

**Background paper on Good Practices and
Priorities to Combat Sexual Abuse and
Exploitation of Children in Bangladesh**

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¹ The ‘Core Group’ was constituted in February 2001 under the leadership of the Ministry of Women and Children Affairs, with UNICEF Bangladesh serving as secretariat. Its main objective was to assist the Government of Bangladesh to fulfil the obligations made at the 1st World Congress against Commercial Sexual Exploitation of Children, in particular, the development of a National Plan of Action (NPA) to combat sexual exploitation. Of particular note, the members of the Core Group decided that the forthcoming NPA would aim to combat both commercial sexual exploitation (including trafficking) and non-commercial sexual abuse of children.

2. Executive Summary

From the review of secondary information and interviews, it appears that the shame and stigma of sexual abuse and the tendency to blame both the child victims and survivors rather than bring the perpetrator to justice leads to silence and cover-up. This presents a serious obstacle to protecting the rights of children and combating the problem of child sexual abuse and exploitation.

In Bangladesh, as is the case across South Asia, sexual abuse and exploitation are amongst the most prevalent types of violence that affect girls throughout her childhood and adolescence. In contravention of the law, early marriage of girls continues to be prevalent in many parts of Bangladesh and this too can be seen as a form of child sexual abuse. While less has been documented about the vulnerability of boys to sexual abuse and exploitation and its impact on their development, feedback from consultations held with boys and anecdotal evidence reveals that they too suffer in silence.

Girls and boys with disabilities, in institutions outside parental care and refugee children (especially girls) are at risk of sexual abuse and exploitation. Boys and especially girls are at risk of sexual abuse and exploitation in the workplace from both employers and co-workers. Girls are also at risk while travelling to and from work. Those boys and girls 'on the street' who have no parent or guardian to return to at night and who must fend for themselves are at greatest risk of both sexual abuse and exploitation by clients, *mastans* (musclemen), police and others.

Despite laws and practices ostensibly meant to prevent the entry of girls into brothel-based prostitution, research shows that the average age of entry to prostitution is during adolescence. Bonded girls bought from outside, called *chukris*, are amongst the most exploited of all the prostitutes. Girls and boys who grow up in the brothel environment appear to be at risk of sexual abuse from their mothers' clients, police, *mastans*, and older sex workers (particularly for boys). Like their mothers, the children also face significant discrimination from the wider community and are rarely permitted to integrate with other children.

Children (especially adolescent girls) may, in fact, be willing and active participants in their own trafficking because they are going with someone who has promised them a better job, marriage and/or life either inside Bangladesh or in another country. It is only at the end of the process that they will find out if they have been trafficked or not. As it is profitable, many have a vested interest in keeping 'trafficking' in existence. This is one of the key obstacles to eliminating trafficking.

In spite of the enormous challenges to combat sexual abuse and exploitation, there are a number of 'good practices' seeking to combat these violations. Among the most innovative and rights-based are those which directly involve children. For example, child drama and theatre groups and adolescent girls' and boys' groups are a participatory and integrated approach to impart awareness and knowledge to other children about their rights, including an awareness of sexual abuse and exploitation. As a group, children

have demonstrated themselves capable of challenging the status quo and protecting their rights and those of their peers. The development of children as peer educators is another worthy intervention: not only do they appear to lead to the development of their communication and leadership skills, but also they are treated with respect by their peers and adults, and become more self-confident and assertive.

Other good practices include creating safe havens for children who are being and/or who are at risk of sexual abuse and exploitation; efforts to promote alternative means of livelihood for sexually exploited children; stopping the cycle of sexual exploitation for girls of sex workers, and; the provision of technical support to service providers for developing skills in psycho-social care, including counselling. In addition, efforts to improve community vigilance to prevent trafficking; working with law enforcement to improve their investigation techniques and efficiency in the quick dispensation of cases (albeit this is more recent); the use of new technology to improve coordination and collaboration among NGOs and government interventions, and; efforts to combat societal discrimination and non-acceptance of sexually abused and/or exploited children are noted as good practices.

With regard to recovery and reintegration, regrettably there are fewer good practices. The greatest obstacle is addressing societal ostracism and blame directed towards the child victim and in this respect, more is known about the challenges of recovering and reintegrating girls and boys in families and communities than success stories.

In conclusion, one notes among the greatest challenges to combating sexual abuse and exploitation of children is creating greater awareness among children and their parents, service providers, and policy makers at the national level. While much research has already been done, there are critical gaps where more in-depth study and analysis is required, notably; the link between sexual abuse and exploitation, and the relationship between insecure working and living conditions and sexual abuse and exploitation (this is particularly aimed at girls and adolescent girls working in the garment industry and domestic service), the profile of the perpetrator of child sexual abuse and exploitation, and; the vulnerability of children of ethnic and religious minorities.

Overall, most research lacks gender sensitivity and in many cases very little is known about the impact child sexual abuse and exploitation has on boys and its impact on girls. More focus on the construction of masculinity is also required and this should include a close examination of parenting practices, particularly those that are discriminatory and place children in a position of vulnerability or exposure to sexual abuse and exploitation.

There is a need for greater coordination and collaboration among implementing organisations and donors. Of note, this weakness has been identified in efforts to combat trafficking and efforts are currently underway to address this critical gap. In addition, the participatory approach to developing the National Plan of Action against Sexual Abuse and Exploitation of Children, including Trafficking, involving consultations with children and with active involvement of national and international NGOs provides grounds for

optimism that future efforts to combat child sexual abuse and exploitation in Bangladesh will be addressed through a more holistic and coordinated framework.

3. Background and Introduction

Between 17 and 20 December 2001, the 2nd World Congress against Commercial Sexual Exploitation of Children² will take place in Yokohama, Japan. As contained in event circulars, the purpose of the 2nd World Congress is “to review strengths and obstacles, and to monitor progress and other developments needing further actions.”

As part of preliminary activities leading up to the 2nd World Congress, the Government of Bangladesh and the UNICEF Regional Office for South Asia (ROSA) hosted a ‘South Asia Consultation for the Second World Congress against Commercial Sexual Exploitation of Children’ from 4-6 November 2001 in Dhaka, Bangladesh to assess how countries have implemented the Stockholm Declaration and Agenda for Action from the 1st World Congress held in August 1996; to identify major obstacles and challenges in combating commercial child sexual exploitation and generate suggestions for overcoming them. In preparation for that meeting, each country in the region was requested to compile and exchange examples of good practices.

According to the Terms of Reference for the study, *Good Practices and Priorities in Combating Sexual Abuse and Exploitation of Children in Bangladesh*, the researcher was required to conduct an assessment of selected government, NGO, INGO, and UN agencies’ interventions aimed at combating both non-commercial sexual abuse and commercial sexual exploitation of children. The study aims to provide an overview and analysis of the problem of sexual exploitation and abuse of children from existing studies, documents and reports and interviews with administrators and staff of organisations working in this area. The researcher was requested to identify and explain criteria for identifying ‘good practices’ that is consistent with the United Nations *Convention on the Rights of the Child (CRC)*, the Stockholm Declaration and Agenda for Action of the 1st World Congress against Commercial Sexual Exploitation of Children (1996), and other relevant international human rights standards, including ILO Convention No. 182 *Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*.

A first draft was prepared and circulated to selected individuals and organisations on 30 June 2001. Feedback from the consultations held with nine groups of children² in July and August 2001 have subsequently been incorporated along with comments and additional information gleaned after 30 June 2001. The report has been used to contribute to the formulation of the *National Plan of Action to Combat Sexual Abuse and Exploitation of Children, including Trafficking*.

² The groups of children included separate sessions with girls and boys engaged in street-based prostitution, girls in the shelter home, girls and boys living in the brothel, girls in the safe home, girls engaged in brothel-based prostitution, and boys and girls in Tangail. Refer to the *Report on Findings from Consultations with Children on Sexual Abuse and Exploitation (2001)* by Rachel Kabir for more information, including detailed information about the methodology and ethics of undertaking consultations with children.

4. Limitations of the Paper

As detailed in the attached Terms of Reference for the assignment, the report is based on existing materials from a literature review and interviews and discussions with key individuals working in the area of sexual abuse and exploitation of children undertaken from 1-30 June 2001. The report was finalised after incorporating comments on the first draft and additional information gleaned since that time. While the researcher attempted to scan and incorporate as much relevant information dated from 1996 onwards, it is likely that some reports have not been included. As many of the studies have used a relatively small sample size and/or were carried out over a short period of time, it was difficult to present a national assessment and analysis of the situation. While every effort was made to use reliable sources, the researcher was unable to cross-check the findings. It is difficult to compare the findings from studies with each other because different methodologies were used to gather information.

Overall, less information was found about the experiences of boys with respect to their vulnerability to child sexual abuse and exploitation and how it affects their development. This could be because it is assumed that girls are more at risk of sexual abuse and exploitation than boys. However, consultations held with boys challenge this assumption. While gathering information for this report, the researcher learned about some current research taking place for which the final findings were not yet available. For the above reasons, the researcher therefore invites and strongly encourages those working on, and interested in the issue of child sexual abuse and exploitation to read in detail the studies and findings cited in this report and those forthcoming reports.

Chapter 1. Definition of terminology used

At the outset, it is important to define and explain the terminology used in the following report, in particular, what is meant by ‘child’, ‘trafficking’, ‘child pornography,’ ‘sale of children’, ‘sexual abuse’ and ‘sexual exploitation’. The terms of reference for the study state clearly that a human rights-based approach that adheres to the international standards set by the *Convention on the Rights of the Child* (CRC), 1990, the Stockholm Declaration and Agenda for Action, 1996, and other relevant international human rights standards is required.

Nevertheless, it is widely recognised and acknowledged that there still exists lack of clarity, understanding and acceptance of some of the terms and definitions, particularly those regarding ‘child,’ ‘trafficking,’ ‘sexual abuse’ and ‘sexual exploitation’ of children, even amongst those defined in international human rights standards. This is in part because societies construct meanings according to their own norms and practices.

To illustrate the complexity, yet significance of language, the following definitions and a highlight of some of the main concerns and weaknesses associated with those used in this report are presented below.

Understanding and Conceptualisation of ‘child’ and children’s rights

A ‘child’, for purposes of the study, is any human being below the age of 18 years. This is clearly stated in Article 1 of the *Convention on the Rights of the Child*, and its two Optional Protocols. While the CRC remains the most widely ratified human rights instrument to date, it is interesting that in many societies the upper age of childhood, marking entrance to adulthood, is much lower. This is also the situation in Bangladesh.³ In Bangladesh the narrower definition of childhood (up to 14 or 16 years of age depending on the law), combined with gender discrimination has a negative impact on the female child, particularly when she reaches puberty and is more likely to become vulnerable to sexual abuse and exploitation.⁴ It should be noted that most adolescents are

³ According to the Nari O Shishu Nirjaton Domon Act, 2000 (an unofficial English translation is attached in Annex 1), a child is defined as any person under 14 year of age, whereas the Children’s Act, 1974 defines a child as anyone under 16 years of age. Moreover, socially and culturally, upon reaching puberty most girls are viewed as women.

