

SEXUAL HARASSMENT ON YOUNG WOMEN IN OLD DHAKA: A REFLECTION ON REALITIES

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Received: 20 Oct 2019

Accepted: 14 Nov 2019

Published: 15 Nov 2019

ABSTRACT

Sexual harassment on women, especially on young women, is a very common phenomenon worldwide. It is a gender-based crime and thus a serious violation of human rights of women. Most of the women in Dhaka city, especially in old Dhaka, often experience sexual harassment due to lack of protection, lawlessness, knowledge, existing patriarchal-norms and mindset etc. With a view to studying the reality, Finkelhor's 'Multi Factor Model' and 'The Feminist Approach' had been combined to serve as the conceptual base of the present study. The theoretical contribution of the study lies on the fact that it portrays a comparative analysis on the legal instruments available for the women to deal with this issue and whether the existing instruments are sufficient or not. At the primary level, using questionnaire survey, the study aims to explore the main causal factors behind the incidents of sexual harassments on young women in old Dhaka. The major findings, firstly, indicate that about 53% of the female respondents expressed of being harassed in different spheres of their life, secondly, more than 60% of the participants did not know about their legal entitlements, and thirdly, more than 80% of the victims did not report or took legal actions against such harassments. This article sheds light on the existing weaknesses in the legal instruments that must be addressed to ensure rights of the women.

KEYWORDS: *Sexual Harassment, Patriarchy, Human Rights, Legal Enforcements, Sexual Aggression*

INTRODUCTION

Many young women in Dhaka city, particularly in old Dhaka, are often exposed to different types of sexual harassments in their daily life. And the victims, in most cases, do not disclose these because they are unaware of existing legal memorandums and entitlements which can ensure justice. Moreover, patriarchal mindset is also an obstacle to seeking justice. In our daily lives; we confront many issues regarding our society, polity and economy. Many a times distant international issues catch our attention but we often tend to overlook the local ones. These issues are not highlighted prominently in our mainstream or social media. There are some other core issues which never get their due coverage and we are reluctant to talk openly about them. Such issues are like silent killers—destroy souls & dreams of many soft hearts around us. Among these issues, sexual harassment of young women demands to be ranked at the top. Sexual harassment, being a form of violence and social crime that creates multiple effects on a woman or a girl, is experienced by many girls in front of schools and different public places in

Bangladesh.¹ Sexual harassment is an unwelcome sexual behavior which is offensive, intimidating or humiliating. Sexual harassment can take different forms and can be obvious or indirect, physical or verbal. It includes behavior that creates a sexually hostile or intimidating environment.² Sexual harassment includes but does not limit to: actual / attempted rape/sexual assault, forceful pressure for sexual favors and purposeful touching, indicative postures, cornering / pinching sexual looks or gestures and unwanted materials like letters, phone calls, or materials of a sexual nature, pressure for dates, etc. It may also include sexual comments about a person's clothing, physical structure or looks, kissing sounds, unwanted sounds like howling, smacking lips, touching clothing/hair/body, etc., hugging, kissing, patting, or stroking, looking a person up and down (elevator eyes), whistling at someone, making sexual comments about a person's body, making sexual comments, etc.³ Sexual harassment incidents are quite common in Bangladesh and we often see these incidents in different places. The situation is much worse in old Dhaka as most of the incidents remain unreported. The concept of sexual harassment may be contingent upon socio-cultural practice of a particular geographical context.⁴ In this context, the present study attempted to identify the existing scenarios of sexual harassment incidents on young women in old Dhaka by using a questionnaire survey and also aimed to find out whether young women are being sexually harassed or not and if sexually harassed, whether they are facing any difficulties in reporting them or not. This study will also try to generate an idea on whether the young women of old Dhaka are aware of the legal entitlements available for them if they are being sexually harassed.

OBJECTIVE OF THE STUDY

This paper explores the issues of sexual harassment on young women in old Dhaka. The principle objective of this study is to draw the attention of the reader to know the main causal factors behind the incidents of sexual harassment faced by young women in old Dhaka. The specific objective of this study has been stated below:

- To know whether the young women in old portion of Dhaka are being sexually harassed or not in different spheres of their life
- If so in which places they are most likely to be harassed?
- To find out whether the women in old Dhaka know about sexual harassment related legal entitlements available for them.
- To explore how many of the victims are reported or took legal actions against sexual harassments.

