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Legal Protection against Gender-based Domestic Violence in Bangladesh: Scope and Limitations

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The marvel of gender-based domestic violence is spreading around the world. It has been straight missing related to each sort of speedy and long-term physical and mental harm to each human being. Family violence has dynamically been recognized not because it was an issue of human rights but as well as a veritable open prosperity concern. Unfortunately, Bangladesh is one of the poorest countries in the world and it's estimated about the number of victims of domestic violence people. Moreover, Bangladesh had been recognized by UDHR, ICCPR and ICESCR to protect from gender-based domestic violence and especially CEDAW and DEVAW for preventing women's rights from domestic violence. Bangladesh has a special Act for preventing domestic violence but there is a question as to how far it has been implemented to protect their rights when it turns into gender-based household viciousness, it doesn't incorporate as it were ladies. In this article, the author has tried to examine the scope and limitations of the law to protect individuals from domestic violence to uphold their rights. Bangladesh is struggling to ensure gender-based rights, other than women, often men are becoming a victim of domestic violence but those incidents remain unreported. Most of the time, Children and Transgender are also becoming the victims of domestic violence socially. So, in this article, the author has attempted to center on the target of the regulations, execution of regulatory requirements and the restrictions beneath the law to anticipate domestic violence to guarantee their legitimate Equity.

Keywords: *gender neutrality, gender-based equal rights, domestic violence, gender equality.*

STATEMENT OF THE PROBLEM

Human rights are inherent rights that come from birth and no one ever controls it naturally. It is a unique right that is present in every human being. There are three basic obligations: These are respected, protected and fulfilled and it is a state's general obligation. So, human rights are violated only when a person's human dignity is divided. We have seen that discrimination started in human civilization and discrimination has not stopped in the modern generation but is going away. In Bangladesh, gender-based violence comes in numerous shapes: physical mishandling, spouses tossing spouses out of the domestic in residential debate, spouses requesting that their spouses get more share cash from their families and child marriage among others. COVID-19 widespread has expanded the issue as unemployment and other money-related stresses have developed. BRAC recorded about 31 percent (8,709) increase in detailed episodes of viciousness against ladies and young ladies in 2020 compared to the same time in the final year (4,566). In addition, at least 87% of women in Bangladesh are victims of domestic violence. There is no justice compared to the number of women being abused in Bangladesh. Most of the women who are abused cannot even reveal their abuse in public. Many file cases but later do not get a fair trial due to various kinds of negligence. According to a research report, 3.1% of Bangladeshi women are victims of violence, so they file a case and get a court verdict. However, in 96.9% of cases either the cases are dismissed or the cases are not filed.¹ In 2020, an organization named Bangladesh Men's Rights Foundation (BMRF) outlined that 80% of hitched men are casualties of mental torment by their spouses (or their family individuals) in our country. Moreover, in 2020, a study found that during the COVID-19 pandemic crisis, most of the respondents faced mental anxiety about money (94%) and food (68%). Around 16% of the respondents have experienced mental abuse, however, very few of them faced any physical

¹ Kamrul Hasan, 'Study finds only 3.1% chance that court will rule in favor of VAW victim' (*Dhaka Tribune*, 27 November 2018) <<https://archive.dhakatribune.com/bangladesh/2018/11/27/study-finds-only-3-1-chance-that-court-will-rule-in-favour-of-vaw-victim>> accessed 08 June 2023

torture and violence.²So, we can say that the government should increase their awareness among them. So that, they can be aware of their rights to protect themselves.

LITERATURE REVIEW

A ton of work has already been done on Gender-based domestic violence in Bangladesh and abroad. A journal written by Lori Heise, Mary Ellsberg and Megan Gottmoeller in which was a global overview of gender-based violence.³ The concept of Gender-based domestic violence comes from & Overview of laws, policies and practices on gender-based violence and harassment in the world of work in Bangladesh Authored by Taslima Yasmin. To address the main concept of this book which was written by Jeni Klugman based on Gender-based violence and the law.⁴ The phenomenon of gender-based violence is pervasive around the world, experienced by three women in their lifetimes. The elimination of such violence has been increasingly recognized as a priority for the international community. Prof. Dr. Mizanur Rahman wrote a book named Human Rights: Theory, Law and Practice in Bangladesh are focused on human rights that should be mandatory for all gender-based. Abdullah al Farque wrote a book based on international human rights law, in October 2015⁵ and Asif Nazrul wrote on Human Rights in November 2019⁶ which is based on international human rights aspects. They tended to that an overview of the extent and nature of gender-based violence and its health consequences, particularly on sexual and reproductive health. I read an article written by Heidi

² Waliul Mutasim Matin et al., 'Quick Survey for Community Response for TG(Transgender) and Hijra' (*Bandhu social welfare society*, 18 May 2020) <<https://www.bandhu-bd.org/wp-content/uploads/2020/06/Covid-19-Quick-Survey-for-Community-Response-for-TG-and-Hijra.pdf>> accessed 09 June 2023

³ L Heise M Ellsberg and Megan Gottmoeller, 'A global overview of gender-based violence' (2002) 78(1) *International journal of Gynecology and obstetrics* <[https://doi.org/10.1016/S0020-7292\(02\)00038-3](https://doi.org/10.1016/S0020-7292(02)00038-3)> accessed 09 June 2023

⁴ Jeni Klugman, 'Gender based violence and the law' (*Background paper for World Development Report*, 2017) <<https://openknowledge.worldbank.org/server/api/core/bitstreams/f9647c7b-88d1-5dec-8679-c6bfb43a75c9/content>> accessed 09 June 2023

⁵ Abdullah al Farque, *International Human Rights Law* (New Warsi Book Publications 2015)

⁶ Md. Nazrul Islam, 'THE 1997 WATERCOURSE CONVENTION AND ITS RELEVANCE TO BANGLADESH-INDIA WATER SHARING ISSUES' (2001) 5 *Bangladesh Journal of Law* <<https://www.biliabd.org/wp-content/uploads/2021/08/Md.-Nazrul-Islam.pdf>> accessed 09 June 2023

Bart Johnston and Ruchira Tabassum Naved on Spousal Violence in Bangladesh: A Call for a Public Health Response.⁷

INTRODUCTION

Violence and badgering, counting 'gender-based violence' and badgering (which incorporates sensual badgering) can constitute a genuine infringement of human rights. Within the world of work, different shapes of savagery and badgering cause treacherous hurt to people, working environments, and society at expansive. They obstruct improvement extremely, especially by bringing down the aggregation of social and human capital and posturing a colossal boundary for ladies and men in getting to not-too-bad and profitable work. On the other hand, in Bangladesh, gender-based viciousness and harassment especially sensual badgering isn't a modern wonder for sexual orientations. Be that as it may, it has progressively been talked about in the open as a major challenge both in their private lives and within the open circle. With more ladies venturing out of the domestic and taking up openings for instruction and work, gender-based viciousness and badgering linger ever bigger.⁸