⁴ Anthropologist Therese Blanchet, in her 1996 study of childhood in Bangladesh, explains that the word *shishu*, the Bangla word used to describe ‘child’ is understood differently from that defined in the CRC.⁴ As she presents in her study, *shishu* is understood to mean ‘small child’ and the term *shishu adhikar*, literally translated into ‘children’s rights’, is more widely understood to mean small children’s needs and evokes an emotional and apolitical response towards young children. As Blanchet points out, this denies older children, those who are most often burdened with heavy responsibilities and workloads, girls who reach puberty and who are at risk of early marriage, and others, their rights as a child, especially protection from such violations of their rights. Another concern about the term *shishu* is that it does not recognise the critical issue of gender, rather “it describes a life-stage where boys and girls effectively mix and play freely together. But this is a phase which does not last long in a society which is marked by an ethos of *pardah*.” (see: Therese Blanchet, *Lost Innocence, Stolen Childhoods* (Dhaka: University Press Limited, 1996), p.38-39.)

also children (according to UNICEF and WHO definitions an adolescent is between 10 and 19 years of age).

Sexual Abuse

There is a tendency to use the terms ‘sexual abuse’ and ‘sexual exploitation’ interchangeably, which can lead to confusion. For purposes of this report, the United Nations definition (provided below) shall be used:

Sexual abuse of children can be defined as contacts or interactions between a child and an older or more knowledgeable child or adult (a stranger, sibling or person in a position of authority, such as a parent or caretaker) when the child is being used as an object of gratification for an older child’s or adult’s sexual needs. These contacts or interactions are carried out against the child using force, trickery, bribes, threats or pressure. Sexual abuse can be physical, verbal or emotional and includes: touching and fondling of the sexual portions of the child’s body (genitals and anus) or touching the breasts of pubescent females, or the child’s touching the sexual portions of a partner’s body;

Sexual kissing;

Penetration, which includes penile, digital, and object penetration of the vagina, mouth or anus;

Exposing children to adult sexual activity or pornographic movies and photographs;

Making lewd comments about the child’s body;

Moreover, researcher Dr Sajeda Amin has found that for many girls, the search for a husband starts around the onset of menstruation and may result in marriage before menarche. (See: Dr Sajeda Amin, ‘Female Education and Fertility in Bangladesh: The Influence of Marriage and the Family’ in Jeffery, Roger and Basu, Alaka M (eds.) ‘*Girls Schooling, Women’s Autonomy and Fertility Change in South Asia*’ (New Delhi: Sage Publications, 1996) pp.184-204). “When the adolescent girl reaches puberty, which could be as early as 10 years of age, a drastic change takes place in the girl’s life: whereas she may have previously freely mixed and played with boys, she now is likely to be restricted to her home, forced to wear a conservative *salwar kameez* and even be withdrawn from school (the latter practice is fortunately changing). She is often no longer viewed as a child, but as a woman and moves straight into marriage even though she is unprepared, both psychologically and physically.”

As Rachel Kabir notes in the UNICEF report, *The Situation of Adolescent Girls in Bangladesh*, there is a large age gap between married women and girls and their husbands, between 7 and 9 years according to different surveys. This difference in ages and unequal power relations between the husband and wife puts the girl at greater risk of sexual abuse and exploitation because she is unlikely to be able to choose when and if she wants sex. (See: Rachel Kabir, *The Situation of Adolescent Girls in Bangladesh* (Dhaka: UNICEF, 1999), p.10).

Having children pose, undress or perform in a sexual fashion on film or in person (exhibitionism);

‘Peeping’ into bathrooms or bedrooms to spy on a child (voyeurism).⁵

UNICEF, the World Health Organisation (WHO) and Save the Children also have definitions for ‘sexual abuse’, however, the United Nations definition appears to be the most comprehensive, incorporating all the elements of the other definitions.⁶ What is

⁵ Focal Point against Sexual Exploitation of Children ‘Definitions on child sexual abuse and related terms’ (<http://www.focalpointngo.org/ngonews/defiChildAbuse.htm>).

⁶ According to Save the Children, ‘sexual abuse and exploitation’ is

the imposition of sexually inappropriate acts, or acts with sexual overtones by one or more persons, who derive authority through ongoing emotional or professional bonding with that child or who have a commercial or other interest in the child. (Source: Turid Heiberg, *Commodities in stigma and shame: an international overview of Save the Children’s work against Child Sexual Abuse and Exploitation* (Save the Children, 2001).

UNICEF provides a separate definition for ‘child sexual abuse’:

[c]hild sexual abuse is the involvement of a child in a sexual activity to which he or she is unable to give informed consent (and may not fully comprehend), or for which the child is not developmentally prepared and cannot give consent, or which violates the laws and taboos of society... The perpetrators are an adolescent or adult who by age or development is in a relationship of responsibility or power to the child. (Source: www.unicef.org/programme/protection/traf.htm 28 May 2001.

UNICEF’s Innocenti Research Centre, adds the following to the above definition:

The definition of sexual abuse of children in many societies covers any sexual activity with someone who is not legally competent to give consent, or has refused consent. Thus, a charge of sexual abuse would apply even in cases when a person below the age of consent appears a willing or even an initiating partner. The definition of criminal activities also includes sexual activities at any age with close adult family members – incest. The justification for these protective measures comes from the growing body of evidence that such activity can cause both physical injury to still-developing bodies and serious psychological damage. (Source: Innocenti Digest, No.2; 9/1997 in Focal Point against Sexual Exploitation of Children, ‘Definitions on child sexual abuse and related terms’ (<http://www.focalpointngo.org/ngonews/defiChildAbuse.htm>).

The WHO definition of child sexual abuse is similar to that of UNICEF’s and is as follows:

Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos or society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended is to gratify or satisfy the needs of the other person. This may include but is not limited to:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity.
- (b) The exploitative use of child in prostitution or other unlawful sexual practices.

explicit in the above definition is that sexual abuse and exploitation is not limited to penetrative sex (vaginal or anal), but rather also includes lewd comments, touching and kissing.⁷

Children involved in armed conflicts, in refugee camps and/or separated from the parents are vulnerable to sexual abuse. As 'sexual abuse' is understood, no commercial transaction takes place.

Sexual exploitation

According to the UNICEF definition,

sexual abuse becomes sexual exploitation when a second party benefits – through a profit or through a quid pro quo – through sexual activity involving a child. This can include prostitution and child pornography.¹

With regard to child 'sexual exploitation,' the child knows the organisers (for example, the madams or pimps), but the 'customers' are often (at least in the beginning) strangers.⁸ Sexual exploitation is globally understood to include the following: trafficking in children for purposes of sexual exploitation, child sex tourism, distribution of pornographic material featuring children, sexual abuse rings, the exploitative use of a child in prostitution or other unlawful sexual practices.⁹

Trafficking

The most encompassing (and most recent) definition of 'trafficking' is that contained in the United Nations *Convention against Transnational Organised Crime* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (adopted by the General Assembly in November 2000). As noted in the definition below, fraud and deception, for example, the promise of false and/or secure jobs, constitutes 'trafficking'

As defined in Article 3 of the Optional Protocol which was opened for signature in December 2000,

(c) The exploitative use of children in pornographic performances and materials.
(Source: Report on the consultation on child abuse prevention, WHO, Geneva 1999).

⁷ In Bangladesh, the NGOs Breaking the Silence and INCIDIN Bangladesh likewise include caressing, fondling and kissing, genital manipulation and full penetrative sex in their definitions of child sexual abuse. Source: Breaking the Silence, *Non-Commercial Sexual Abuse of Children in Bangladesh* (Dhaka: Breaking the Silence Group, March 1997), p. 11 and also cited in INCIDIN Bangladesh, *Misplaced Childhood: A Short Study on the Street Child Prostitutes in Dhaka City* (Dhaka, INCIDIN, with the support of Red Barnet, September 1997) p.24.

⁸ Turid Heiberg, *Commodities in stigma and shame: an international overview of Save the Children's work against Child Sexual Abuse and Exploitation* (Save the Children, 2001) p.13.

⁹ INCIDIN (1997), p. 13.

For the purposes of this Protocol:

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.¹⁰

This is the first universally accepted definition of trafficking in persons and is a complement to the CRC. It is this definition of ‘trafficking’ which is to be understood in the context of this paper.

Sale of children, child prostitution and child pornography

Two of the most recent international human rights instruments to protect and promote the rights of the child, particularly with regard to sexual exploitation are the *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography* which was adopted in May 2000¹¹ and ILO *Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour* (No. 182) and its accompanying *Recommendation on the Worst Forms of Child Labour* (No. 190) which was adopted in June 1999.

Bangladesh was among the first countries to sign and ratify the Optional Protocol last September 2000 which will become legally binding on 18 January 2002. Bangladesh ratified ILO Convention No. 182 in March 2001.

As defined under Article 2 of the *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*:

For the purposes of the present Protocol:

¹⁰ Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime.

¹¹ United Nations General Assembly Resolution A/RES/54/263 of 25 May 2000.

- (a) **Sale of children** means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration; **[my emphasis]**
- (b) **Child prostitution** means the use of a child in sexual activities for remuneration or any other form of consideration; **[my emphasis]**
- (c) **Child pornography** means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes **[my emphasis]**.¹²

According to Article 3 of ILO Convention No. 182,

For the purposes of this Convention, the term ‘the worst forms of child labour’ comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

As noted above in ILO Convention No. 182, although ‘trafficking’ is not defined, it is considered similar to slavery and within the definition of the ‘worst forms of child labour.’

Chapter 2. Situation Assessment and Analysis

The following section seeks to create a picture of the situation and extent of sexual abuse and exploitation in Bangladesh. It has been compiled and is further analysed from reports and documents (published and non-published) on sexual abuse and exploitation of children in Bangladesh and conversations with government officials, NGO and INGO workers in these areas, UN officials, medical doctors, activists and others.

Sexual abuse and its commercial manifestation, sexual exploitation of children, occurs worldwide and in a variety of settings, including the family, home, school, and workplace. Although for socio-cultural reasons the recognition may not be forthcoming, (particularly in the area of sexual abuse where less is known) there is no doubt that it exists everywhere.

¹² Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (General Assembly Resolution A/RES/54/263 of 25 May 2000 (www.unhcr.ch)).

In Bangladesh, there is a low societal recognition and acceptance, even by children, that they are holders of rights and that their voices must be heard. This suggests that they may not speak out when such violations are occurring. The shame and stigma of sexual abuse and the tendency to blame the victim and survivor rather than the perpetrator leads to silence and cover-up.