1 Fathema Zhura Khatoon and Safayet Khan, 'Issue 54 Impact Evaluation of MEJNIN (MeyederJonnyoNirapodNagorikotto): A Project on Combating Sexual Harassment against Girl Students in Public Places' (*Research.brac.net*, 2018) <<http://research.brac.net/new/publications/impact-evaluation-of-mejnin-meyeder-jonnyo-nirapod-nagorikotto-a-project-on-combating-sexual-harassment-against-girl-students-in-public-places>> accessed 11 January 2019.

2 Nazmunnessa Mahtab, *Women, Gender And Development* (1st edn, AH Development Pub House 2012).

3 Md. Razidur Rahaman, 'Sexual Harassment against Women | Daily Sun' (*Daily Sun*, 2019) <<https://www.daily-sun.com/printversion/details/232822/2017/06/11/Sexual-Harassment-against-Women>> accessed 7 March 2019.

4 Department of Women and Gender Studies, University of Dhaka, 'Sexual Harassment At Work: Experiences With Two Development Organizations In Bangladesh' (Department of Women and Gender Studies, University of Dhaka 2006).

LITERATURE REVIEW

Sexual harassment is a redundant behavior which is conducted to sexually expose others and these activities are happening around us so frequently that our young girls are being victimized so badly in their everyday life in various places. Through pressure groups like media, respective organizations like research or humanist organizations, we may come to know some news and reports about such incidents but the pace of sexual harassment is increasing in an alarming rate. Both men and women may be subjected to this, but females are much more frequently affected by it because of the uneven gender relationships which are common in many societies.

According to a report of CNN named “Sexual Harassment: How it stands around the globe” by Meera Senthilingam, 35% of women have faced physical or sexual aggression worldwide. About 120 million girls have experienced forced sex or other sexual acts (Source: UN Women). It is also showed that the percentage of women who have experienced some forms of sexual harassment is 57% in Bangladesh, 79% in India, 77% in Cambodia and 87% in Vietnam. It is stated in a recent survey in Bangladesh that, 84% of women had experienced derogatory comments or sexual advances in public. More than half said that they had been harassed by people operating public transportation. And more than half of women are estimated to have experienced physical or sexual abuse by a partner, according to UN Women.⁵ Women are being sexually harassed at every step of their life, inside and outside of their residence. According to Aim O. Salish Kendra, 2019 Report on Sexual Harassment, it has been reported that from January to February, 2019, 18 women were being harassed and 1 committed suicide. In 2018, January to December, 116 women were being harassed sexually and among them 8 have committed suicide, 3 murdered due to protest and 97 were being battered by the stalkers. In 2017, January to December, 255 women were being harassed sexually and among them 12 have committed suicide, 3 murdered due to protest and 151 were being battered by the stalkers.⁶

According to a recent study, carried out by Action Aid Bangladesh, “Freedom to Move: Women’s experience of urban public transport in Bangladesh”, exposed that 84% of all women commuters surveyed expressed that they were subjected to verbal and physical sexual harassment. The findings of the study were presented at a meeting titled “Safe Cities and Public Space for Women’s Empowerment”. The study bring into being that 88% of women reported some kind of verbal and physical harassment when they were out running errands; 62% of them asserted that they limit their movement and have strict timings when they are moving alone. Alarmingly, 81% of them didn’t report to law enforcement agencies. In old Dhaka, many young women, often are being sexually harassed by their family members, inside their homes. According to the report of Bangladesh Mohila Paris had (BMP), approximately 87% of females face sexual aggravation inside home by their family members, though awareness against sexual harassment should be raised from there first. According to the One-Stop Crisis Cell (OCC) report, from January to October, 2016, on violence against women and children, stated that there have been 681 sexual assaults occurred in that period of time.⁷

5 Meera Senthilingam, 'Sexual Harassment: How It Stands Around The Globe' (CNN, 2017) <<https://edition.cnn.com/2017/11/25/health/sexual-harassment-violence-abuse-global-levels/index.html>> accessed 11 March 2019.

6 Sexual Harassment - Page 2 Of 7 - Ain O Salish Kendra(ASK) | A Legal Aid & Human Rights Organization' (Ain o Salish Kendra(ASK) | A Legal Aid & Human Rights Organization) <<http://www.askbd.org/ask/page/2/?s=sexual+harassment>> accessed 5 March 2019.