DOMESTIC VIOLENCE

Violence is the deliberateness utilized of physical drive or control, debilitated or legitimate to goodness, against oneself, another individual or against a bunch or community, which either comes nearly in or highlights a tall probability of coming nearly in hurt, passing, mental hurt, mal-development or hardship. Household savagery happens when one person tries to coerce or control another person in a family-like or private relationship. Residential viciousness incorporates misuse of control and can take the outline of physical misuse, sexual mistreatment, enthusiastic or mental abuse, verbal misuse, stalking and terrorizing, social and geographic separation, budgetary mishandling, brutality to pets, or harm to property or dangers to be

⁷ Heidi Bart Johnston and Ruchira Tabassum Naved, 'Spousal Violence in Bangladesh: A Call for a Public health Response' (2008) 26(3) Journal of Health and Population Nutrition

<<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2740706/>> accessed 09 June 2023

⁸ 'Gender Based Violence and its Impact on Bangladesh's Development' (*The Daily Stars*, 19 December 2016)

<<https://www.thedailystar.net/round-tables/gender-based-violence-and-its-impact-bangladeshs-development-1331872>> accessed 09 June 2023

savage in these ways. These all contribute to the abuse, hardship, and persecution of ladies in Bangladesh, and are infringements of essential Human Rights.⁹

DIFFERENT TYPES OF DOMESTIC VIOLENCE

There are several types of domestic violence which are given below:

Physical Violence: Physical violence happens when someone businesses a parcel of their body or an address to control a person's exercises. Furthermore, Physical viciousness implies any undesirable or antagonistic contact such as hitting, battling, pushing, pushing, slapping or tossing objects. Racial or ethnic slurs, irritating comments, dangers of savagery, and any other provocative comments, dialect, or activities moreover abuse this approach and will not be endured. A danger of viciousness implies a verbal or another expression of a deliberate to cause physical hurt. People who debilitate savagery or something else lock-in in provocative conduct towards associates, clients, sellers, or other people customarily are held at slightest similarly at blame for following a physical quarrel, indeed on the off chance that they don't strike the primary blow or something else start a physical encounter.¹⁰

Sexual Violence: Sexual violence when an individual is obliged to unwillingly take a divide in sexual action. So, Sexual savagery suggests any sexual act or endeavours initiate a sexual act, or undesirable sexual comments or acts to activity that are encouraged against a person's sexuality utilizing basic by anybody, in any case of their relationship to the casualty, in any setting, checking at private and work. Assault is the term that's commonly utilized for the basic sort of sexual violence said over (forced/coerced interdepartmental). Assault can be characterized as non-consensual sexual infiltration, in any case slight, of any divide of the body of the casualty with a sexual organ or the butt-centric or genital opening of the casualty with any contradiction or any other allocation of the body. The attack is committed by oblige or by the risk of drive or actuating such as that caused by fear of savagery, prompting, detainment, mental abuse or abuse of control, against such person or another person or by taking advantage of a coercive environment or committed against a person incapable of giving veritable consent. In the case of

⁹ Md. Nazrul Islam (n 6)

¹⁰ Noor Mohammad Sarker and Sultana Yesmin, 'Domestic Violence in Bangladesh Analyzing from the Contemporary Peace & Conflict Perspectives' (2013) 5(10) Peace and Security Review

a matrimonial attack, sexual interdenominational obliged on a woman by her life partner, intentioned against her will.¹¹

Emotional Violence: It has included confining a child's developments, denigration, mocking, dangers and terrorizing, separation, dismissal, and other non-physical shapes of antagonistic treatment. Seeing viciousness can include constraining a child to watch an act of savagery or the accidental seeing of viciousness between two or more other people.¹²

Psychological Violence: Mental violence (regularly moreover alluded to as enthusiastic violence) alludes to any act or exclusion that harms the self-esteem, character, or improvement of the person. It incorporates but isn't restricted to, mortification, debilitating misfortune of care of children, constrained separation from family or companions, undermining to hurt the person or somebody they care around, rehashed shouting or debasement, actuating fear through threatening words or signals, controlling behaviours and the pulverization of belonging.¹³

LEGAL PROTECTION AGAINST GENDER-BASED DOMESTIC VIOLENCE UNDER THE DOMESTIC LAW OF BANGLADESH

The Constitution of the People's Republic of Bangladesh 1972: The presence of Bangladeshi laws against gender-based violence and spurring in working circumstances stems from the Structure itself. Article 28¹⁴ cherishes the run the appeal of correspondence and non-segregation, with Article 28(2)¹⁵ particularly communicating that & ladies might have risen to rights with men in all circles of the State and open life. In so doing, the drafter's structure was cautious that an immaterial affirmation of consistency isn't satisfactory. Hence, the Structure stipulates positive separation toward ladies. Article 28(4)¹⁶ states that: Nothing in this article got to anticipate the State from making extraordinary course of activity in favour of ladies or children or for the advance of any in switch locale of citizens. Article 19(3)¹⁷ as well gives that: The State

¹¹ Gender Based Violence and its Impact on Bangladesh's Development (n 8)

¹² *Ibid*

¹³ *Ibid*

¹⁴ Constitution of the People's Republic of Bangladesh 1972, art 28

¹⁵ Constitution of the People's Republic of Bangladesh 1972, art 28(2)

¹⁶ Constitution of the People's Republic of Bangladesh 1972, art 28(4)

¹⁷ Constitution of the People's Republic of Bangladesh 1972, art 19(3)

might endeavour to guarantee correspondence of opportunity and support of ladies in all circles of national life, as an imperative run the show of state approach.

The Domestic Violence Protection and Prevention Act of 2010: The Domestic Violence (Protection and Prevention) Act, 2010 is Bangladesh's primary law to address residential violence. Sometime recently 2010, residential viciousness offenses as they came inside the domain of the Ladies and Children Suppression Avoidance Act on the off chance that they were associated with endowment requests. Section 3¹⁸ of the Domestic Violence Protection and Prevention Act 2010¹⁹ characterizes residential violence as any Act of physical manhandling, mental manhandling, sexual manhandling or financial hurt by an individual against a lady or child with whom he encompasses a family Relationship. But in this Act, there is no mention of male and transgender.

Acid Control Act 2000: When acid assaults topped about 500 detailed cases in '2002' the endless lion's share of which focused on ladies and associate endeavours and concerted activism by women's rights organizations and survivors impelled the government to order two laws: The Acid Offense Control Act 2002 and The Acid Control Act 2002.²⁰

The Children Act 2013: Though Bangladesh has gotten to be a party to the Joined Together Countries, Convention on the Rights of the Child and while it is convenient and fundamental to supply a modern law to solidify and re-enact the existing Children Act, by revoking it, for the reason of executing the arrangements of the said convention.²¹

The Dowry Prohibition Act 2017: Dowry Prohibition Act 2017 joins the prior Share Dowry Prohibition Act 1980 and consequent alterations. The Act lays down '14 years' thorough detainment alongside fines for any person or people who incite any young lady to commit suicide over dowry. It includes an arrangement moreover for a life term of '12 years' for hurting a lady over dowry. That the government has taken cognizance of the truth that share could be a genuine social illness that must be handled.