The difficulty of accessing justice is a further impediment to victims of sexual abuse and exploitation. According to a 1996 survey of 2,500 rural and urban households conducted by Transparency International's Bangladesh chapter, more than 96% of respondents said they could not get help from the police without money or influence and 89% said that quick and just settlement from the courts was impossible without bribes and influence.¹³

For the above reasons, it is rare that parents will support their children to report such violations and seek prosecution of the offender. Rather, the victim her or himself may be blamed and cast out from the family. The perpetrator is also likely to put pressure on the victim and his/her family to withdraw a case in the rare case that it is filed.

The bulk of research indicates that it is girls who experience greater mental trauma and stigma than boys after they have been sexually abused and/or exploited, however, anecdotal evidence from consultations with boys suggests that they too experience a feeling of having been 'noshto' or 'spoiled'.¹⁴ There is a need for more gender-sensitive work in this area.

Demography

According to the preliminary report of the Population Census 2001, the population (adjusted) is 129.2 million.¹⁵ In 1996, there were approximately 59.7 million children and adolescents up to 19 years of age, with 13.4 million boys and 13 million girls between the ages 10 and 19 years.¹⁶ The population is overwhelmingly rural, with over 76% of the population living in a rural setting.¹⁷

However, this situation is changing rapidly: between 1980 and 1995, the proportion of the urban population in the total population of Bangladesh nearly doubled from 11 to 18% (with an annual average growth rate of 5.6%, the highest of South Asia).¹⁸ In 1995, the urban population was estimated to be 26.2 million and by 1998 had already reached

¹³ Cited in The World Bank, *Corruption in Bangladesh: Costs and Cures* (Dhaka: World Bank, Draft of 20 March 2000) p.8.

¹⁴ Discussion with Rachel Kabir regarding consultations held with children in July and August 2001, 24 September 2001, Dhaka.

¹⁵ BBS, *Population Census 2001 Preliminary Report* (Dhaka: BBS, August 2001).

¹⁶ BBS, *Statistical Pocketbook of Bangladesh 1999* (Dhaka: BBS, November 2000), Table 3.07, Numerical and Percentage Distribution of the Population of 1996 by age, sex and residence (projected).

¹⁷ BBS, *Population Census 2001 Preliminary Report* (Dhaka: BBS, August 2001).

¹⁸ Rita Asfar, *Rural-Urban Migration in Bangladesh Causes, Consequences and Challenges* (Dhaka: University Press Limited, 2000) p.22.

approximately 30 million (an increase of 4.8%).¹⁹ Approximately 5/6 of working children live in rural areas, but as the rate of urbanisation increases, it is expected that so too will the proportion of urban working children.²⁰

Sexual abuse of children

In Bangladesh, Breaking the Silence, in its 1997 report, *Non-Commercial Sexual Abuse of Children in Bangladesh* initiated a process to address an issue that largely goes unrecognised and even denied. Group members, meeting with the researcher, explained that before the report came out, many people refused to accept that non-commercial sexual abuse of children was taking place in Bangladesh and/or preferred to remain silent.²¹

According to the World Health Organisation (WHO), studies conducted in 19 countries have reported sexual abuse prevalence rates ranging from 7-34% among girls and 3-29% among boys.²² Breaking the Silence members said it is impossible to share a statistic on the extent of child sexual abuse in Bangladesh. However, they did say that they have found more girls are being abused than boys. During the consultations held with children, one girl when asked for her opinion about girls' risk to sexual abuse had this response: "3/3 girls in Bangladesh are sexually abused."²³ Boys, in contrast, replied that 1/20 boys are sexually abused.²⁴

Of 50 case studies of sexually abused children equally from urban and rural areas, literate and illiterate, Breaking the Silence found that principal perpetrators to be family members and friends of the family. A teacher and a tutor were identified as abusers as well. The study found that girls and boys between 10 and 14 years are equally vulnerable to abuse, however, in most cases boys become 'safe' when they are physically strong enough to defend themselves. Girls, in contrast, remain vulnerable and are especially at risk when they reach puberty and their bodies start becoming sexually mature. When boys and girls involved in the child consultations were asked what age they believed children are most at risk of sexual abuse they replied 6-10 years, and said close relatives were main perpetrators.²⁵ They explained that younger children do not understand the risk and danger, whereas they understand the dangers as they get older.²⁶ They said "girls aged 11-17 are vulnerable as a result of their romantic involvement with boys."²⁷

¹⁹ BBS, *Report of the Urban Poverty Monitoring Survey April 1998*, 2000.

²⁰ BBS, *Child Labour Survey 1995-1996*.

²¹ Discussion between Roxana Sultana, Member Secretary, Sadeka Islam, Social Counsellor and Abul Khaer, Coordinator, Breaking the Silence and researcher, Breaking the Silence, 14 June 2001.

²² WHO, 'WHO recognises child abuse as a major public health problem,' Press Release WHO/20 8 April 1999 (www.who.int/inf-pr-1999/en/pr99-20.html). The WHO definition of child sexual abuse is similar to that of UNICEF's (refer to section on terminology).

²³ Discussion with Rachel Kabir, Dhaka 23 September 2001 based on her findings from holding consultations with boys and girls in July and August 2001.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

Boys said they are less at risk of sexual abuse the older they become.²⁸ This is because they are physically strong enough to resist.

In one case in the Breaking the Silence report, a boy was raped by a distant relative when taking his family's cows out for grazing (his main household job).²⁹ Upon returning home, he told his mother that he would no longer take the cattle out for grazing and when his mother asked why, he told her what had happened. Later that evening, she told his father. They confronted the abuser and demanded an apology. Although the parents decided not to complain to the village elders, it was the only case amongst the 50 studies where the abused child fought back. By threatening not to do his work, his parents took some action.

What Breaking the Silence found from all its case studies is that boys seem to experience less stigma than girls who are quickly labelled '*noshto mae*' or '*noshto meye*'³⁰ ('spoiled' girl). The experience affects her family as well: not only will the girl have a difficult time finding a husband, but her sisters as well.³¹ Overall, it is also more difficult to keep any such incident of sexual abuse in a rural setting out of the public domain. Girls consulted about child sexual abuse said that a girl who has been sexually abused may get married but the dowry price will be higher for her and her husband will "taunt her about the experience" and hold that against her.³²

The Breaking the Silence social counsellor suspects that when some of the women say sexual abuse is happening to other people's children they are often talking about their own. If child sexual abuse is suspected, the mothers are encouraged to take their children to the Child Development Centre at the Shishu Hospital, Dhaka for counselling and follow-up. Monwara Parveen, Child Psychologist at the Child Development Centre said that NGOs also refer suspected child sexual abuse cases to them for investigation and counselling.³³

One frustration and key obstacle shared by Breaking the Silence members and Monwara Parveen is that mothers fear the stigma if family members and friends come to know and therefore are likely to keep any such suspicions hidden. The members said they knew of no cases of sexual abuse being tried in the courts because no one wants to reveal it is

²⁸ Ibid.

²⁹ Breaking the Silence, *Non-Commercial Sexual Abuse of Children in Bangladesh* (Dhaka: Breaking the Silence Group, March 1997), case study, rural boy 6, p.33-34.

³⁰ As explained in the Breaking the Silence report, '*noshto mae*' or '*noshto meye*' means 'spoiled' girl. 'The implication are [sic] that she has behaved in such a way pertaining to sex that she has to be ostracized. A girl who has had a sexual encounter only once would be liable to be called a *noshto meye*, if it becomes public, just as much as a commercial sex worker would be. So *noshto meye* would mean a girl/woman who has stepped out of the acceptable line of socio-sexual behaviour. There is no synonym for boys/men in the language to mean the same as '*noshto meye*'. p.73.

³¹ Ibid, p.5.

³² Discussion with Rachel Kabir on findings from consultations held with children in July and August 2001, 23 September 2001.

³³ Discussion with Monwara Parveen, Child Psychologist, Child Development Centre, Shishu Hospital, 24 June 2001, Dhaka.

happening and family members would prefer to solve the problem within their own home. It is also likely that they have little faith in the justice system.

Sadeka Islam shared one exceptional case with the researcher:

Some time ago, one mid-wife who came from North West Bangladesh to attend a training at the Radda Clinic shared a case with the social counsellor. Two girl cousins, aged 4.5 and 5 years were abused by the 22-25 year-old son of a prominent social leader. They died within two weeks of each other from injuries caused by rape. A group of women members from Proshika, a large NGO, came to learn of the case and went to the Union Parishad Chairman to raise this issue with him. The Chairman listened to the women, took them seriously and went to the police. The young man was arrested and is still in jail.

Source: Discussion with Sadeka Islam, Social Counsellor, Breaking the Silence, Mohammadpur, Dhaka, 14 June 2001.

Sadeka Islam explained that if a group raises their voice in protest then it is possible to get justice, otherwise it is not likely. However, as mentioned, in most cases, the children and their families tend to hide what has happened.

In a recent study on the state of children's rights in Bangladesh, the Shishu Adhikar Sangjog wrote the following with regard to child sexual abuse:

Bangladeshi culture sees children as largely passive, to be regulated and controlled by the adults around them. The understanding and awareness of child rights is almost non-existent, among wider society. Corporal punishment is widely practiced and accepted, and adult power over children is absolute. This fact, in combination with social mores which emphasise the need to cover up any source of "shame" e.g. sexual abuse, mean that children who are caught in situations of physical or mental abuse will be coerced into silence by not only the abusing adults, but also those who are supposed to be their protectors e.g. parents. As incidents that might involve public condemnation have an impact on other family members as well as the victim, it increases the pressure to cover up such violations. In most cases, the abusers are known to adults, not strangers, and this heightens the sense of guilt, shame, betrayal and trauma experienced by their victims. In cases of incest or rape by family members, this is probably at its worst. Finally, while children of both sexes are victims of molestation, the frequency with which girls are found to be victims indicates their greater vulnerability to such predatory adults.³⁴

³⁴ Shishu Adhikar Sangjog, *Child Rights: Reality and Challenges* (Dhaka: The British Council, 2001), p.12.