7 'Sexual Harassment Against Women | Daily Sun' (Daily Sun, 2019) <<https://www.daily-sun.com/printversion/details/232822/2017/06/11/Sexual-Harassment-against-Women>> accessed 7 March 2019

A study conducted by a renowned development organization named BRAC has exposed that, about 94% women commuting in public transport in Bangladesh have experienced sexual harassment in verbal, physical and many other forms. A bit surprising exposure of the study is that males belonging to reasonably older age group of 41–60 years have been identified as the major perpetrators. This group has been identified as perpetrators for 66% of such incidents. According to the research, 35% respondents using public transport said that they have experienced sexual harassment from males belonging to the age group of 19–35 years and about 59% respondents experienced such aggravation from the males who are 26–40 years old. Different forms of sexual harassment includes but doesn't limit to purposeful touching of victim's body with chest and other parts of the body, cornering / pinching sexual looks or gestures and unwanted materials like letters, touching of hair of the victims, putting hand on their shoulder and touching private parts of the victims as well, expressed by the respondents. When asked about what they did when they were being victimized of such harassments, then 81% women said they have remained silent while 79% told that they moved away from the place of harassment.⁸

In 2017, a study of Action Aid affirmed that a total of 54.7% women living in urban areas experience violence, including physical, psychological, financial, social violence as well as unwanted physical contact by strangers. A study titled “State of Rights Implementation of Women Ready Made Garment Workers,” conducted by Karmojibi Nari and Care Bangladesh, stated that about 12.7% of workers face sexual aggravation at their places of work. According to the statistics of Commonwealth Human Rights Initiative Bangladesh, more than 10% of female police personnel face some form of sexual harassment at their place of work. At the mid-level, 2.7% of sub-inspectors and 3.3% of assistant sub-inspectors reported sexual harassment. Among constables, this number is greater than 10%.⁹ Nearly 31% girls are physically tortured at least once in their childhood she added by referring to the Violence against Women Survey-2015 conducted by the Bangladesh Bureau of Statistics.¹⁰

So, from the above discussion, it can be said that, in our society, sexual harassment incidents are happening very frequently. All the data, surveys clearly project the victimization of women in different places of Dhaka city.

After conducting extensive research, the present author finds out that, there are few works which related to young women in old Dhaka who were being subjected to sexual harassment. There are quite a few works existed in the field of sexual harassment faced by young women, particularly in old Dhaka. Much less importance has given in identifying or exploring the actual reasons whether the women of old Dhaka are being victimized as the victims of sexual harassment and if so, what are the actual barriers they are facing in terms of reporting them. This study also tries to mention about the measures which need to be taken to encounter the aggressiveness of sexual harassment in old Dhaka.

8 '94% Women Victims Of Sexual Harassment In Public Transport' (*Brac.net*, 2019) <<http://www.brac.net/latest-news/item/1142-94-women-victims-of-sexual-harassment-in-public-transport>> accessed 7 January 2019.

9 Nawaz Farhin, 'Workplace Sexual Harassment Remains Unreported, Ignored' (*Dhaka Tribune*, 2018) <<https://www.dhakatribune.com/opinion/special/2018/05/21/workplace-sexual-harassment-remains-unreported-ignored>> accessed 1 March 2019.

10 'Over 34 Percent Girls Aged 10 To 14 Sexually Harassed In Bangladesh' (*Bdnews24.com*, 2019) <<https://bdnews24.com/bangladesh/2017/02/14/over-34-percent-girls-aged-10-to-14-sexually-harassed-in-bangladesh>> accessed 2 February 2019

Background of the Study

In Bangladesh, young women are the major victims of sexual aggression. Vast majority of girls, who are moving outside from their home every day for different purposes, are being sexually harassed by men every day. Hundreds of girls have been sexually assaulted every year. Incidents of sexual harassment are increasing frequently now days.¹¹ Sexual harassment often considered as hounding or compulsion in a form of sexual nature and the unwanted or unfortunate promise of rewards in exchange for sexual favors.¹² It also covers a variety of actions from kind transgressions to sexual abuse / assault.¹³

Sexual assault or molestation is a widespread risk for women everywhere, but it's a prominent hazard at festivals, where it can turn into many forms and often perpetrated with upsetting nonchalance.¹⁴ On March 7, 2018, a female student uploaded a Facebook status where she expressed that she was being harassed near Bangla Motor by an assembly of youths who were moving in a procession. On the following day, the father of that girl filed a case with Ramna Police Station under the "Women and Children Repression Act" presuming it as an incident the sexual assault. Victim's father stated in the complaint those 15 to 20 youths in white T-shirts-all aged between 25 and 30. Encircled the girl and started to tease and was sexually assaulted. Considering the incident unfortunate, Home Minister Asaduzzaman Khan Kamal on March 8, expressed that law enforcers collected video footage of the incident and would take action upon scrutinizing them. Several city streets were blocked with traffic for hours due to a rally organized by the Awami League at Suhrawardy Uddyan marking the historic March 7 Speech by Bangabandhu Sheikh Mujibur Rahman. At least seven women alleged of being physically and orally harassed on roads during the rally in that day.¹⁵