¹⁸ Domestic Violence Protection and Prevention Act 2010, s 3

¹⁹ *Ibid*

²⁰ Acid Control Act 2002

²¹ Children Act 2013

The Child Marriage Restraint Act 2017: The present law in Bangladesh that addresses child marriage is 'The Child Marriage Restriction Act, 2017 (CMRA)' cancelling the prior 'British law of 1929'. The Act sets the least age of marriage for a male as '21' a long time and for a female as '18' a long time. Segment 7 of this Act, 2017 gives penalties for children.²²

The Penal Code 1860: The Penal Code of 1860 is Bangladesh's key correctional statute, acquired from the colonial period - contains an arrangement on ensuring ladies from different shapes of physical and sexual viciousness. In any case, the utilization of the term sexual badgering may be a generally later wonder, which began showing up in scholarly and arrangement talks as examined below. The definition of assault in 'segment 375' of the Correctional Code remains in the drive. It is characterized as a sexual intercut committed by a man with a lady against her will or without her assent. The Penal Code moreover indicates disciplines for offenses related to capturing, snatching or compelling a lady into marriage, subjugation or constrained labour.²³ Be that as it may, these are at times, on the off chance that ever, conjured as they cover with ensuing Acts that criminalize these off offenses.

The Rights and Protection of Persons with Disabilities Act 2013: The Rights and Protection of Persons with Disabilities Act 2013 (RPPD) asserts the rights of people with incapacities. Article 16²⁴ of the Act reveres their right to break even with lawful acknowledgment and get to equity as well as the proper to be utilized in open and private foundations. Essentially, the Act notices their right to a secure, sound environment, and security from torment. It denies any shape of separation by any person, institution, specialist or organization against any individual with an inability to boundary to their rights pronounced within the Act. Article 35 indicates that, cannot be any segregation or restriction against any individual with inabilities in terms of work for which they are qualified to apply.²⁵

²² Child Marriage Restraint Act 2017, s 7

²³ The Penal Code 1860, s 359-374

²⁴ Rights and Protection of Persons with Disabilities Act 2013, art 16

²⁵ Rights and Protection of Persons with Disabilities Act 2013, art 35

AN INTERNATIONAL INSTRUMENT FOR PREVENTING DOMESTIC VIOLENCE

'The Declaration of Human Rights' changed the worldwide viewpoint on 'human rights'. What I am doing to the citizens of my nation, whether I am doing it to them or not, is changing the state of mind of the states. Human rights have ended up being the guard dog of each country in the world. The decree proposes that each human being has nobility and breaks even with unavoidable rights, this acknowledgment will be the establishment of justice, peace and freedom within the world. There were no official obligations within the corner of this agreement. However it has since made critical commitments to the definition of worldwide settlements, the acknowledgment of human rights in constitutions in different nations, and the establishment of a worldwide culture of human rights. This statement is cited within the decisions of different households and outside courts. It is seen in terms of human rights measures all over the world. There are parcels of traditions to set up human rights, which are given underneath.

There are some international Convention in which is recognized by Bangladesh are given below:

The Charter of the United Nations 1945: Concurring with the UN Charter, it is one of the purposes of the UN is to achieve world interest inside headway and bolster considered for human rights and vital adaptabilities for all without refinement as to race, sex, tongue or religion. Article 8²⁶ of the Structure especially states that The UN might put no imprisonments on the capability of men and women to require portion in any capacity and underneath conditions of correspondence in its preeminent and assistant organs. Articles 13²⁷, 55²⁸ and 76²⁹ of the Structure call for the realization of human rights and pivotal adaptabilities for all without refinement as to race, sex, lingo or religion.

Universal Declaration of Human Rights 1948: Even though certification of the characteristic respectability and the rise to and basic rights of all individuals of the human family is the establishment of versatility, esteem and peace interior the world. Agreeing with Article 1³⁰

²⁶ Charter of the United Nations 1945, art 8

²⁷ Charter of the United Nations 1945, art 13

²⁸ Charter of the United Nations 1945, art 55

²⁹ Charter of the United Nations 1945, art 76

³⁰ Universal Declaration of Human Rights 1948, art 1

provided that, all human animals are born free and rise to respectability and rights. They are contributed with reason and soul and got to act towards one another in a soul of brotherhood. Article 7³¹ said that all are break indeed a few times as of late the law and are entitled without any segregation to break indeed with the security of the law. All are entitled to break indeed with security against any isolation in encroachment of this Explanation and any insincerity to such separation. The All-inclusive 'Affirmation of Human Rights 1948' to contains arrangements for the balance of men and ladies and forbids non-discrimination on the ground of race, sex, dialect or religion. Even though the UDHR did not endeavour to say any specific rights of ladies. It did not attempt to mention any particular right of women, Article 26 of it stated that motherhood and childhood should receive special protection from the state.³²

Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979 (CEDAW): The Government of Bangladesh confirmed the CEDAW on '6 November 1984. 'Article 11' commits the Portion States³³ to slaughter isolation against women inside the field of trade, and to ensure the correspondence of women and men. As talked around over, the 'CEDAW' Committees Common Proposition No. 19 (1992)³⁴ entitled Viciousness against Women affirms that gender-based viciousness, counting sexual goading, maybe an outline of isolation. Commenting on Article 11 of CEDAW³⁵ which relates to partition against women in work, the CEDAW Committee emphasized that correspondence in commerce can be truly obstructed when ladies are subjected to gender-specific violence such as sexual bullying inside the working environment. The Committee portrayed a couple of behaviours acts that can be categorized as sexual goading, tallying both categories of quid ace quo and an unpleasant working environment. 'Common Proposition No. 35' of the CEDAW Committee endorses state parties to ensure that all shapes of gender-based brutality against women in all circles - which entirety to the encroachment of their physical, sexual or mental cleverness are criminalized. It

³¹ Universal Declaration of Human Rights 1948, art 7

³² Universal Declaration of Human Rights 1948, art 26

³³ Convention on the Elimination of All Forms of Discrimination against Women New York 1979, art 11

³⁴ *Ibid*

³⁵ Convention on the Elimination of All Forms of Discrimination against Women New York 1979, art 39

slants them to display without delay or strengthen, legal sanctions commensurate with the gravity of the offense and nearby respectful cures.³⁶