Early marriage

The stigma and shame associated with sex outside marriage is a significant reason why girls are married young. It is ironic that in a culture which places less values on females, a family's honour is closely linked to their daughter's chastity and should that be violated outside marriage, shame and stigma forces the girl out of her home. As mentioned above, the label *noshito meye* is often given to the girl who was sexually abused; it is also a common term for a prostitute.³⁵

The onset of puberty is particularly a dangerous period for girls. It is widely accepted that when she reaches puberty (sometimes as young as 10 years of age), she is no longer a child, but a 'woman' and can therefore be married. As they are no longer viewed as children, they are denied the protection of childhood: not only are they at risk of early marriage, but also they are at greater risk of sexual violence, both sexual abuse and exploitation. UNICEF Senior Advisor, Ruth Finney Hayward, in her study on violence against girls and women in South Asia, found that sexual abuse and exploitation are amongst the most prevalent types of violence that affect the girl through her childhood and adolescence.³⁶

The Child Marriage Restraint Act, 1929, provides 18 years as the minimum age for girls and 21 for men, however, girls in Bangladesh continue to get married at a very young age. According to the 1996/97 *Bangladesh Demographic and Health Survey (BDHS)*, by the age of 19 years, more than half of adolescent girls are married.³⁷ The 1991 Bangladesh Bureau of Statistics (BBS) figures report similar findings.³⁸ Moreover, BDHS found that by the age of 19, as many as 58% of girls had begun childbearing.³⁹

As mentioned above, the generally low recognition that an adolescent girl is still a 'child' contributes to the persistence of early marriage. Moreover, parents do not clearly understand the impact of early marriage on their daughter. An absence of universal birth registration also contributes to the acceptance of false statements of age for marriage registration.

Widespread lack of awareness about the protective function of registering one's marriage means that many women and child brides are "hoodwinked into sexual relationships with men whom they have thought to have married, only to be discarded by the latter on the denial that any marriage has taken place."⁴⁰ According to case studies of girls who end up engaged in prostitution, a substantial number have been married only to discover soon after that they have been deceived and that their husband has sold them for sexual exploitation.

³⁵ see also Blanchet (1996), p.255.

³⁶ Ruth Finney Hayward, *Breaking the Earthenware Jar* (Kathmandu: UNICEF, 2000), p.7.

³⁷ BDHS 1996, p.10.

³⁸ BBS (November 2000), Table 3.08. According to BBS, 3% of 10-14 year-old girls and 49.6% of 15-19 year-old girls and adolescents are currently married.

³⁹ BDHS 1996, p.10.

⁴⁰ Saira Rahman Khan, *The Socio-Legal Status of Bangali Women in Bangladesh* (Dhaka: University Press Limited, 2001), p.84.

As Rachel Kabir points out in her report on adolescent girls in Bangladesh, the significant age difference between husbands and wives, which averages from 7 years (BBS, 1998) to 9 years (Mitra et al, 1997) helps to preserve the traditional cultural pattern of an older husband dominating a much younger subservient wife.⁴¹ The significant age gap and differences in maturity levels may also contribute to the likelihood of the marriage breaking down, the husband abandoning his wife, and/or him marrying someone else. Without having a means to earn an income, abandonment and divorce make many girls, especially those with children who they must support, vulnerable to sexual abuse and exploitation.

Children with disabilities

There are no complete figures for the prevalence of children with disabilities, however, according to BBS 1996 figures, 12.6% of children up to 14 years of age have disabilities which range from mild to serious.⁴² Children with disabilities are frequently kept isolated and concealed which puts them at greater risk of sexual abuse.⁴³ Such children, especially those with more serious disabilities, may not be able to understand and/or communicate what is happening to them. Society's discriminatory and negative attitudes towards children with disabilities make such children easy victims of sexual abuse. Interviews with service providers in a special school of the Bangladesh Protibondhi Foundation revealed the following:

A 7 year old girl with [an] intellectual disability attending a special school was repeatedly found by the special teacher to be engaged in self-stimulating sexual behaviour inappropriate of her age. Being concerned, she referred [her] to the doctor who, after examining her found that the child had being [sic] sexually abused. [An] interview of the mother and a visit to the home revealed a pathetic picture. The father was a shopkeeper and had to stay out late most of the days. A paternal uncle used to stay with them, who looked after the child and the household. There were only two rooms. In one room [the] parents slept with her younger brother and in the other room the child had to share the same bed with her uncle. Her uncle sexually abused her. Her mother, knowing the situation, kept silent and did not protect the child as she also had an illegitimate relationship with the said uncle.

Source: Shishu Adhikar Sangjog, *Child Rights: Reality and Challenges*, (Dhaka: The British Council, 2001), p.67.

⁴¹ Kabir (1999), p.10.

⁴² BBS figures cited in Shishu Adhikar Sangjog (2001), p. 56.

⁴³ Shishu Adhikar Sangjog (2001), p. 68.

Moreover, a survey of parents and family members of 95 children with disabilities revealed that some mothers did not believe their child could be sexually abused and were not taking steps to protect the child.⁴⁴

Girls and boys growing up in brothels

Children who grow up in the brothel environment are at risk of sexual abuse from clients, police and *mastans* (some of whom are also clients). Like their mothers, both girls and boys face significant discrimination from the wider community and are rarely permitted to integrate with other children. Many girls are initiated into 'prostitution' at an early age. Boys are also at risk of sexual abuse, although less is known about their situation.

Thirteen percent of the prostitutes interviewed in a Department of Social Services (DSS) study were born or brought up in the brothel.⁴⁵ A recent study undertaken by Save the Children Australia, with support from Save the Children Sweden presents a compelling picture of the situation of children growing up in Daulotdia and Kandapara brothels. As is custom, until recently almost all daughters of women engaged in prostitution would follow in their mother's footsteps.⁴⁶ Choice of profession is rarely a possibility because prostitutes and their children are not accepted by the rest of society and are rarely permitted to integrate with those who live outside the brothel. The children experience low self-esteem and are deeply affected by the negative way in which society views them and their mothers. Thoughts of suicide are common. Seventy-eight percent of the children said they did not like their mother's profession because they do not get any respect.⁴⁷ Three of the children interviewed reported that the school authority refused to admit them to school, presumably because they are children of sex workers.⁴⁸

Eight or nine was the age of first sexual experience reported by most girls brought up in the brothel and their first encounters were with older boys. In some cases, however, the girls are abused by their mother's clients, including being made to dance for them.

While the Save the Children study indicates that some of the sexual activity is not consensual, Therese Blanchet has found from her study that it is not in the interest of prostitutes that their clients are having sex with girls who have not been registered.⁴⁹ She believes that if they are true, such coercive activities must be taking place outside the brothel.⁵⁰

⁴⁴ Ibid. p.67.

⁴⁵ Department of Social Services, (2000) p.5.

⁴⁶ Uddin, Md. Farid; Sultana, Monira; Mahmud, Sultan; [Maggie Black, Harriet Goodman and Rachel Kabir (eds.)], *Growing up in the Daulotdia and Kandapara brothel communities of Bangladesh* (Save the Children Sweden, draft of January 2001). According to the findings, most girls accept that they will follow in their mothers' footsteps and become a sex worker, however, there are some cases where girls have resisted with the support of NGOs. See 'Good Practices' section for more information on the case of Anesa and her role in Daulotdia brothel.

⁴⁷ Department of Social Services (2000), p.9.

⁴⁸ Ibid.

⁴⁹ Discussion with Therese Blanchet, 24 September 2001, Dhaka.

⁵⁰ Ibid.

As the girl approaches menarche, girls report that their mothers start preparing them for sex work and presents her with nice clothes and jewellery to show off her body. Many girls report their mothers or caregivers try to prepare them for intercourse, however, such procedures can cause vaginal bleeding, fever and other complications and does not seem to lessen the pain of their first sexual experiences with clients.

Boys themselves may be targets for older boys, adult clients, or older sex workers.⁵¹ Few will admit to having sex with boys or men but there is evidence that it is widespread in both brothel communities studied. A consultation held with a group of boys who lived in Daulotdia brothel revealed other concerns as well: the lack of a quiet place to study and the overall environment is a serious problem for them.⁵²

Children in institutions

While sexual abuse undoubtedly takes place in institutions, there is not a lot of primary information about sexual abuse of girls and boys in institutions, including schools, shelter homes, Vagrants' Homes and correctional centres. Nevertheless, from existing reports and discussions with girls and boys themselves, a partial picture of the extent and nature of sexual abuse of children living outside parental care is presented below.

Boys in schools

Boys consulted about sexual abuse in and boys engaged in street-based prostitution said that those who are sent to residential *madrassahs* are vulnerable to sexual abuse and that teachers are the main perpetrators of abuse.⁵³ The following case study provides one such example:

His teacher Rafiqul, aged 47 years, abused Tareque, a nine-year-old student of a *madrassah* (religious teaching centre). Rafiqul told the young boy that it was his religious duty to masturbate an adult and this should not be shared with anyone. When the matter was discovered by the head Moulana (religious teacher) of the *madrassah*, the abuse stopped but the criminal teacher was not sacked. The head Moulana thought that it would bring shame to the educational institute...

Source: Case study provided by Afsan Chowdhury for Shishu Adhikar Sangjog, *Child Rights: Reality and Challenges* (Dhaka: The British Council, 2001), p. 108.

⁵¹ Uddin, Sultana and Mahmud, (Save the Children Sweden, January 2001 draft) p.38.

⁵² Discussion with Rachel Kabir about consultations held with children between July and August 2001, particularly the group of boys living in Daulotdia brothel, 23 September 2001, Dhaka.

⁵³ Discussion with Rachel Kabir based on her findings from holding consultations with children about sexual abuse and exploitation in July and August 2001, 23 September 2001, Dhaka.

Boys and Girls in Vagrants' Homes

There are six Vagrants' Homes in Bangladesh run by the Department of Social Services, Ministry of Social Welfare. Those living in the Vagrants' Homes have been arrested and detained under the Bengal Vagrancy Act, 1943 which defines a 'vagrant' as,

a person found asking for alms in any public place, or wandering about or remaining in any public place in such condition or manner as makes it likely that such person exists for asking for alms but does not include a person collecting money or asking for food or gifts for a prescribed purpose.⁵⁴

According to the Act, a 'child' is defined as anyone under 14 years of age.⁵⁵

A study was undertaken with the support of the Ministry of Law, Justice and Parliamentary Affairs and UNDP in early 1999 to assess the situation in the Vagrants' Homes.⁵⁶ This was done through Participatory Rapid Appraisal (PRA) sessions and other techniques with residents, former residents (including girls and women engaged in street-based prostitution), staff of the Vagrants' Homes and concerned lawyers and activists.⁵⁷ Interestingly, many of the children interviewed said they were engaged as vendors and were not 'asking for alms' (as per the definition of 'vagrants' in the Vagrancy Act) when they were picked up and arrested by the police.⁵⁸ In the report, a senior government official in the Mirpur Reception Centre admitted that innocent children are being arrested: "the police are not arresting according to the procedure."⁵⁹

According to the discussions, girls and women engaged in street-based prostitution are required to pay bribes to the police to avoid being sent to the Vagrants' Home.⁶⁰ Bribes also appear to be required to get quick release from both the Mirpur Reception Centre and the Vagrants' Homes and the price varies according to the person.⁶¹

There are two conditions for release from the Vagrants' Home: reunification with family and employment. Girls and women, many of whom are trained as garment workers,

⁵⁴ Chapter I, Section 2(9) Bengal Act VII of 1943, Vagrancy Act, 1943 (as amended up to 1974).

⁵⁵ Ibid, Chapter I, Section 2 (3).