A cluster of men sexually assaulted a great number of women in the Teacher Student Centre (TSC) area near the Suhrawardy Uddyan gate on Bengali New Year of 1422 (April 14, 2015). It sparked extensive public outrage on the streets and social media platforms. They mostly blamed the police for not taking action and the Dhaka University authorities for unprofessional management at the time of the programs. Some Witnesses said that although the law enforcement personals were stationed near the spot, they did nothing to save the victims or arrest the culprits. Three students of the university were even hurt while trying to save the victims. The assaults took place within less than two months after three-four women were sexually harassed in public close to the entrance of Suhrawardy Uddyan at the TSC intersection during the Amar Ekushey Book Fair.¹⁶

Holi is well-known as "Festival of Colors" and every year youth all across the country celebrate this day with colors to celebrate Holi. But in the center point of our capital city, a cluster of miscreants, assaulted many

11 Sexual Harassment Against Women | Daily Sun' (*Daily Sun*, 2019) <<https://www.daily-sun.com/printversion/details/232822/2017/06/11/Sexual-Harassment-against-Women>> accessed 7 March 2019

12 Michele Antoinette Paludi and Richard Barickman, *Academic And Workplace Sexual Harassment : A Resource Manual* (State University of New York Press 1991).

13 Shirley Nelson Garner, 'Review: Billie Wright Dziech And Linda Weiner, The Lecherous Professor: Sexual Harassment On Campus' (1992) 103 ADE Bulletin

14 'Sexual Assaults During Festivals: Trial Proceedings In Limbo' (*Dhaka Tribune*, 2019) <<https://www.dhakatribune.com/opinion/special/2018/05/22/sexual-assaults-during-festivals-trial-proceedings-in-limbo>> accessed 19 September 2018.

15 Staff Correspondent, 'MARCH 7 SEXUAL HARASSMENT' (*The Daily Star*, 2019) <<https://www.thedailystar.net/city/march-7-sexual-harassment-1546540>> accessed 27 July 2019

16 'HOW EFFECTIVE ARE THE LAWS OF BANGLADESH IN PROTECTING WOMEN FROM SEXUAL HARASSMENT?.' (13. *Law JournalBD*, 2018) <<http://www.lawjournalbd.com/2015/08/how-effective-are-the-laws-of-bangladesh-in-protecting-women-from-sexual-harassment/>> accessed 15 September 2018.

women and girls while all were celebrating Holi. Many women including but doesn't limit to students, office employees and many other have become victims while the perpetrators tried to take the advantage of being smeared with Holi colors. Many girls did not even understand that they were being harassed. Many of them were being saturated in color put on them by strangers without their consent. The festive spirit has completely been ruined by the culprits in order to fulfill their sexual lust and by wrong intentions. Some video footage taken by the witnesses showed how the attackers were misbehaving with the women on the streets or were forcefully touching them to apply colors on their face and body.¹⁷

Two sisters have been sexually harassed at the time of Holi celebration at Shankhari Bazar, in 2017. Jagannath University students hurried to the spot and saved the victims. A case had been filed at Kotwali police station after the incident. Similar incidents of sexual assault and molestation were also happened in 1999 at the Dhaka University campus. University authorities filed a case on sexual harassment during a New Year festival in 1999. But the victim refused to come before the court due to social stigma. After over a decade, the court in 2010 acquitted all of the accused mentioning that the allegations were not proven.¹⁸