The UN Declaration on the Elimination of Violence against Women 1993: Concurring to 'Article 1' of the confirmation characterizes that, viciousness against ladies as any act of gender-based viciousness that comes almost in or is likely to result in, physical, sexual or mental harm persevering to women, tallying threats of such acts, limitation or subjective hardship of flexibility, whether happening in open or in private life. It as well joins sexual bullying and terrorizing at work, in educators' teaching and in some places a parcel of savagery against ladies.³⁷

International Covenant on Economic, Social and Cultural Rights 1966: Concurring to 'Article 7'³⁸ the States Parties to the display Contract recognize the proper of everybody to the satisfaction of fair and favourable conditions of work. 'Article 11'³⁹ gives the fundamental and same rights of uniformity between men and ladies. 'Article 12'⁴⁰ said that, take suitable measures to kill segregation against ladies. Article 13(b)⁴¹ expressed that, fitting measures to dispose of separation against ladies in regions of financial, social life and specific other shapes of the monetary emergency. On the other hand, Article 14(g)⁴² mentioned that, ensured the neutrality of equal rights between men and women

Covenant on International Civil and Political Rights 1966: 'Article 6'⁴³ communicated that each human being has the characteristic right to life. His right ought to be secured by law. No one may well be subjectively denied of his life. 'Article 7' communicated that, No one may be subjected to torment or barbaric, pitiless or corrupting treatment or teaching In particular, no one may well be subjected without his free consent to remedial or coherent experimentation.⁴⁴ Other than that, 'Article 16' in addition states that everyone might have the correct to affirmation

³⁶ *Ibid*

³⁷ UN Declaration on the Elimination of Violence against Women 1993

³⁸ International Covenant on Economic, Social and Cultural Rights 1966 , art 7

³⁹ International Covenant on Economic, Social and Cultural Rights 1966 , art 11

⁴⁰ International Covenant on Economic, Social and Cultural Rights 1966 , art 12

⁴¹ International Covenant on Economic, Social and Cultural Rights 1966 , art 13(b)

⁴² International Covenant on Economic, Social and Cultural Rights 1966 , art 14(g)

⁴³ Covenant on International Civil and Political Rights 1966, art 6

⁴⁴ Covenant on International Civil and Political Rights 1966, art 7

all over as an individual before the law.⁴⁵ 'Article 24' states that, each child might have, without any isolation as to race, colour, sex, tongue, religion, national or social root, property or birth, the proper to such measures of confirmation as are required by his status as a minor, on the parcel of his family, society and the State.⁴⁶ On the other hand, Article 26⁴⁷ stated that, all people are rising to sometime recently the law and are entitled without any separation to the rise to assurance of the law.

The Convention on the Rights of the Child 1989: The most excellent intrigued of the child could be a key guideline within the Tradition on the Rights of the Child (CRC) 1989. So, 'CRC' does not center on the rights of the child in confinement but contains arrangements recognizing the interrelationships between the child, the family and the State. In 'Article 2'⁴⁸ of the tradition, states parties acknowledge a commitment to respect and ensure the rights laid out inside the Convention without partition of any kind. This Article includes a commitment viably to recognize individual children and assemble children for whom affirmation and realization of their rights may ask exceptional measures. 'Article 4'⁴⁹ of the CRC requires that states ought to endeavour all appropriate regulatory, administrative and other measures for the execution of the rights recognized inside the Convention. 'Common Comment No. 5' issued by the Committee on the Rights of Child states that when a State endorses the CRC, it takes a commitment underneath all-inclusive law to execute it.⁵⁰

International Convention on the Elimination of all Forms of Racial Discrimination 1966: Here is the preeminent reason that - The States Parties to this Tradition, Considering that the Structure of the Joined together Countries is based on the measures of the respect and correspondence characteristic in all human creatures which all Parcel States have sworn themselves to require joint and partitioned development, in back with the Organization, for the accomplishment of one of the purposes of the Joined together Countries which is to the advancement and empower all-inclusive regard for and affirmation of human rights and fundamental openings for all,

⁴⁵ Covenant on International Civil and Political Rights 1966, art 16

⁴⁶ Covenant on International Civil and Political Rights 1966, art 24

⁴⁷ Covenant on International Civil and Political Rights 1966, art 26

⁴⁸ Convention on the Rights of the Child 1989, art 2

⁴⁹ Convention on the Rights of the Child 1989, art 4

⁵⁰ Convention on the Rights of the Child 1989

without capability as to race, sex, lingo or religion In addition, 'International Tradition on the Disposal of all Shapes of Racial Segregation 1966' given, beneath Articles 2 and 5 said that everyone can appreciate their rights without segregation as respects race, colour, national, moral root and uniformity sometime recently the law.⁵¹

GENDER-BASED DOMESTIC VIOLENCE

Domestic violence is a dynamic situation that is spreading rapidly across the country and its impact is not small in Bangladesh. In Bangladesh, we usually see that in the case of men and women who are victims of violence against transgender people and children, we can only see remedies for women and children. We have the 'Prevention of Domestic Violence Act 2010' in Bangladesh. If we observe the Acts, we will see that the extent of implementation is a big question. Not only that, we can see, for 'women and children' the 'Prevention of Domestic Violence Act, 2010' has been created. But how much of an implementation of this Act it has been questionable.

Domestic violence against women: Spousal violence against women: Spousal violence, moreover alluded to as residential violence or hint of an accomplice viciousness, could be a behavioral cycle that includes enthusiastic, physical, or sexual savagery dispensed on a person in a household setting, such as cohabitation or marriage. Anybody can be a casualty, in any case of race, sex, age, sexual introduction, or financial foundation. Agreeing to the Joined Together States Division of Equity, '1.3 million' ladies and '835,000' men are casualties of physical savagery by an insinuate accomplice yearly. The results of spousal manhandling amplify past culprits and casualties, influencing their quick families, companions, and communities. Children who witness spousal mishandling neighbours may be pulled into the violence, and the manhandled may pull back from family and companions and so on. Spousal manhandling goes past the dividers of any one person's domestic.

The impacts on domestic violence against women in Bangladesh: Bangladesh has tall rates of spousal savagery against ladies (SVAW). Agreeing to Naved, Azim, Bhuiya & Person (2006), almost two-fifths of ever-married, reproductive-aged ladies detailed having ever been

⁵¹ International Convention on the Elimination of all Forms of Racial Discrimination 1966, arts 2-5

physically manhandled by their spouses in the country and urban regions of Bangladesh. Almost 50% of rustic ladies and 37% of urban ladies detailed lifetime inside marriage sexual viciousness. Lifetime passionate manhandling was detailed by 31% of the ladies within the country region and 44% of urban ladies (Garcia-Moreno et al., 2005). Additionally, the developing body of investigation proposes that spousal savagery is profoundly predominant in 'Bangladesh. In 2001, almost 60% (59% in an urban range and 60% in a rustic range) of ladies detailed having ever experienced physical or sexual spousal violence. Steady with the worldwide slant, the overpowering lion's share of physical and sexual savagery against ladies was executed by spouses, not by other people whereas stunning tall, the rates of spousal viciousness reported in Bangladesh isn't abnormal. A later think about from the USA detailed that about 'half (44%)' of more than '3400' female individuals of a Seattle-based well-being agreeable detailed having experienced spousal savagery amid their grown-up lifetime.

