consideration of this, the activity has been taken with more importance of teaching children to swim. Further he informed the meeting that, initially MoWCA has taken the initiative of providing day safety for children in 45 upazilas of 16 districts through community-based child day care. He also said the girl children is a cross-cutting issue, involving many ministries. We have made many strong laws to protect the girl children, although we have many limitations in the implementation of the laws. The Ministry of Women and Children Affairs is basically a supporting ministry, not an assertive ministry. This ministry mainly does the work of preparing and making the society aware for law enforcement. We try to deal with the situation before any crime being happened against women and children. Still, we help in Victim Support Center, One Stop Crisis Center etc. We can see the benefits of free book distribution and stipend provided by the government. Although we fell behind a bit during the Corona period, we are now able to recover, and we have been able to resume our social awareness activities in full swing.



Concluding Remarks with Vote of Thanks:

Ms. Shaheen Akhter Dolly said If we want to change women's lives, we have to change girls' lives. Because a woman's life journey begins in childhood. Therefore, proper implementation of existing laws must be ensured to assure safety, education, health and violence-free environment for girls. She gave concluding speech with thanks to all Guests, Audience, Member/Associate Member organization for their continuous support to successfully completed the meeting.



Based on Discussions, Some Policy Gaps were Found Through the Meeting:

Problem of definition of child:

- The United Nations Convention on the Rights of the Child (CRC) defined child as any person under the age of 18 years. Bangladesh ratified the Convention on the Rights of the Child in November 1989. In Bangladesh there are a number of laws which defined a child. These laws are conflicting regarding the age of children. Some described a child as a person below 12 years, others state below 14 years and some defined them as a person below 18 years of age. But the Children Act, 1974 defined a child as a person under the age of 16 years. Article 2(f) provides that, "Child" means a person under the age of 16 years.

Children Policy 2011 and Children Act 2013:

Children's Court-

1. Even after 09 years of making the Children Act 2013, the judicial confusion regarding children law and court has not been resolved. In 2018, it was not clear even though an amendment in this regard through a gazette. Although the women-children repression prevention tribunal has been given the power to try children who come in conflict with the law, child rights activists and lawyers always strongly object to it due to the lack of practical environment in the court.
2. According to Sections 17 and 19 of the Children's Act, during the trial of child the decoration of the courtroom must be child-friendly. Judges, lawyers, police will have plain dress during the trial. There will be no Edgelash (Ejlash) and hedge (kathgora). Child and his relatives will be seated, etc. But, in reality, it's not seen in many cases.
3. Under various laws is defined as 18 years of age as adult. However, 'the Prevention of Women and Children Repression Act 2000' is still mention 16 years of age (In case of rape). On the other hand, in the ' Child Marriage Restraint Act 2017' (even though the age limit for marriage of girls is 18, conditionally the special section No. 19 of this Act states that marriage can be given below the age of 18 but many steps have been mentioned). But the lower age limit has not been mentioned.

Rights and Protection of Persons with Disability Act 2013-

1. In Section 32 (1) of the Rights and Protection of Persons with Disability Act of 2013 mentioned for seat reservation in public transport. As per the law, 5% seats will be reserved for the disabled in every public transport. But the reality is different.
2. According to Section 34(1) of the Rights and Protection of Persons with Disability Act 2013, public architecture must be adapted for the disabled to climb and move. Still In most of the places we see no ramps for Persons with Disabled.

Provision of Legal Aid Act 2000-

- The purpose of this Act is to enact legislation to provide legal assistance to economically indigent, helpless person, etc. But in reality, it does not work, people do not know. A kind of neglect attitude seen in taking up cases in Court. As a result, the issue of getting justice becomes uncertain.



Labor Act 2013-

- Labor Act enacted in 2013 (Chapter III) prohibited the employment of children and adolescents. But the Act does not contain any guidelines for the protection of children employed in the informal sector.
- National Child Labor Elimination Policy 2010, National Action Plan for Elimination of Child Labor 2012-2016, Domestic Workers Protection and Welfare Policy - Although the age of 14 is mentioned in these laws, but there is not mentioned of minimum remuneration/wage.

National Education Policy 2010-

- As mentioned in the National Education Policy 2010, separate committee will be formed for all levels of education to prepare codes of conduct for teachers and students. However, even after a decade of the policy, we have not seen any steps to implement this decision.

Key Recommendations:

Notable recommendations are mentioned here –

- Children's age should be kept equal in all laws and policies according to CRC. Because, Bangladesh has ratified the Convention on the Rights of the Child in November 1989.
- Different policies have many different types of gaps. But we don't know much about these. A lot of advocacy needs to be done by findings the gaps and organizing seminars, brainstorming sessions, discussion meeting with policy level individuals.
- There is an Act called Provision of Legal Aid Act to get free legal aid to helpless and victimized people, but most of the people do not know about it. We should do a lot of publicity and campaign to convey this.
- There is no individual report in Bangladesh to understand the overall situation of girl children. If the overall situation is not known, it's not possible to take action for establish their rights and security. So, it's very important to publish the Status of Girl Children Report on an Annual basis.

Conclusion:

At last, it can be said, a different sector of stakeholders were involved in organizing the meeting, so sector-wise opinions have been got, like CSO's representatives, representative of donor agencies, lawyers, representative of persons with disabilities etc. Some opinions/recommendations have been received from these distinguished persons, which will guide us in taking advocacy and awareness activities to improve the present situation of our girl children.

End