A female student of Uttara University was sexually harassed on 21st April, 2018 by three workers of Turag Paribahan, which is a private transport operator of Dhaka. She suffered injuries, got down from the moving bus fearing more troubles. Following the occurrence, her fellow students have started protesting and on streets in great number and seized 40 busses from the same company and detained those all night which forced the authority to take actions. The alleged perpetrators were being captured. At the time of this protest, teachers and university authorities had seen co-operating with the protesters. On April 29, 2018 a student of Jahangirnagar University was verbally abused by a roadside vendor in Shyamoli, Dhaka. She protested at once which drew further abuse from the perpetrator and he was then joined by other abusers including a woman who terrorized the victim further. The victim wrote in her social media post that she then called her brothers and they came, as well came the police. Later, it was discovered that the accused had previous allegations of similar incident. Here, locals were seen persuading the victim not to file reports with the police and she did that anyway. Police, in presence of the victim's family members, had no other option but taking the report. A cluster of students from University of Dhaka captured five busses of Trust Transport Services on 20th May, 2018, a project of Army Welfare Trust, protesting in response to an incident of sexual harassment of a female student by a staff of that transport company at Kawran Bazar junction. Students, first, captured one bus. They farther captured four more busses when authority paid no headache. However, police sources said that no formal complaint was filed in this incident.¹⁹ A report was prepared following an investigation of gender-based violence in the factories conducted between January 2018 and May 2018 in Bangladesh, Cambodia and Indonesia. Sultana, a former production-line manager in a Wal-Mart supplier factory in Dhaka, shared her experience with sexual harassment and retaliation.²⁰

17 The Nation, 'Festival Of Color Or Harassment?' (*The New Nation*, 2017) <<http://thedailynewnation.com/news/128066/festival-of-color-or-harassment.html>> accessed 24 September 2018.

18 Workplace Sexual Harassment Remains Unreported, Ignored' (*Dhaka Tribune*, 2019) <<https://www.dhakatribune.com/opinion/special/2018/05/21/workplace-sexual-harassment-remains-unreported-ignored>> accessed 1 March 2019

19 NahidRiyasad, 'Stories Of Resistance To Sexual Harassment' (*New Age | The Most Popular Outspoken English Daily in Bangladesh*, 2018) <<http://www.newagebd.net/article/46014/stories-of-resistance-to-sexual-harassment>> accessed 19 September 2018.

20 'Garment Workers Report Sexual Harassment AtWalmart'S Asian Suppliers: Report' (*Bdnews24.com*, 2019) <<https://bdnews24.com/bangladesh/2018/05/30/garment-workers-report-sexual-harassment-at-walmarts-asian-suppliers-report>> accessed 10 July 2019.

The above discussion portrays that, in our society, sexual harassment incidents are happening very often in different places and mainly women are being victimized. Lack of power and self confidence: being socialized in a way to suffer in silence, might be the common causes of such harassment.

METHODOLOGY

With a view to studying the reality, Finkelhor's 'Multi Factor Model' and 'The Feminist Approach' had been combined to serve as the conceptual base of the present study. The theoretical contribution of the study lies on the fact that it portrays a comparative analysis on the legal instruments available for women to deal with this issue and whether the existing instruments are sufficient or not. At the primary level, using questionnaire survey, the study aimed to explore the main causal factors behind incidents of sexual harassments, identifying reporting rate of such incidents and if unreported why these incidents remained unreported. Participants were mostly young university going women and have been selected by using simple random sampling. Participants were mostly from Wari and Lalbag. Age group: 19–24. The present study has been conducted through a questionnaire survey and the results are quite alarming as this survey was conducted through questionnaire, upon 119 respondents from the old portion of Dhaka. All the respondents were mainly young women most likely university going girls. Most of the respondents were from Wari and Lalbag Zone. Simple random sampling method has been used to choose the participants. The subject matter of the survey was a bit conservative issue in terms of our society, especially in Old Dhaka.

RESULTS

There were so many difficulties and limitations while conducting the survey. Despite having many shortcomings and difficulties, the major findings of that survey are, firstly, it indicates that about 53% of the female respondents expressed of being harassed in different spheres of their life. Secondly, more than 60% of the participants did not know about their legal entitlements. And thirdly, more than 80% of the participants did not report or took legal actions against such harassments.

Tables which have contained data about the major findings of our study are given below.

From the Table 1 mentioned data, we could see that among 119 participants, 63 participants have expressed that they have been sexually harassed, which is more than 53% of the total participants. Fifty-three participants denied of being harassed which is almost 47% of the total participants.

From the Table 2 Almost 66% participants didn't know about their legal entitlements or safe guards. They didn't know where to go, where to complain and where they will get protection and assistance. They often feel shy to discuss these matters as well.

Table 3 we can see that almost 83% victims didn't report after they are being harassed.

From the Table 3 above mentioned data, we could see that among 63 victims, 11 participants reported that they have taken legal actions after being victimized, which is around 17% of the total number of victims. Fifty-two victims expressed that they haven't taken any legal actions after being harassed which is almost 83% of the total victims.