Some reasons why women are tolerated domestic violence relationships: There are a lot of issues that arise to tolerate spousal violence in relationships: These are:

Sexual violence by husbands: More than one-third (36.5%) of ladies experienced sexual viciousness executed by their current spouses in their lifetime. The later predominance is additionally tall as one-fourth of hitched ladies detailed such viciousness experienced amid the past 12 months. Among the hitched ladies, the age group of 20-34 appears to be more powerless to spousal sexual viciousness compared to other age groups. For all sorts of sexual savagery, the predominance in country zones appears higher than in urban areas. Sexual restraint as a result of physical constraints or in fear of the result is the foremost common sexual savagery executed by a current spouse. As many as 26% of ladies were ever constrained to have sex with their spouse whereas over 10% of ladies experienced more than twice within the past 12 months, counting 4% who experienced more than 6 times. Additionally, as numerous as 30% of ladies never had sex with their spouses since they were perplexed about what the spouses might do in case they deny having sex.⁵²

⁵² Md. Alamgir Hossen, 'Measuring Gender-based violence: Results of the Violence Against Women (VAW) 2011 Survey in Bangladesh' (*UN Statistics Division*, September 2014) <https://unstats.un.org/unsd/gender/mexico_nov2014/session%203%20bangladesh%20paper.pdf> accessed 10 June 2023

The recent case was: Hashi married her spouse Rubel Hossain, a day worker from Comilla, at the age of 20. Two a long time afterward, they had there, to begin with the child, a child named Nirob. Concurring to Hashi's brother, things between the couple went from awful to more awful long after that. She is depicted as tormented. Rubel arrived and took her back to Comilla. In any case, as it were a day after that, she returned to her motherhouse after Rubel, once more, got to be rough and mishandled her. One day, Rubel appeared up once more to require her domestic but she denied it. At that point an intervention or what we commonly known as a Shalish. Organized, which comprised a few elderly neighbours from the region in Korail where her mother and brother live. At this intervention, Hashi told those display that Rubel tormented her frequently, to the point that the torment was terrible for her. She asked the senior citizens to not put weight on her. She is detailed to have said if you send me back to Comilla with my spouse, he will murder me this time when the intervention has begun, Hashi denied to budge from her position. Her family and the local people cleared out her with her spouse and went domestic. That was the final time anybody saw her lively. The following day, her body, as well as the modest body of her three-year ancient child, were recuperated from a lake close to Korail within the capital Banani zone, weighed down with stones and bricks. Her family affirms that Rubel called Hashi's brother, also a day worker, in the morning and told him to recoup their bodies from the lake where he had dumped them.⁵³

Emotional abuse by husbands: Physical and sexual viciousness are more promptly quantifiable than passionate manhandling. In any case, comes about of subjective investigation illustrated that emotionally-abusive acts could be more obliterating than physically-abusive acts. The issue of enthusiastic mishandling of complex information is rare. In Bangladesh, '44%' of urban ladies and '31%' of provincial ladies in '2001' detailed ever having experienced passion abuse-defined as those counting insuperable, mortification, terrorizing and dangerous and '29% of urban ladies and 20%' of rustic ladies detailed encountering passionate mishandling within the past year. Information collected in 'Jessore and Sirajganj, in 1993', appeared higher rates of verbal passionate mishandling, with '79% of currently-married ladies in one rustic region and 89%' in another provincial region

⁵³ ShuprovaTasneem, 'The inescapability of domestic violence: Why are there so many barriers to Women seeking justice?' (*The Daily Start*, 01 April 2021) <<https://www.thedailystar.net/opinion/news/the-inescapability-domestic-violence-2069757>> accessed 10 June 2023

announcing ever having experienced verbal manhandling. Once more, these contrasts in levels of mishandling could be inferable to methodological contrasts and sociocultural varieties among the considered sites.⁵⁴

Critically analysis of domestic violence against women: We look into our society that, when a man who lived in a common zone might beat his companion on the occasion that helpful he comes residential from work and finds that his supper isn't arranged, or she serves him warmed rice from the morning dinner rather than normally cooked rice inside the family. Particularly evening, she ignores to do something, like washing a life partner's shirt, or she does not respond quickly adequate when. There he asks her to do something, or he considers she is stillborn and careless in caring for the children. Talking back expectations when condemned, taking off household without authorization, and coming up brief to comply with the in-laws (concurring with the in-laws) are other common outlines of women spouses' behaviour that affects their companions to overcome them. And a few ladies said that they were beaten for giving birth to girls. These cases recommend that their savagery against ladies is seen as advocated (or seen so by men) when ladies come up short to comply to have or conventional part desires. Ladies are required to be hard-working and particular and they are assembled life partners to bear children. In rural Bangladesh (as in another country India) share has progressed into a system of institutionalized shakedown, routinely fueled by violence against young companions. Brutality and perils of empowered viciousness in exceptional cases in fact to the point of murder) are utilized to shakedown cash or property from the energetic woman's relatives, in a few cases in a wealth of what was ensured at the time the marriage was orchestrated. In expansion to the blackmail of assets utilizing the institution of settlement, men within the think-about towns regularly appeared to feel that anything their spouses brought with them at marriage, acquired, earned, procured, or indeed borrowed was legitimately theirs. Moreover, for visiting to collect the primary data, case studies and questionnaire sessions with domestic violence expertized also visited the renowned victim support center which belongs to Non-Governmental Organization for collecting data.⁵⁵ Those are called the Victims Support Center called

⁵⁴ *Ibid*

⁵⁵ S. Thureau et al., 'Conjugal violence: A comparison of violence against men by women and women by Men' (2015) 31 *Journal of Forensic and Legal Medicine* <<https://doi.org/10.1016/j.jflm.2014.12.014>> accessed 10 June 2023

Ain O Salish Kendra (ASK) There is some sort of question-answering sessions with expertized about domestic violence. He answered based on these questions particularly:

What kind of support does your organization have? Provide to those who are victims of domestic violence?

Our organization supports many combines. If they think that it can be solved by arbitration then they set the case aside through mediation and if they do not think that the case is bailable then it helps to file a case and if they think that any person cannot stand up then they have been raped. In case we see them there we try to give them counselling where they can stand up and talk to us and sue their husband will not be with them. He will be in another place, we call him halfway home and we will give him the treatment he needs.

Approximately how many reports of cases come to you every year based on domestic violence?