⁵⁶ Institutional Development of Human Rights in Bangladesh, *Human Rights Situation in the Vagrant Homes* (Dhaka: IDHRB with the support of UNDP and Ministry of Law, Justice and Parliamentary Affairs, 1999).

⁵⁷ The sample size included the staff of all the Vagrant's Homes, at least 2-3 PRA sessions/home with 15-25 residents. 4-8 residents were randomly selected for in-depth interviews for the case studies. IT was more difficult to get former residents of the Homes because addresses were not available. Some of the 'floating commercial sex workers' involved in the Shakti project of CARE-Bangladesh who had lived in the Vagrant's Homes were also interviewed to cross-check data and get some preliminary information on the situation in the homes.

⁵⁸ One boy in the Betila Vagrants' Home in Manikganj told the researcher that he had been selling water at the airport when he had been picked up by the police, arrested and taken to the Mirpur Reception Centre. 18 June 2001.

⁵⁹ IDHRB (1999), p.xxii.

⁶⁰ Ibid, p. xiv.

⁶¹ Ibid, p.22

reported that when they are provided with employment in the garment factories they are demoralised. This is because they experience ostracism from employers and colleagues due to their background.⁶² Another concern for at least some of them is that of the low income the children and women first earn upon release. One inmate at Godnail Vagrants' Home in Narayanganj said that she does not want to leave the home because the monthly income at the garment factory, 700 Taka, is not enough to maintain her and her son and she is afraid she will be compelled to go back to work as a sex worker.⁶³

Of additional concern, not only did some residents and ex-residents claim to be sexually and physically abused by officials of the Vagrants' Homes, but also there are reports of fighting and nonconsensual sexual relations between residents themselves.⁶⁴ In the boys' homes, it is reported by both residents and ex-residents that the older ones frequently torture the younger ones. The nature of this abuse is not provided, however, it is likely both physical and sexual. Residents say that officials are complicit in this because they use the leaders to get information about the situation in the home.⁶⁵ They reward the 'leaders' with good food.⁶⁶

Focus group discussions with the staff of some of the Vagrants' Homes for girls and women, including Godnail Vagrants' Home in Narayanganj and Kashimpur Vagrants' Home in Gazipur, revealed that sexual relationships often develop among the residents of the homes, particularly for those who stay there for long periods of time.⁶⁷ In some cases, for example at the Kashimpur Home, fights between residents over relationships are frequent. Kashimpur staff noted that facial disfigurement is often caused because of the fighting.⁶⁸ There were no cases reported of males having sex with males. However, it is probable that it is also taking place and is nonconsensual. A shortage of beds and bedding in all the homes may contribute to the sexual relationships given that it was reported that 3-4 persons share the same blanket.⁶⁹ This also contributes to the transmission of communicable diseases and sexually transmitted infections (STIs), which is another problem faced in the Vagrants' Homes, particularly those where many of the residents have previously been engaged in prostitution.

At Pubail Vagrants' Home in Gazipur, focus group discussions with the female residents revealed sexual and physical abuse by the staff of the home:

'Many of the girls are taken home (by the officials, etc) and they are subjected to torture and sexual abuse; if they become pregnant they are sent to Godnail [Vagrant Home in Narayanganj which has the only facility amongst the Vagrants' Homes for childbirth].⁷⁰

⁶² Ibid, xv.

⁶³ Ibid, lxviii.

⁶⁴ See IDHRB report and visit of researcher to Betila and Godnail Vagrants' Home in June 2001.

⁶⁵ Ibid, lxiii.

⁶⁶ Ibid.

⁶⁷ Ibid, p. 18.

⁶⁸ Ibid, p. 1.

⁶⁹ Ibid.

⁷⁰ Ibid, p. lx.

In the two homes visited by the researcher, there were a number of children with visible disabilities, including Down's Syndrome.⁷¹ There were also several boys in the Betila Home who were visibly mentally disturbed. There are no specialists to look after the children. Given that children with disability are frequently discriminated against and ostracised, it is likely they are among the worse off. Moreover, it is possible that they may be a risk to other children.

Vulnerability of Rohingya refugees

A 1998 study conducted by UBINIG on the situation of Rohingya women and children living in Cox's Bazar and Teknaf presents a disconcerting picture of the vulnerability of unrecognised refugees living outside the camps, particularly girls and women, to sexual abuse, including early marriage.

Approximately 23,000 Rohingya refugees currently live in Nayapara and Kutupalong camps south of Cox's Bazaar. Amongst the refugees, organisations working in the camps, and camp officials there are hierarchies of power; many abuses, including sexual abuse and violence are taking place, but little is said and most complaints are not aired.⁷²

In addition to the recognised refugees, according to Dr CR Abrar, Coordinator, Refugee and Migratory Movements Research Unit, Dhaka University, there are tens of thousands of unrecognised Rohingya refugees who have arrived since 1992 who receive no assistance or services from humanitarian organisations.⁷³

They do not want to be identified as refugees and are at constant risk of being repatriated. Of 200 sample families chosen for the study, more than half the total family members are between 1 and 15 years of age.⁷⁴ Children under 5 years comprise 24% of the total members:

The Rohingyas feel general sense of insecurity, specially [sic] women...The families having young/adolescent girls remain in constant pressure from the local young boys. There have been many incidents of sexual assault on the young girls.⁷⁵

The UBINIG study also found that there have been several cases of rape of young girls by *mastans*. In those families where the men are engaged in fishing, they attack girls at night and threaten them with repatriation if they try to refuse. As they are not officially recognised, the Rohingyas cannot appeal to the police for protection.

⁷¹ Visit to Betila Vagrants' Home, Manikganj, 18 June 2001.

⁷² Discussion with Caroline Taylor, Country Director, MSF-Holland, 19 June 2001, Dhaka.

⁷³ Discussion with Dr Abrar, Coordinator, Refugee and Migratory Movements Research Unit, Dhaka University (12 May 1999).

⁷⁴ UBINIG *Vulnerability and Insecurity Study on Situation of Rohingya Women and Children in Cox' Bazaar and Teknaf* (Dhaka: UBINIG sponsored by Save the Children, UK, August 1998) p.10.

⁷⁵ *Ibid*, p.15.

Working children

Girls and boys are at risk of sexual abuse and exploitation within the workplace and, for girls in particular, while travelling to and from work. During a UNICEF retreat with adolescent girls in September 1999, girls working in the garment industry complained about sexual harassment on the way to and from the factories and proposed alternative 'safe' transport as one means to avoid this form of sexual abuse.⁷⁶

Information on sexual abuse of children within the workplace is limited. Two areas of work where sexual abuse has been documented is in domestic work and the garment industry, where the vast majority are in fact girls. Anecdotal evidence indicates that children working in the bidi industry are also at risk of sexual abuse.

Child domestic workers

Child domestic service is a large employer of rural and urban children, especially girls.⁷⁷ According to Dr Sumaiya Khair, there are two types of child domestic workers: (a) those whose parents, mainly mothers, work in a household and where they children help their mothers with household chores, and; (b) those live-in servants who live outside parental care due to their parent's poverty and whom they see rarely, if at all.⁷⁸ Shoishab Bangladesh calls those live-in servants *bandha* (bound) workers who comprise 95% of all child domestic workers and who live with their employing families.⁷⁹ The latter group of children, mainly girls, rarely receive monetary compensation for their work and are most at risk of all forms of violations of their rights, including sexual abuse.⁸⁰

The relationship between employer and the child has been described by Dr Sumaiya Khair as "arbitrary and authoritarian": employers are largely ignorant of the fact that children have rights, maltreatment of child domestic workers is common. They may legitimise such treatment because they believe they are doing the children a favour.⁸¹

⁷⁶ Adolescent Girls Retreat convened by UNICEF at ICMH, Matuail, Dhaka in September 1999.

⁷⁷ A study sponsored by UNICEF found a 3:1 ration of girls to boys working in domestic service in Dhaka and Chittagong. (Source: Research and Computing Services Private Limited (RCS), *Final Report, Prevailing Opinion and Attitude towards Child Domestic* (Dhaka: RCS for UNICEF Bangladesh, May 1999) p.22. The sample size was 1,920 respondents for the quantitative study of middle class households in Dhaka and Chittagong and 36 respondents for the qualitative component.) According to the findings of Shoishab Bangladesh (which works with child domestic workers and their employers in Dhaka), approximately 80% of child domestic workers are girls. (Source: Shoishab Bangladesh, *A Quantitative Study on Child Domestic Workers in Dhaka Metropolitan City*, (Dhaka: Shoishab Bangladesh 1997), p.2.) Of 80 child domestic servants interviewed for Therese Blanchet's study, 71 were girls and 9 were boys. A report undertaken by Shoishab Bangladesh of 10,000 households in Dhaka found that almost 40% of all domestic workers are below 17 years of age. It furthermore found that the girls and boys ranged in age from 5 to 17 years, with the average age 12.5 years. (Source: Blanchet (1996), p.98.)

⁷⁸ Dr Sumaiya Khair, *Children in Domestic Service: A Concept Paper* [Dhaka: no date], p.5.

⁷⁹ Shoishab Bangladesh (1997), p.14.

⁸⁰ see also Ruth Finney Hayward (2000), p.244-246. (Regarding monetary compensation, or lack thereof, see RCS (1999), p.17, and; Blanchet (1996), p.102 .

⁸¹ Khair (no date) p.10.

Poverty compels parents to engage their daughters in domestic service, but they may also perceive domestic service as a safer environment for her than working elsewhere. Many also view domestic work as good preparation for her future role as a wife and mother and the employers may assist with the dowry payment.⁸² Tragically, as they are concealed within homes, domestic work is likely where the most widespread work-related abuse of children takes place. With regard to physical abuse of child domestics, 25% of Dhaka and 14% of Chittagong housewives report they beat the children for poor performance or ill behaviour.⁸³

In addition to physical abuse, child domestic workers are vulnerable to sexual abuse. Of the 71 girls interviewed for Therese Blanchet's study of child domestic workers, 25% of the girls (whose average age was only 11 years) said they had been sexually abused and out of those 10% had been raped in their employer's house.⁸⁴ The perpetrators are more likely to be the following: the male employer or his son, a visiting male relative or friend, other male servants and employees.⁸⁵ The girls are likely to suffer in silence or run away until the abuse becomes public (for example, if she becomes pregnant):

Some face severe punishment and consequent dismissal when, and if, the sexual relationships become public. In such cases it is not feasible for the violated child to return to her family because of the apparent disgrace she has brought on the employer, her family and herself. She has little choice but to end up in some city slum where she has limited prospects of making a living outside of prostitution.⁸⁶

In *Lost Innocence, Stolen Childhoods*, Therese Blanchet recounts the story of a child domestic worker, Rokeya aged 16 years. The following, is an excerpt from Rokeya's experiences:

... Two or three months back, the master of the house attempted to rape Rokeya. She screamed and he left her alone. When she told her mistress about the incident, the latter was very upset and had a quarrel with her husband, but she did not side with Rokeya. The next day, she accused Rokeya of being a temptress and the relationship between the women deteriorated further. The mistress now beats Rokeya, sometimes so badly that she is unable to walk. The researcher witnessed the bruises on one of her visits.