Other secondary findings have also come out like by which person they are being abused, whether they have shared their incident with anyone or not, where they are being abused, when the incident/incidents happened, if not reported then why didn't they report it etc. It has been found out that, women, especially young women from old Dhaka,

are at risk of being abused or being harassed sexually at their own homes, communities, workplaces, educational institutions, public transports, and shopping malls and so on. Harassers include but don't limit to: relatives, family-friends, colleagues, employers, educational institutional stuffs, even the guardians, caregivers or house tutors as well. Girls having physical limitations are more vulnerable to such incidents.

Many of the times girls basically knew who their abuser was. Often, it happened to be a person very close to them or someone from their own family.

Girls become the subject of harassment in many ways, but sexual harassment issues are difficult to identify because of the stigma attached in reporting them. In some of the cases, women are being harassed in public transports, place of work, shopping malls, etc. Some of the girls expressed that they are being harassed in their school, by canteen & transport staff at primary level and they can now understand those were harassments not affections. Many of them have faced harassment from their family members as well in their homes which were perceived by them to be the safest of all places. Some of them cannot even understand abuses as such, as sexual, because of an obvious lack of maturity. Thus, they may mistake harassment for affection. So, the chance of sharing such incidents with parents or any authoritative body is really low. Many of them may be able to understand such mistaken affections as harassments at a later age after being adult. But even if they understand it, they may never raise their voice or they do not protest due to many social obstacles. Sometimes they face mental trauma as well because of these matters. The situation is much worse in the old portion of Dhaka. Sometimes because of extreme fear they couldn't share with their family members about their incidents if the abuser is a relative of them and a very close one. Then many a time's parents, if they share, after sharing, blame girls retrospectively by telling them that because of their physical appearance, that abuser got attracted to them. Then it becomes the matter of shame to them. Women in old Dhaka are often experiencing sexual harassment incidents due to lack of knowledge, sharing, fear, patriarchal norms, social restrictions etc and are not reporting which may increase the rate of being victimized as a victim of sexual harassment in recent time.

The families and social structure of living in old Dhaka is much conservative, male dominated. Even in terms of education, the old portion of Dhaka city has less educational participation of both, male and female, than the newer portion of Dhaka. Here, people think that if any incident of sexual harassment got out or if they do report, their social status will be hampered and the girl will be labeled as the victim of sexual harassment. That will ruin the future life of that victim in many ways. That's why, most of the incidents have gone unreported and these lacks in reporting and sharing of incidents are making situation much worse day by day.

Table 1: Female Respondents Expressed of Being Harassed In Different Spheres of their Life

Female Respondents Expressed of Being Harassed In Different Spheres of Their Life		Frequency	%
Valid	Yes	63	53
	No	56	47
	Total	119	100

Table 2: Participants Know About Sexual Harassment Related Legal Entitlements

The Participants Know About Their Legal Entitlements		Frequency	%
Valid	Yes	40	34
	No	79	66
	Total	119	100

Table 3: Victims Reported or Took Legal Actions Against Sexual Harassments

The Victims Reported or Took Legal Actions Against Such Harassments		Frequency	%
Valid	Yes	11	17
	No	52	83
Total		63	100

DISCUSSIONS

Discussions show two sides of the story—on one hand, women are being victimized in different ways of sexual harassments and on the other hand, law enforcement is upsettingly indifferent towards such incidents.²¹ We might often receive many complaints from adult girls about sexual harassment if the surrounding environment were supporting and friendly. Such problems are very common in our society and are mostly overlooked by the concerned majority. A very few cases have been filed in our court premises. In spite of being a very common problem, why is this matter not coming to the door of legal system so often? That is the prime question.

In Bangladesh there are a bunch of laws to wipe out sexual harassment from our society. Dhaka Metropolitan Police Ordinance of 1976 first addressed public sexual harassment, as ‘eve teasing’. This particular law provides locking up for a term which is up to one year, or a fine up to Tk. 2,000, or both. Likewise, the other five metropolitan police departments have similar provisions as well. But having no jurisdiction outside their respective metropolitan areas, these ordinances have made the offence wholly a local and urban one. In our core criminal law which is the Penal Code of 1860, there is no provision regarding such matter but Bangladesh government has enacted a special act named Prevention of Oppression against Women and Children Act 2000 (amended in 2003) which came down heavily on the oppressors of women. According to section-10,

“whoever, to satisfy his sexual urge illegally, touches the sexual organ or any other organ of a woman or a child with any organ of his body or with any substance, his act shall be said to be sexual oppression and he shall be punished with imprisonment for either description which may extend to 10 years but not less than 3 years of rigorous imprisonment and also with fine.