Mediation and Rapid Response Unit Period: 01-Jan-2021 to 31-Dec-2021 Type: Complaints Domestic Violence from Ain o Shalish Kendra, Dhaka, Bangladesh. (www.askbd.org/ask/)

Total

Name of Violence	Number
a) Economical Torture	1
b) Physical and Psychological Torture By Family (Muslim)	1
c) Physical and Psychological torture by the father	1
d) Physical and Psychological torture by husband	76

e) Physical Torture/ Assault/battery	92
f) Psychological Torture	26
Sub Total	197

Do you pay the full cost in case of domestic violence, or do the victims also provide something?

Our organization pays the full cost if the case goes from lower court to high court or appellate division then our organization pays the money. And don't give only in one case which is that when the victim himself goes, the witness has to appear and the money has to be given to him. But if the victim is financially weak then we also provide the money.

If you file a case on domestic violence, how long does it take for that case to reach a final decision?

It is difficult to say how many days the case will end because if any case goes through meditation it will be seen that one party is coming and another party is not coming. Again, if the case ever goes through court proceedings, then we can see that the case takes time. Those of us here who have sued Expert learned Lawyers understand the case and sue. Our Law and Arbitration Center wants us to give them a remedy through a speedy trial. We, the expert-learned lawyers here, try to find a way to get the case settled quickly.

Do the victims who come to sue for domestic violence bring awareness on their own, or through someone else?

Many of the domestic violence victims who come to us come through social media. Many come through third parties. She told him that I know this company can help him. Many come through his family. They come to our organization following many multi-dimensional ways.

What is the education rate of those who come to sue for domestic violence? Don't educate people come more and uneducated people come more to sue for being victims of domestic violence?

For those who have less formal knowledge, those who have studied up to class one to five, we think the proportion is much higher and 75% comes and those who want to sue a lot of educated people, it is up to them not to go through the mediation of court processing. So they come to approximately 15%.

When women are victims of domestic violence, what percentage of them are victims of spousal violence? And what percentage are victims of the financial crisis?

We filed the case based on spousal violence victims being 60% and financial crisis (torture for dowry) at 55% in 2021 approximately.

What percentage of domestic violence is perpetrated by women inside the family and outside the family?

Inside the family is 90% of victims of domestic violence and outsiders of the family are victims of 10% of domestic violence. Because we see that the transport and public toilets in Bangladesh are not women and child friendly.

DOMESTIC VIOLENCE AGAINST MEN

The social and legal effects of preventing domestic violence: According to the 'Bangladesh Manabdhikar Bastabayan Sangstha (BMBS) database, in 2015, at slightest '500 men' purportedly quelled by their spouses reached them for lawful counsel to proceed with their family life without badgering. The database moreover appears that within the to begin with six months of that year, add up to '26 men' submitted composed affirmations of badgering against their spouses. 'In 2018, a piece distributed within The Gatekeeper expressed that one in six men encounters household viciousness, but as it were one in 20 tends to report it. In 2020', an organization named Bangladesh Men's Rights Establishment (BMRF) studied that 80%' of hitched men are casualties of mental torment by their spouses (or their family individuals) in our nation. Directly the point of this article is, when we discuss roughly household viciousness, why don't we think that men can as well be casualties of family viciousness? In our patriarchal society, it is respected as awful. For men to reveal their perseverance. The fear of showing up, female or not man adequate proceeds. This harmful manliness in the long run influences a man and pushes him to begin living in trouble, incapable to reveal inward sentiments to anyone. So,

we ought to receive satisfactory measures to maintain a strategic distance from such mentally sick well-being. So, what are the preventive measures to secure men against sexual orientation-based residential violence?⁵⁶

A questionnaire session was conducted with domestic violence expert Mr Dilip Pal (Advocated at Dhaka Bar Association) He answered these questions specially:

If the Men are not victims of domestic violence then why don't they want to come and the government has no specific laws for them so far then what kind of law or awareness do you think is needed to bring them to justice?

In our Bangladesh contest, the patriarchal society has a lot of empowered women in non-empowerment status. We can see that in case we do not have special laws for men in Bangladesh they can sue General Penal Code 1860 but it was made for our women because women could not be covered by the Penal Code. Women were victims of acid and rape. Although sometimes if a girl commits domestic violence to a man then we have to see that a man must have been a victim of domestic violence in some way before. She may be from her husband's house, she may be from her in-laws.

Crime committed against men in Bangladesh:

Domestic Violence: Who said that as it were females have to confront household viciousness in their life? Men as well can confront residential viciousness and they do confront it in their day to day. Life. It is fair that we stand up and battle for the off-base done to ladies and the same goes dismissed for men. Several residential savagery keeps happening to a man around us which we don't indeed realize.

False dowry cases against men: Typically the foremost basic circumstance these days. The law takes strict actions against the one taking or supporting the settlement. This was one of the leading things done until and unless ladies began abusing the law in their favour. Ladies these days frequently wrong settlement cases to debilitate their spouse and his family and

⁵⁶ Mohammad Jamil Khan, 'Oppressed men have no legal support' (*Dhaka Tribune*, 18 December 2016) <<https://archive.dhakatribune.com/bangladesh/law-rights/2016/12/18/oppressed-men-no-legal-support>> accessed 23 June 2023

additionally to urge benefits of their conjugal life. The pitiful portion is there are seldom cases where men can demonstrate their guiltlessness and for the most part, are found blameworthy despite doing nothing. Even though, the law in numerous states has made changes to confirm whether a man is charged with such a case.

False rape and other charges against men: More often than not, in assault cases, ladies are considered to be the casualty and there are tall chances of ladies getting the case in favour. If a lady reports an assault case, the guilty party will instantly be taken into care and will at any rate be looked down on in society as an Indian individual stands for assault casualties. Taking advantage of the solid women's liberation development, some ladies report untrue assault cases and plans to require exact retribution or any such feelings of resentment etc. and thus many blameless men need to confront discipline for things they did not do. Moreover, their entire life may be polluted. A few indeed incline toward to conclusion with their life.

Does need any specific law for protecting domestic violence against men?

A recent case was filed: A long-time ancient Majed Evena Azad works for a private company in Dhaka, the capital of Bangladesh. He told DW that his spouse had rationally tormented him for a long time, but he couldn't get any offer of assistance as the society he lives in does not accept that a lady can torment a man. Azad said that a couple of days after getting hitched, she has begun taking parts of cash from him whereas appearing not intrigued about having a conjugal life with him. I had met her cash-related demands for one or two of a long time, Azad said. But, at some point, he found that she has associations with many other men like him. At that point, Azad's life partner recorded an unfaithful case against him under the 'Digital Security Act 2018', after he ceased fulfilling her financial demands. He had to stay in covering up for over a year to evade capture, but as of late a court ruled that the case against him was made. Mr. Azad had to go through colossal mental torment by her. No one acknowledged him when he attempted to urge back from others. Our laws are women-friendly and can effectively be utilized to aggravate a man, Azan included. So presently we are ready to observe that directly Azad will get the cure. What can be done about his companion's domestic violence? Yes, we are ready to say that 'Penal Code 1860' can sue his life partner. But how suitable the case will be since the most prominent

law of Bangladesh is to deal with women and children? So, I think on the off chance that we had a particular law for men, men would get rise to treatment equally.