Rokeya's father came to Dhaka before the Eid festival. He was given 200 Taka, and two saris by the employer (Rokeya herself is not given any salary). Rokeya cried and told her father she was very unhappy and wanted to leave her job. The mistress of the house also spoke separately

⁸² Blanchet (1996) p. 99.

⁸³ RCS (1999), p.35.

⁸⁴ Blanchet (1996), p.119.

⁸⁵ Khair (no date) p.11.

⁸⁶ Ibid, p.11.

to Rokeya's father about Rokeya's so-called misbehaviour (referring to the rape attempt). Outwardly, the father sided with the employer. He even slapped his daughter in front of the latter, saying he would kill Rokeya if she did anything to spoil the family's honour.

The father had been interviewed on his own before this latter incident. He said that he could not afford to upset the employer's family as he was totally dependant on their land for his living. Besides, what could he do with Rokeya in the village? Rokeya would have to bear the beatings just as he himself did when he was a child working for the same family...

Source: Therese Blanchet, *Lost Innocence, Stolen Childhoods* (Dhaka: University Press Limited, 1996) p. 107.

Again, the issue of concealment, stigma and shame prevails as a constant theme associated with child sexual abuse, particularly its impact on girls.⁸⁷ The sexually abused girl is not seen as a victim, but rather as a partner in the act.⁸⁸ No wonder there is often a reluctance to make the issue public for fear of the greater consequences to the girl and her family. A member of Breaking the Silence recounted one story to the researcher:

In 1999, an employer gave a job to a father and his 11 year-old daughter. The girl was being sexually abused by the employer's brother. The girl's mother learned about the situation and tried to get her daughter out of the house. She came three times to the Radda Centre in Mirpur to speak to the social counsellor about the situation and on the final visit, she said she could not bring the girl out of the abusive environment because she was afraid the father would lose his job.

Source: discussion between Breaking the Silence members and researcher, 14 June 2001, Mohammadpur, Dhaka.

Garment workers

Outside the household, the garment industry is the largest single employer of females.⁸⁹ Approximately 400,000 females aged 14-19 years work in the garment industry, comprising 30% of all export-oriented factory workers.⁹⁰ They mainly come from rural areas and are single when they start work. In addition to the long work hours, many are sexually harassed and abused in both the workplace and on the way to and from work.⁹¹ Due to the fact that they are afraid of losing their jobs, face public shame, and likely do

⁸⁷ Less information is known about the impact of sexual abuse on boys.

⁸⁸ Ain O Salish Kendra (ASK), *Sexually exploited and abused children: a qualitative assessment of their health needs and services available to them in Bangladesh* (Bangkok: United Nations Economic and Social Commission for Asia and the Pacific, 1999) p.26.

⁸⁹ Kabir (1999), p.28.

⁹⁰ Ibid.

⁹¹ According to a study of hazardous child labour in Bangladesh, girls work long hours: nearly two-thirds did 8 or more hours of 'light' work a day and a third did more than 10 hours of 'hard' work a day. See Rachel Kabir (1999) p.28,

not know how to report such a violation, many do not make the abuse public. According to the Bangladesh Institute of Labour Studies, 84 women workers were the victims of sexual harassment in 1998 and among them, 54 were employees in the garments sector.⁹² In May 2001, a 15 year-old garment worker was gang-raped on her way home from work. Rather than face the shame of her community, she attempted suicide by setting herself on fire.⁹³ According to BNWLA which has been assisting the girl with legal aid, a rape case has been filed.⁹⁴

According to Dr Jana, HIV Programme Coordinator, CARE, many of the sex workers in Dhaka first worked in the garment industry before engaging in prostitution.⁹⁵ They explained to him that to get and secure their jobs they had to appease their managers and employers, often through sex. This finding is also borne out by Mahbooba Mahmood, Project Coordinator Network Project, Naripokkho who said that many former garment workers and domestic workers have become sex workers.⁹⁶ The earnings were so little and the harassment by managers and co-workers so regular that some chose street-based prostitution.

Whereas the Government Servants (Discipline and Appeal) Rules, 1984 regulate conduct and behaviour of civil servants, including teachers, there is no such rule for the private sector.⁹⁷ Moreover, it does not appear that the issue of sexual abuse (including sexual harassment) is included in any of the labour laws.⁹⁸ Nevertheless, while not specifically referring to the workplace, section 10 of the *Nari O Shishu Nirjaton Domon Act, 2000* (Suppression of Violence Against Women and Children Act, 2000) puts forth a penalty of no less than 3 years and a cash fine for any man who sexually harasses by touch the sexual organ of a child (up to 14 years of age) or a women .⁹⁹

Child labour in the bidi industry

Bidi making takes place in rural villages or on the outskirts of towns; some of the work is home-based and other parts are primarily factory-based. As Therese Blanchet found in her study, child labour is heavily predominant: one estimate puts the number of children

⁹² Rahman Khan (2001) p.142.

⁹³ Dr Kishore Kumar Das, *The Independent* [Dhaka] 24 May 2001.

⁹⁴ Discussion with Advocate Salma Ali, 9 October 2001, Dhaka.

⁹⁵ Discussion with Dr Jana, HIV Programme Coordinator, CARE, 20 June 2001, Banani, Dhaka.

⁹⁶ Discussion with Mahbooba Mahmood, Project Coordinator Network Project, Naripokkho, 24 June 2001.

⁹⁷ Discussion with Mr Abdur Rab, Deputy Secretary, Ministry of Women and Children Affairs and Mr Shamsul Arefin, Senior Assistant Secretary, Ministry of Women and Children Affairs, Bangladesh Secretariat, Dhaka, 25 June 2001.

⁹⁸ The researcher has not done an extensive review of the country's labour laws, however, from an overview and discussion with several lawyers it does not appear that there are any such provisions against sexual abuse in the workplace.

⁹⁹ It is unlikely that many cases have been filed under this Section of the Act, however, Advocates Selina Akhter and Dilruba Haque Papia, Legal Aid Unit, Ain O Salish Kendra informed the researcher that one such case has been filed under Section 10 of the Act and it is currently under investigation (Discussion at Ain O Salish Kendra, 8 October 2001, Dhaka).

below 16 years as 170,000 or 48% of all bidi workers.¹⁰⁰ Girls are involved up to the age of 11-12 and for boys up to the age of 13-14 years, after which they find other employment.¹⁰¹ Child helpers or *shishsho* are apprenticed to a *diver* (registered *ustad* (master) who ensures that the children meet a daily quota. Children are not allowed to leave his/her *ustad* to work under someone else unless she /he changes factory. The work is extremely poorly paid, if at all: children are often not paid for 6 months to 1 year.¹⁰²

Apart from crowded, poorly ventilated and lighted factories, children may endure beatings and harsh treatment from the *ustads*. In addition to the physical punishment, evidence suggests that *ustads* also sexually abuse their boy and girl helpers. For example, the researchers were told one story by a girl:

Sheema explained that her she was an orphan and lived with her aunt who started her working in a bidi factory. Her *ustad* was very nice to her and she trusted him, however, one day he kissed her and touched her and told her not to tell anyone. She nevertheless told her aunt who did not believe her. The *ustad* continued to treat her well at work. At first she felt afraid and ashamed but eventually she got used to it. He promised he would marry her, and they eventually began to have sex. After she began to menstruate, however, he immediately started treating her differently. He told her aunt that she was a bad girl and she should not come back to work. Her aunt got her a job in another factory, but her reputation was ruined. She considers herself 'spoiled'. She is 13 years old and her *ustad* was 30 years old and married.

Source: Therese Blanchet, *Child Work in the Bidi Industry* (Dhaka: study supported by UNICEF Bangladesh, March 2000), p. 76.

As indicated by the above case, the *ustad* took advantage of Sheema's young age and situation and abused her trust and innocence. He did, however, provide her a sense of security during their involvement and treated her well in the workplace.¹⁰³ Nevertheless, the negative social consequences of having a sexual relationship outside marriage were disproportionately borne by the girl and not the *ustad*.

Not just girls are at risk: as recounted in *Lost Innocence, Stolen Childhoods* one 20 year old *diver* (a registered bidi worker who sub-contracts helpers) raped his 11 year old helper one the way to work one morning and subsequently killed him.¹⁰⁴ The boy had been extremely unhappy working under this man and had told his parents that he was being sexually abused. They refused to believe him and accused him of being lazy.

¹⁰⁰ Therese Blanchet, *Child Work in the Bidi Industry* (Dhaka: study supported by UNICEF Bangladesh, March 2000), p.6. The research involved the administering of 440 questionnaires, FGD and 80 case histories in 6 parts of Bangladesh where the bidi industry is prevalent.

¹⁰¹ Ibid., p.67.

¹⁰² Ibid., p.11.

¹⁰³ For children who may not otherwise experience affection and a sense of security, engaging in a sexual act with an adult who offers them food, security and a bed may not be viewed by them as abuse or exploitation.

¹⁰⁴ Blanchet (1996), p.82.

Migrant Mothers and Fathers

A study by Dr Tasneem Siddiqui of the Refugee and Migratory Movements Research Unit, University of Dhaka, provides one of the first studies of temporary female migrants from Bangladesh. As the government does not encourage the migration of female migrant workers, the researcher notes that little attention and investment has been paid to them.¹⁰⁵ What is of particular interest from her study for the purposes of this report is the impact of the mother's temporary emigration on her children. Overall, more children experienced higher drop-out rates from school, girls had to shoulder more responsibilities at home which affected her studies, and early marriage of both girls and boys took place at an increased rate when their mothers were out of the country as temporary migrant workers.¹⁰⁶

No similar study was found the impact of migrant fathers on their families, particularly their children's vulnerability to sexual abuse and exploitation. However, given the high level of remittance earnings in Bangladesh, the issue of migrant mothers and fathers and the impact on the children with regard to the increased vulnerability to sexual abuse should be explored further.

Sexual Exploitation

The following information about sexual exploitation of children on the street, in brothels, in hotels, trafficking and migration, sale of children for child prostitution and child pornography has been gleaned from the literature review and discussions with individuals working to combat such forms of child rights violations.

Girls and boys being sexually exploited on the street

While all children are at risk of sexual abuse, children living on and off the street ('street children', as they are commonly known) are particularly vulnerable to sexual abuse and exploitation. According to a 'conservative' estimate made in 1990 by DSS, there were 1.8 million street children living in urban areas in Bangladesh with a projected 3-4 million by 2000.¹⁰⁷

Moreover, they are at high risk of being picked up by the police sent to a Vagrants' Homes. During a visit to a drop-in centre for girls engaged in street-based prostitution, some of the girls revealed that they had first been sexually abused in the Vagrants'

¹⁰⁵ Dr Tasneem Siddiqui, *Temporary International Labour Migration of Women* (Dhaka: Refugee and Migratory Movements Research Unit, University of Dhaka, August 1999).