These are the relevant sections and punishments, which is laid down in the Act. According to section 14, it is also stated that,

“any news, information or name & address or any other information regarding any offence under such Act, committed or any legal proceedings where a woman or a child is the victim, shall not be published or presented as the acquaintance of the woman or the child shall be disclosed.”²²

So, we can see from the above information that, according to section 10 of the Act, women are having protections and the punishment for the offenders is quite rigorous. The victims of such harassments will also be liable to get special treatment and their identities must not be disclosed publicly as well. But most of the people are not aware of these protective measures. But more strict laws should be designed to ensure the protection measures easy. These laws aren't sufficient to deal with current situation.

21 Nahid Riyasad, 'Stories Of Resistance To Sexual Harassment' (*New Age | The Most Popular Outspoken English Daily in Bangladesh*, 2018) <<http://www.newagebd.net/article/46014/stories-of-resistance-to-sexual-harassment>> accessed 19 September 2018.

22 Prevention of Oppression against Women and Children Act 2000

Another problem is that, there is no specific and definite definition of the term “Sexual Harassment” in the law. And that’s why it’s very difficult to identify the offences of sexual harassment separately. General people, law enforcement agencies and lawyers often face problems in dealing with such offences as well. In 2008, Bangladesh National Women Lawyers Association (BNWLA) filed a writ petition before the learned High Court Division for evaluating such problems enumerated in our current legal documents in dealing with sexual harassment. The High Court Division, after hearing, issued a judgment giving the government an eleven point directives designed to filling up the legislative vacuum in this regard. In its directive, the HC suggested a detailed definition of sexual harassment, which includes all other existing definitions of non-contact sexually connoting offences. It also integrated the current ways of erotic abuse against women that are common in our present age of modern technology.²³ The emergence and wide use of digital tools have opened up a new dimension of sexual harassment in the cyber world. Now-a-days, women are frequently harassed over the internet / mobile phones etc. Regrettably, there is no comprehensive law effectively dealing with sexual harassment in social media and other digital platforms though cases can be lodged under the Women and Children Repression Prevention Act, 2000, the Information and Communications Technology (ICT) Act, 2006, and the Pornography Control Act, 2012.²⁴

Recently, according to the Guidelines contained in the judgment dated 14.05.2009 of the High Court Division of the Supreme Court of Bangladesh, 2009 in Writ Petition No. 5916 / 2008, it was directed as follows:

In view of the inadequacy of safeguards against sexual abuse and harassment of women at work places and educational institutions whereby noble pledges of our Constitution made in so many articles to build up a society free from gender discrimination and characterized by gender equality are being undermined everyday in every sphere of life, we are inclined to issue certain directives in the form of guidelines as detailed below to be followed and observed at all work places and educational institutions till adequate and effective legislation is made in this field.²⁵

“Sexual Harassment” related definition suggested by the High Court Division, is mentioned below:

Sexual Harassment includes:

- Unwelcome sexually determined behavior (whether directly or by implication) as physical contact and advances;
- Attempts or efforts to establish physical relation having sexual implication by abuse of administrative, authoritative or professional powers;
- Sexually colored verbal representation;
- Demand or request for sexual favors;
- Showing pornography
- Sexually colored remark or gesture;
- Indecent gesture, teasing through abusive language, stalking, joking having sexual implication.
- Insult through letters, telephone calls, cell phone calls, SMS, e-mails, social media, photo, notice, cartoon, writing on chair-table, bench, and notice board, walls of office, factory, classroom and washroom having sexual implication.

23 Naripokkho, 'Exploring The Experiences Of Male Perpetrators Of Violence Against Women In Bangladesh : A Qualitative Study' (Naripokkho 2010).

24 RazidurRahaman, 'Sexual Harassment Against Women | Daily Sun' (*Daily Sun*, 2019) <<https://www.daily-sun.com/printversion/details/232822/2017/06/11/Sexual-Harassment-against-Women>> accessed 7 March 2019.

25 (*Cpd.org.bd*, 2019) <https://www.cpd.org.bd/pub_attach/DR-65.pdf> accessed 4 February 2019

- Taking still or video photographs for the purpose of blackmailing and character assassination;
- Preventing participation in sports, cultural, organizational and academic activities on the ground of sex and/or for the purpose of sexual harassment;
- Making love proposal and exerting pressure or posing threats in case of refusal to love proposal;
- Attempt to establish sexual relation by intimidation, deception or false assurance.