DOMESTIC VIOLENCE AGAINST THE CHILD

The current situation of domestic violence of children in Bangladesh: Concurring to the media observing information from the 'National girl child Advocacy Forum (NGCAF)' Bangladesh, indeed even though assault laws were revised final year to permit passing punishment, a add up to of '813' young lady children were subjected to assault, of whom '110' were gang-raped within the, to begin with, eight months of 2021'. 'An add up to of 79 young ladies though assault incapacities were assaulted amid this period, whereas 127 confronted endeavoured assault, the report was found'. On the opposite, data collected by The Everyday Star from 41 upazilas in 13 areas found around 10,741 young ladies and at slightest two boys being wrongfully hitched off amid school closures' The Multiple 'Indicator Cluster Survey (MICS) 2019, arranged by the 'Bangladesh Bureau of Statistics (BBS)' and 'UNICEF' through meeting 61,242 families from all 64 areas moreover found that nine out of 10 children experienced a few frames of rough restraining by their caregivers'⁵⁷. A questionnaire session was conducted with domestic violence expertized. He answered these questions immensely:

What is the percentage of cases of Domestic Violence against girls and boys and Domestic Violence against boys and girls and from what age do they start to be victims of Domestic Violence?

- Mediation & Rapid Response Unit Period: 01-Jan-2021 to 31-Dec-2021
- (Ain o Salish Kendra ASK)

New Client Profile by Age and Gender

Age	Child (0-12)	Adolescent (13-17)	Adult (18+)
Female	27	33	628

⁵⁷ Farzana Islam and Gulshan Ara Akhter, 'Child abuse in Bangladesh' (2016) 9(1) Ibrahim Medical College Journal <<https://www.banglajol.info/index.php/IMCJ/article/view/27635/18408>> accessed 11 June 2023

Male	26	1	9
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When a child is to be victimized by domestic violence, with whom does he come to report or file a case?

When a child comes to sue with someone he feels more comfortable with. It could be his father, maybe his brother, maybe his mother. We have seen a case here where a boy's daughter has been the victim of domestic violence, in which case her father wants to marry her to that boy but she wants to sue, so she has come to our organizations with her brother and sued.

Social and legal effects of domestic violence against children: Violence within the domestic and sexual manhandle in childhood and puberty can have deep-rooted well-being and advancement impacts, such as misery, low self-esteem, destitute school execution and challenges in psycho-social alteration. Pre-adult young ladies and the impaired are particularly at the chance of repetitive SRH issues, such as undesirable pregnancies, hazardous premature births, sexually transmitted contaminations and higher dangers of HIV. Juvenile young ladies and youthful ladies are particularly at the chance of different shapes of GBV (Sexual orientation-based viciousness) counting sexual savagery and trafficking; sexual mishandling, counting inbreeding, assault and destructive honours such as 'Female genital mutilation or cutting (FGM/C)' and constrained marriage. They are a chance at domestic, in school, on the road, in their places of work (e.g. as production line, cultivate and residential labourers) and in refugee/displaced individual camps.⁵⁸

The recent case was filed: As her mother works at a piece of clothing plant in Chittagong, Jeba lives with her day labourer father and close relatives in the inaccessible town of Patharghataupazila, beneath the Barguna area. Before this month, Jeba's maternal grandparents took. She to their domestic in 'Bamnaupazila' of the area. When other family individuals were actively working within the paddy field, Jeba's 15 a long time ancient step-uncle assaulted her. The following day, when death did not halt, the grandma called Jeba's father and inquired him to come and take the child to a specialist. When Jeba's father took her to the clinic, the specialist

⁵⁸ *Ibid*

affirmed assault and recommended quick treatment. Jeba's father recorded a case against the culprit with the Bamna Police Station right away. We are presently attempting to capture the charged, indeed although the family individuals are departing suddenly, said the officer-in-charge of Bamna Police Station.

To prevent domestic violence by ensuring educational rights as fundamental rights in Bangladesh comparative analysis between (India and The Maldives)

India: Agreeing to the Structure of India, (Eighty-sixth Amendment) Act 2002⁵⁹ embedded that in Article 21(A)⁶⁰ to supply free and obligatory education of all children between the age bunch of six to fourteen a long time as an Essential Right in such a way as the state may, by law, decide. This correction was set up from the case law which was Miss Mohini Jain v State of Karnataka and Ors,⁶¹ Incomparable Court division seat chosen in this case. Equity comprising of Kuldip Singh and RM Sahai held that: Right to instruction is the quintessence of the correct to live and specifically streams and interlinks with it, and life living with respect can only be guaranteed when there's a critical part of education. This constitutional commitment came into constrain by passing the Correct of Children to Free and Obligatory Education Act 2009, and it was a noteworthy minute for the children of India.⁶²

Maldives: Article 36⁶³ of Maldives constitution 2008 provided that, everyone has the right to education without discrimination of any kind and also stated that, the state should freely offer primary and secondary education. Moreover, to ensure all the poor children's educational rights, Maldives has prepared an education response plan with support from the Global Partnership. The internet service provided 5 GB of data to every student. Also, their government is thinking that they will implement a new act so that they can give them proper education even after covid-19.

⁵⁹ Structure of India (Eighty-sixth Amendment) Act 2002

⁶⁰ Structure of India (Eighty-sixth Amendment) Act 2002, art 21(A)

⁶¹ *Miss Mohini Jain v State of Karnataka and Ors* (1992) 1992 SCR (3) 658

⁶² Education Act 2009

⁶³ Maldives Constitution 2008, art 36

Domestic violence against Transgender (Hijra)

The current situation of transgender in Bangladesh: According to Blast, Europe Union and Christian Aid 2021 mentioned that “Sexual and Gender-Based Violence (SGBV)” is more acute in these communities compared to the rest of the country due to that social. And economic vulnerability. 76% of Transgender (Hijra) pointed out that they have faced (SGBV) because of their identity. 99% of Transgender and Hijra people responded that they never get invitations to these development activities and 47% transgender group reported not having access to education at all. On the other hand, they are excluded from society and at some point in society they live in a place of neglect. Not only are they harassed by the police but they are also generally harassed by the people. Most of the hijras are seen as part of their traditional cultural part of the marriage and dance at the time of childbirth so that they can earn money they beg at the bus stand. Many times it has been seen that they get involved with sex workers. After all, they do not have any opportunity for income because they have no employment in job sectors, they have no treatment, and no education system. Not only that, the change in his/her physical condition seems to have taken a big storm in his/her life. No one likes them. The family members, relatives and the whole society push them away and no one wants them in their territorial zone. Even if they live in the country as citizens, they cannot infringe on the rights of any citizen. They are treated as if they were an alien or a zoo animal and also they are perceived as a burden to society. Hijras are being neglected by the society and they are being ridiculed and alienated from the society. In this case, there is no discrimination. Yes, of course. Because it is destroying their human dignity which directly violates their human rights.⁶⁴