¹⁰⁶ Ibid.

¹⁰⁷ Department of Social Services, Ministry of Social Welfare, *A Review of Existing Services Relating to Street Children (Khulna, Barisal and Jessore)* Appropriate Resources for Improving Street Children's Environment (ARISE) BGD/97/028) December 1999, p. iv.

Home.¹⁰⁸ Consultations held with girls and boys engaged in street-based prostitution in Dhaka also revealed that they are most fearful of being caught by the police and sent to the Vagrant's Home.¹⁰⁹

In its 1997 study, INCIDIN Bangladesh revealed that girls and boys comprise a significant number of the street-based child prostitutes in Dhaka. Many of Dhaka's street-based prostitutes are in fact girls and boys are involved, although girls are more visible than boys. A visit to the INCIDIN drop-in centre for street-based sex workers, the UNICEF-supported drop-in centre for child sex workers near Kamalpur Railway Station in Dhaka, discussions with project staff of Aparajeyo Bangladesh and with Dr Jana, HIV Programme Coordinator, CARE all bear this out. Moreover, Dr Jana explained that a lot of the children are first sexually abused within the family and when it becomes known, they are thrown out of the family and community and left to fend for themselves.¹¹⁰ For many, it is only a matter of time before they end up on the street.

The INCIDIN Bangladesh study used a population sample of 298 children (twice as many girls as boys) living in 12 localities of Dhaka City.¹¹¹ Most children interviewed were between 13 and 16 years of age, however, the average age of the girl was 14 years and for boys, it was 13 years.¹¹² The mean age of entry into commercial sexual exploitation was approximately 13 for girls and 11 years for boys. The study found that girls became sexually desirable after they reached puberty (roughly around the age of 13 years) whereas for boys, age is possibly less important for their clients.¹¹³ While not providing an explanation, the study found that the number of girls' involved in street-based 'sex work' increases up to the age of 16 years after which it falls drastically, whereas for boys, the rate of decline is not as rapid.¹¹⁴ Researchers noted that the children, especially boys, feared their identities would become known to their families.

During consultations held with girls and boys engaged in street-based prostitution in Dhaka, girls said that some of them started when they were as young as 8-10 years-old.¹¹⁵ Boys, in contrast, said they started between the ages of 10 and 12 years.¹¹⁶ Moreover, boys engaged in street-based prostitution said that they too, like the girls, feel '*noshto*' (spoiled) and do experience mental trauma about what they are doing.¹¹⁷

¹⁰⁸ Visit to INCIDIN Bangladesh drop-in centre for floating street-based sex workers 17 May 2001 and discussion with several of the girls and women who frequent the drop-in centre and who are engaged in street-based sex work.

¹⁰⁹ Discussion with Rachel Kabir on findings from consultations held with children in July and August 2001, particularly boys and girls engaged in street-based prostitution, 23 September 2001, Dhaka.

¹¹⁰ Discussion with Dr Jana, HIV Programme Coordinator, CARE, 20 June 2001, Banani, Dhaka.

¹¹¹ INCIDIN (1997) p. 18.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid, p.19

¹¹⁵ Discussion with Rachel Kabir about the consultations held with children in July and August 2001, particularly girls and boys engaged in street-based prostitution in Dhaka, 23 September 2001, Dhaka.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

Seventy percent of children interviewed for the study who become sexually exploited come from rural poor families, although 30% of the children in the study were born and raised in the slums and streets of Dhaka. Of those who migrated, close to half migrated on their own, mostly in search of jobs.¹¹⁸ Seventy percent of the children interviewed live 'on the street' whereas the remaining 30% sleep in the slums, mostly with parents or other family members, but a small minority sharing with others.¹¹⁹

Almost all the children interviewed had previous sexual experiences/abuse before being sexually exploited. All the rural migrant girls had been sexually abused prior to coming to Dhaka, however, only 31% said they had experienced penetrative sex previously.¹²⁰ With regard to the rural migrant boys, 36% said they had been sexually abused before coming to Dhaka, with almost three-quarters of that group explaining that this abuse had included penetrative anal sex. Both girls and boys identified male relatives as the most dominant of the child abusers, and mostly this happened in their own homes. Almost 90% of the children had experienced their first sexual interaction when they were between the ages of 7 and 10 years.¹²¹

A survey (including case studies and focus group discussions) of street children living in Khulna, Barisal and Jessore towns was undertaken by the Department of Social Services (DSS), Ministry of Social Welfare. Nine percent of the children (and fully 25% of the total girls interviewed) reported being the target of sexual harassment by police and musclemen.¹²² Interestingly no boys reported sexual harassment. The researchers said that the girls shared these experiences only after repeated probing and that the figures are likely much higher but due to stigma and shame, they are reluctant to share them. This is likely to be the case of boys as well.

From the INCIDIN study, it appears that gender discrimination plays a critical role with regard to the girls: as soon as she enters street life, she is considered 'fallen' and at risk of sexual abuse and exploitation. Once this information is known, it is difficult for her to find any other form of work.¹²³ With regard to boys being commercially sexually exploited on the street, over 80% said they had sex with men as out of economic compulsion.¹²⁴ This finding was confirmed during the consultation held with boys engaged in street-based prostitution in Dhaka: some boys said outside of engaging in prostitution out of economic necessity some have sex with men for recreation, whereas others may have sex with girls engaged in street-based prostitution.¹²⁵ Boys explained that male customers do not overtly hire a boy for sex, but rather use other inducements such as buying the boy clothes, feeding him, or offering him a job.¹²⁶

¹¹⁸ INCIDIN Bangladesh (1997) p. 20.

¹¹⁹ Ibid, p.22.

¹²⁰ Ibid, p.25.

¹²¹ Ibid., p.26.

¹²² Department of Social Services (1999) p. 25.

¹²³ INCIDIN (1997) p.35.

¹²⁴ Ibid, p.36.

¹²⁵ Discussion with Rachel Kabir about the findings from the consultations held with children in July and August 2001, particularly girls and boys engaged in street-based prostitution, 23 September 2001, Dhaka.

¹²⁶ Ibid.

As evidence from a study by INCIDIN Bangladesh of street-based girls in Dhaka, who are sexually exploited shows, they are regularly cheated by their clients and *dalals* (pimps), and are sometimes raped and gang-raped.¹²⁷ Given the extreme unequal power relations and bargaining power between the girl and her clients and high level of insecurity and lack of physical safety on the streets, this is likely to be the experience of sexually exploited girls throughout the country. A report commissioned by Concern Bangladesh revealed that a common complaint of both girls and boys being sexually exploited on the streets is forcible rape and sex without payment.¹²⁸ Moreover, children being sexually exploited in street-based sex work had to share one-fifth of their income with police and *mastans* (musclemen) equally.¹²⁹

A baseline study of street-based prostitutes undertaken in 1996 found that most of the women had worked in other low-paying occupations previously: garments, domestic service, hotels or restaurants.¹³⁰ CARE's peer educators mentioned that in the garment industry they worked long hours for a low salary and to secure and keep their jobs, many had to appease the recruiter; often through sex.¹³¹ The girls who switched from the garment industry to street-based sex work admitted that they face problems of police and *mastans*, and have to pay informal taxes to various people, however, they still earn significantly more than they did before.¹³² Some indicated that they go back to work in the garment industry when they are not able to get clients, indicating that there is movement between different types of employment.

The INCIDIN Bangladesh study also found that children engaged in street-based prostitution normally earn more than their peers in other jobs but that some times during the year, the monsoon, in particular, their earnings drop significantly.¹³³

The following is a case study from the DSS study of children in Khulna, Barisal and Jessore:

Kulsum is a girl of 16. She lost her father at the age of twelve. She came to Khulna from Barisal with a boy whom she loved. She read up to class VIII in her village school. The love affair developed with the boy in her native village and their relation was suspected and not tolerated by the villagers. They took initiative to punish them through village 'salish' (arbitration). They were afraid and left their village. They came to Khulna city and started living in a slum, where some commercial sex workers lived. They got married in that slum. The environment was not favorable to them for living. Under this situation, Kulsum said to her husband to change this area but he didn't care rather stayed there. Just

¹²⁷ INCIDIN, (1997), p.44 and 102.

¹²⁸ READ, *Need Assessment Survey of the Disadvantaged Women and Children in the Urban Areas of Bangladesh* (Dhaka: Concern Bangladesh, March 2000), p.vi.

¹²⁹ Ibid.

¹³⁰ UNAIDS Country Programme South Asia, 'SHAKTI A Brothel and Street-Based Sex Worker Project in Bangladesh' in *Female Sex Workers' Projects in South Asia DRAFT* (New Delhi, UNAIDS, no date) p.6.

¹³¹ Ibid.

¹³² Ibid.

¹³³ INCIDIN (1997), p.75.

after seven days of their marriage, her husband took three unknown persons in their place of living and asked her to follow them whatever they said. She didn't like it and tried to protest them at her level best to go out of the slum. Her husband has beaten her badly for her protest and removed her cloths [sic] from the body. At the moment, one of the persons jumped on her body and raped her one by one. This happened to continue every night but Kulsum could do nothing against her husband as he always threatened her.

One night, policeman came to their slum and arrested the antisocial elements. Kulsum was one of them. When she disclosed every thing about her husband, policemen released her and arrested her husband. Kulsum tried her best to find a job for earning but failed to manage it. She has chosen the alternative option to become a prostitute... She lives in a slum during the day and spent in the parks and other areas up to late midnight...

Source: Department of Social Services, Ministry of Social Welfare, *A Review of Existing Services Relating to Street Children (Khulna, Barisal and Jessore)* Appropriate Resources for Improving Street Children's Environment (ARISE) BGD/97/028) December 1999, Appendix A, p. 67.