A fore said conduct can be humiliating and may constitute a health and safety problem for the women at workplaces. Such conduct shall be deemed as discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment in various ways or when it creates a hostile environment at workplaces.²⁶ After such judicial interventions, the government of Bangladesh has taken many initiatives to fulfill the directives launched by the High Court Division. Executive Magistrates now have power to take actions under the Mobile Court Act, 2009. The punishment is up to one year or fine is up to taka 5000 or both if any women are being sexually harassed. Government has set up a national help line number where anyone may complain regarding any issue of sexual harassment on women, and the help line number is 10921. In addition, Bangladesh Telecommunication Regulatory Commission (BTRC) has a complaint mechanism on its web site as well which is www.btrc.gov.bd. Also, anyone may ask for assistance by dialing 2872 (BTRC) during office hours or an email can be sent to btrc@btrc.gov.bd or through post to IEB Bhaban, Ramna, Dhaka-1000.²⁷

Most of our young girls face such problems at different stages of their life, some face such incidents at early stages of their life as well when they cannot differentiate between harassment and otherwise they face such problems in places which used to be safe-zones for them like educational institutions, homes or relatives home. Often they share these incidents with their parents or they just feel very shy to share these matters. And even parents, after hearing the matter, never come to the court premises to solve anything because in our society, most people treat such problems as insignificant and do not want to go further with these issues. They also think that their family and social ties will be adversely affected. They consider such problems as a blemish for their child and remain silent. They think if they raise their voice then she will be exposed as well as their family and the society will always stigmatize her. And hence the girl will suffer socially.

CONCLUSIONS

It is the responsibility of the family to up bring their children in a way that makes them understand the concept of sexual harassment and its consequences. We need to raise awareness among parents and family members in the old portion of Dhaka city as they are very much conservative in nature because they are the ones who should address such problems right at the beginning. If children face any problems regarding any matter of sexual harassment, they should share it with their parents. Because it has been observed that sometimes, women didn't get assistance or help from their family members rather family members often blame the victim for getting into such mess. So, the parents need to be free and frank and also need to know about the proper protective measures which are available to ensure protection and justice for young women in old Dhaka regarding sexual harassment. Teachers of different educational

26 (Blast.org.bd, 2019) <<https://www.blast.org.bd/content/policy/Sexual-Harassment-Policy-BLAST-eng.pdf>> accessed 18 February 2019.

27 RazidurRahaman, 'Sexual Harassment Against Women | Daily Sun' (Daily Sun, 2019) <<https://www.daily-sun.com/printversion/details/232822/2017/06/11/Sexual-Harassment-against-Women>> accessed 7 March 2019.

institutions from old portion of the Dhaka city need to be more careful and supportive towards their students so that they may share and seek assistance if female students face any incidents of sexual harassment. So, to deal with this alarming issue, each and every educational as well as other institution should have a particular sexual harassment monitoring cell or group of staffs to deal with such matters. Every educational institutions as well as police stations should have a specialist, psychiatrist or counselor who can arrange weekly sessions with the victims to know their traumas and establish a friendly connection to identify these matters easily. A legal memorandum can be there for every institution in which the guidelines regarding behavior of the staffs will be laid down and if any complain arises then the accused one shall be suspended immediately and such matter will be investigated thoroughly. They need to report the matter to the committee and police station as well. The Ministry of Women and Children Affairs must deal with the matter with full focus and arrange many workshops or campaigns to raise awareness among people. The government should advertise the available strict laws not only to draw awareness among people but also to restrict the victimization process. The government has the responsibility to make the citizens aware about sexual violence. They may take initiatives to advertise in electronic and print media about the activities or conducts which constitutes an offence of sexual violence, so that the mass people, especially the women know about this offence and its consequences. The circulation by the government may also be effective to restrain the perpetrators to commit such sexual offences. This, building awareness, can play effective and restrictive role to combat sexual violence. And finally, a social consensus must be created so that socially the victims of sexual harassment in old Dhaka, especially young women, get their protections and an environment must be created wherein they are no longer afraid to come to the court premises to file a case or take legal opinion of a lawyer of their choice. So this, definitely is quite a grave national issue that needs to be taken care of with top most significance and priority. But as known to all, to cure any problem, it is necessary to intervene deeply on case to case basis and based on findings; take action to draw a sustainable solution accordingly. And to address such a burning issue like sexual harassment on young women in old Dhaka, we are in need of identifying alleged cases, measure authenticity and take sustainable corrective actions accordingly.

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