COMPARATIVE ANALYSIS WITH OTHER COUNTRIES (INDIA AND THE UNITED STATES OF AMERICA)

India: Even before, the condition of transgender was very miserable. Now the situation is improving because before the Hijras, there was no right to Hindu Succession Act 1956. No rights were mentioned about their rights but recently it was known that those in Uttar Pradesh transgender are getting their rights who has been ensured which is called the transgender

⁶⁴ Rupal Sharma, ‘Inheritance Rights of Transgender A Cry of Humanity’ (2018) 1(3) IJLMH
<<https://www.ijlmh.com/inheritance-rights-of-transgender-a-cry-of-humanity/>> accessed 11 June 2023

persons (protection of Rights) Act 2019⁶⁵ for transgender people in India. Their rights have been guaranteed here and also this specific law has been created for them through violence.⁶⁶In fact, in the case law, National Legal Services Authority Versus Union of India and Ors⁶⁷ it was held that Middle and State Governments ought to truly address the issues being confronted by Hijras/Transgender such as residential violence fear, disgrace, sex dysphoria, social weight, misery, self-destructive propensities and social shame etc.

The United States of America (USA): In the United States of America, we usually see that they developed the rights of transgender people. Where they have established education, and healthcare rights and said that where they will not only be treated based on gender but will be treated with dignity and no gender identity will prevail here. 'Civil Rights Act of 1961' provided that there are places where sex discrimination based on sexual orientation and gender identity is prohibited. Not only that, surveys in America have shown that when people are asked that, whether Hijras should be given equal rights, and should prohibit discrimination against them. The maximum number of people have shown public awareness, which is a very good thing. Not only that, but transgender people will also get employment opportunities under the Equal Employment Opportunity Commission in 2012. The famous case *Bostock v Clayton & County*⁶⁸ established and prohibited transgender discrimination in employment sectors. At the same time, they will be able to participate in political parties or leadership. For example: In the 2020 election, Sarah McBride is becoming the first openly transgender state senator. She is to be elected in the United States of America. So, it has been observed here that, developing countries have gradually raised awareness of the discrimination against transgender people and they have taken adequate steps.

Recommendation: In the Bangladesh context gender based-domestic violence increased day by day so, within this research. The Author has examined the data on the scope of confinements,

⁶⁵ Indian Transgender Persons (Protection of Rights) Act 2019

⁶⁶ Convention on the Elimination of All Forms of Discrimination against Women New York 1979, art 11

⁶⁷ *National Legal Services Authority v Union of India and others* (2013) WP No 604/2013

⁶⁸ *Bostock v Clayton & County* [2020] 590 US

execution of laws, arrangements and honours by partners to avoid and react to sexual orientation-based household savagery in Bangladesh and by giving suggestions at the side feedback

Limitation of law and scope: We have a lot of International Conventions and treaties and domestic Acts for preventing domestic violence. But is that implemented in domestic violence that is a question. All of these Acts are based on women and children. Most of these laws and statutes segregate women in marriage, separation, maintenance, and child custody. The legitimate securities for ladies and young ladies are concordant to other parts of the world as frail applications and inclinations of law-implementing offices are the nation. Policymakers claimed that the frail application of existing laws, delays in legal strategy, and the need for women's rights awareness, affectability and delicate frameworks are the major reasons for segregation and savagery within the society of Bangladesh. But what is the remedy for male and transgender people, those who are getting a victim of domestic violence? What will they do? Because there are no special Acts for them that's why they are suffering a lot to ensure their rights which are called gender neutrality. For a reason, males aren't getting any remedy when they are victims of male domestic violence. On the other hand, transgender people aren't getting any remedy when they are victims of domestic violence, and when they are being deprived of their education and property rights.⁶⁹ So, the government should take major steps for women and children for implemented all of these Acts and Establish new Acts for male and transgender people for ensuring equality based on gender-based domestic violence.

Recommendation:

1. To implement all Acts which are based on women's and children's.
2. To establish some new specific Acts for male and transgender people.
3. To establish a friendly transportation system to protect victims of domestic violence.
4. To ensure all strict measures by the government against Discriminatory and unequal situations for gender-based domestic violence.

⁶⁹ Md Abu Shahan, 'Gender-Based Violence In Bangladesh: A Critical Analysis' (2021) 1(2) International Journal of Qualitative Research <<https://ojs.literacyinstitute.org/index.php/ijqr/article/view/306>> accessed 11 June 2023

5. To establish a uniform family code to get gender equality for women and Children.
6. To establish social awareness about gender-based domestic violence.

CONCLUSION

Bangladesh has tried to achieve momentous advance Women's activists in making strides in the conditions of ladies and children, activities, especially on the ground of instruction, well-being, official nourishment, human rights, and other areas of fundamental must needs. They more likely appreciate rights and mentality openings which are playing exceptionally imperative parts in improving their socio-financial status. Although the condition of Bangladesh is still delicate, the government has been still attempting to make strides in the living standard of its citizens by killing destitution and starvation through comprehensive programs, especially diminishing the feminization of destitution. The government took programs to diminish disparities in living benchmarks between men and ladies and diminish the extending sexual orientation crevice in destitution but existing information claimed that ladies and young ladies have been enduring savagery, badgering, and separation made by the sexual orientation crevice and socio-economic delicate condition within the society. In addition, the conditions of ladies and children of Bangladesh are not very favourable and agreeable since numerous damaging and destructive exercises still exist within the shapes of savagery, badgering, and hardship of human rights. These investigations found that the predominance of assault and sexual ambush has existed that took numerous lives of ladies and young ladies as well as they take to endeavour to commit suicide. Especially, it is seen that spouse has been overwhelmed and persecuted by spouse or spouses family individuals due to sharing or claiming their rights to dissent against household viciousness counting early marriage child, residential has been oppressed and annoyed within the shapes of assault, torment, mental weight, work burden, and sexually attacked. In reality, these powerless circumstances of ladies young ladies, and children have been focused on savagery and sexual ambush indoors and open air of the domestic. But tragically, there's no law for males and transgender to guarantee their rights⁷⁰So, the government ought to be taken activities for executing the existing laws and the official handle

⁷⁰ *Ibid*

of laws and defensive measures must be straightforward and responsible as well as the attitude of mass individuals must be a positive alter towards women children, males and transgender for ensuring equality and neutrality. When we implement these existing laws very well and establish new laws as well for male and transgender people, then there will be no more violence.