Girls engaged in hotel-based prostitution

Findings from rapid assessments of hotel-based sex work taking place in Dhaka, Chittagong and Barisal, Comilla and Rajshahi suggest a low prevalence of girls under 18 years of age engaged in hotel-based prostitution.¹³⁴ Findings from Dhaka indicate that the average age of the women is 21 years, with many starting after they reached the age of 18 years.¹³⁵ It is likely, however, that a minority of girls 16-18 years of age are involved. Those engaged in hotel-based prostitution earn substantially more than do street and brothel-based prostitutes (for some, up to Taka 10,000/month). Like girls engaged in other types of prostitution, they keep it hidden from their families and their biggest fear is that their secret will be discovered. The research findings indicate that there is no link between hotel-based and brothel-based sex work.¹³⁶

Girls being sexually exploited in brothels

Sexual abuse and exploitation of children inside the brothel environment is widespread.¹³⁷ Despite laws and practices ostensibly meant to prevent the entry of girls

¹³⁴ Discussion with Pam Baatsen, Country Director, Family Health International, and Mahbubul Alam, Executive Director, Sristi, 2 October 2001, Dhaka. There is no evidence to suggest that boys or men are engaged in hotel-based prostitution.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ From her research, Therese Blanchet argues, however, that sex is heavily regulated inside the brothel and that children living in them are well aware of it, unlike the majority of their counterparts who do not. With respect to penetrative sex, she mentions it is not in the interest of those engaged in prostitution for children living in the brothel to be having sex with prospective clients. She therefore believes that there is probably less sexual abuse (especially penetrative sex) taking place inside the brothel than outside. (Discussion with Therese Blanchet, 17 September 2001).

into the profession, brothel-based commercial sexual exploitation is extensive.¹³⁸ Not only are many girls engaged as prostitutes, but also many have been sold and are kept in a highly exploitative bonded labour situation until they earn their release or run away. The age, physical and mental immaturity of the girls puts them at greater risk of abuse and health risks than older sex workers. The girls' families may accept their earnings, but they do not always welcome the girls to their homes.

According to a DSS survey report on sex workers and their children in four brothel communities, three-quarters of sex workers are between 15 and 29 years of age.¹³⁹ According to a recent study supported by Save the Children Sweden, more than 1/3 and 1/2 the sex workers at Daulotdia and Kandapara brothels, respectively are girls under 18 years of age.¹⁴⁰ Mothers themselves view their daughters as assets and will introduce their daughters to the business at an early age. In 92 case histories recorded for a study undertaken in Daulotdia brothel, Rajbari District in the early 1990s it was found that the average age of entry of girls into prostitution was 13.5 years old.¹⁴¹

Girls' low knowledge of sexually transmitted infections (STIs), HIV/AIDS, physical vulnerability and lack of empowerment puts them at greater risk of contracting infections and disease.¹⁴² Moreover, other health risks to the girl are the abuse and possible addition to alcohol, tobacco and various other drugs.¹⁴³ The most inexperienced girls are also at greater risk of sexual exploitation from *mastans* and the police, who often do not pay them for their services. Being less physically developed than the women, most find sex painful. In addition to the health risks associated with unsafe sex, some girls take the steroid 'Betamethasone' which is harmful to their health, but which causes fluid retention which makes them look voluptuous.

Out of 92 case histories, Blanchet noted that 1/2 the girls had been bought or directly captured from outside, 1/4 had joined on their own accord, and 1/4 were 'daughters' of prostitutes.¹⁴⁴ Of these 'daughters', almost half were adopted daughters bought from

¹³⁸ In addition to the 15 registered brothels, many residential hotels and rented houses function as 'brothels'. Street-based sex workers may be taken to them by their clients and managers of such hotels and houses may be in collusion with *dalals* to supply their clients with sex workers.

¹³⁹ Department of Social Services, Ministry of Social Welfare, *A Survey Report on the Socially Disadvantaged Women (SDW) and their Children living in the Brothel Communities of Narayanganj, Mymensingh, Jessore and Daulotdia Ghat of Rajbari District Executive Summary* (Dhaka: Ministry of Social Welfare, January 2000) p.4.

¹⁴⁰ Uddin, Sultana and Mahmud, (January 2001 Draft) p.27. The methodology included a census survey of all the households in the two brothels and structured interviews with the head/leading member of the household; focus group discussions (FGD) with children and mothers; individual (semi-structured) interviews with children, and; discussion groups with children and NGO staff.

¹⁴¹ Blanchet (1996), p.124.

¹⁴² Monira Sultana, 'A Passage to the rights of brothel children,' in *Observer Magazine* [Dhaka] 1 September 2000.

¹⁴³ Discussion with Rachel Kabir on findings from consultations held with boys and girls living and working in the brothel held in July and August, 24 September 2001, Dhaka.

¹⁴⁴ Blanchet (1996), p.124.

chukris and a little over half were biological daughters.¹⁴⁵ Those that buy girls, introduce them to the trade and maintain them (albeit while taking their earnings) are called *sardanis* (madams) and the girls who are bonded to them are called *chukris*. Lack of freedom and sexual and economic exploitation are among the main concerns of *chukris*.¹⁴⁶ However, solitary confinement, physical torture and a reduced diet are imposed on them, particularly for those that try to resist. The period of bonded labour varies, after which the girl buys her independence (which normally does not mean leaving the brothel or prostitution), run away with a lover, or run away to another brothel to work on her own.

While families (including parents) may accept the income their daughters send home, they are stigmatised by the rest of society and are rarely accepted back to their family home.¹⁴⁷ For that reason, those that go back are careful not to reveal their profession: some tell their family they are working in the garment industry or other forms of employment.

Among brothel-based prostitutes it is not uncommon for those making more money to pay guardians (which could include family members) who live outside the brothel community to look after their children. One woman in Fultala Brothel, Khulna said she paid her cousin 500 Taka/month to look after her two children.¹⁴⁸ In Daulotdia brothel, however, this is less common as the women are not earning enough to send their children away.¹⁴⁹ The children's identity is often concealed to other children and the communities where they live and attend school to avoid the stigma of being identified as a child of a prostitute and face discrimination, including pressure to withdraw from schools. Nevertheless, the identity of many children is eventually found out, and quite often the children return to their mothers in the brothels.

Trafficking and migration

There are a large number of studies on the prevalence of trafficking (mainly cross-border) of children and women in Bangladesh.

Reports indicate that trafficking is very closely linked to migration and changing trends require changing strategies to tackle the problem. As reports of the UN Special Rapporteur on Violence Against Women, Ms Radhika Coomaraswamy,¹⁵⁰ attest, many

¹⁴⁵ Ibid. Of note, it is common in the brothel community for *chukris* to sell their daughters to older women engaged in prostitution. Not only may this transaction help *chukris* purchase their freedom from *sardanis* faster, but also the adopted daughter will be an asset for older prostitutes who may be planning for their future of reduced earnings.

¹⁴⁶ Discussion with Rachel Kabir, 23 September 2001, Dhaka on her findings from consultations held with girls working in Daulotdia brothel in July and August 2001.

¹⁴⁷ Monira Sultana, 'A Passage to the rights of brothel children,' in *Observer Magazine* [Dhaka] 1 September 2000.

¹⁴⁸ Discussion with resident at Fultala Brothel, Khulna, 4 June 2001.

¹⁴⁹ Discussion with Sultan Mahmud, Country Director, Save the Children Australia, 11 June 2001, Dhaka.

¹⁵⁰ See Economic and Social Council, Report of the Special Rapporteur on Violence Against Women, its causes and consequences, Ms Radhika Coomaraswamy, in accordance with Commission on Human Rights

women and children are leaving their home in search of jobs and better prospects elsewhere.

According to the Special Rapporteur, the primary goal of traffickers in women and girls into India is forced prostitution.¹⁵¹ What is also known is that trafficking and migration are often indistinguishable: many children (and women) eager to escape poverty, discrimination and/or abuse at home will leave their villages in search of better prospects elsewhere. They may, in fact, be willing and active participants in their trafficking because they are going with someone who has promised them a better job and/or life either inside Bangladesh (ie a large city) or in another country. It is only at the end of the process, when they have reached their destination, that they will find out if they have been deceived. This aspect of migration is very important to bear in mind, particularly as fewer victims are being kidnapped and/or abducted.¹⁵² Rapid and sustained rural-urban migration and overseas labour migration are undisputed features of Bangladesh's economy. As pointed out by the Special Rapporteur, this dimension also makes it extremely difficult to detect and/or control trafficking.¹⁵³ Moreover, given that many Bangladeshi families have relatives across the border, in neighbouring India, it is not uncommon that many people come and go across the border, even without papers.

What is of concern, however, is that in the aim to prevent trafficking, the rights of women and children to freedom of movement have been drastically curtailed by South Asian countries, including Bangladesh and Nepal. According to recent laws, low-skilled female workers wishing to go to the Middle East for domestic service have been prohibited from doing so.¹⁵⁴ Moreover, prohibiting them from migrating abroad does not mean they won't end up becoming victims of internal trafficking.

Resolution 2000/45 Addendum, Mission to Bangladesh, Nepal and India on the issue of trafficking of women and girls (28 October – 15 November 2000) par. 11, E/CN.4/2001/73/Add.2).

¹⁵¹ par. 16, E/CN.4/2001/73/Add.2.

¹⁵² Ibid; see also report of Sanghera (March 2000) p.7, discussion with Dr Jana, HIV Programme Coordinator, CARE Bangladesh, 20 June 2001, and; discussion with Ruben Korevaar, Programme Officer, IOM, Dhaka 17 June 2001.

¹⁵³ par. 20, E/CN.4/2001/73/Add.2.

¹⁵⁴ See The Emigration Ordinance, 1982 in Annex 1. Also refer to Dr Tasneem Siddiqui, *Temporary International Labour Migration of Women* (Dhaka: Refugee and Migratory Movements Research Unit, University of Dhaka, August 1999), which explains that as per the Ordinance, only persons with valid documents may emigrate. It furthermore gives the government authority to declare certain categories of emigrating persons to be unlawful. In November 1997, the government reimposed the ban on migration of unskilled women, which was implemented as a protective measure (no woman was allowed employment as an industrial worker, house maid, nurse or any other job overseas, only 'highly technical professional women' were allowed to emigrate for employment purposes). Various groups, including the Association of International Recruiting Agencies, NGOs and others opposed the ban as they deemed it to be unconstitutional and discriminatory and they argued it would contribute to illegal trafficking of women. Following consultation amongst government ministries, the ban was subsequently lifted on all categories of women workers except domestic aids except those whose employer belonged to certain groups of persons (ie Bangladesh embassy staff). However, the undocumented migration of women continues, and Dr Siddiqui argues that the fact that only licensed recruiting agencies are allowed to process papers of migrant workers has contributed to this situation.

As Dr Jyoti Sanghera also raises in her study of trafficking in women and children in South Asia:

[i]ncreasingly fewer victims of trafficking are in fact being kidnapped or abducted; an overwhelming majority are actually led away under deception and/or false promises and are therefore participants in their own trafficking during the first leg of the process which includes recruitment and transportation.¹⁵⁵

One also notes that the issue of trafficking is of priority to South Asian nations as a whole: a *SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution* has been drafted, and is awaiting the next SAARC meeting for signature.¹⁵⁶

Trafficking of children is also an area of concern of the Government of Bangladesh and is given attention in the *National Plan of Action for Children 1997-2002* which states:

This is both a law enforcement and a socio-economic issue involving multiple levels and types of vigilance. In addition, trafficking of children takes place in response to demand. Additional causes, particularly in case of girl children, can be related to discriminatory laws and practices such as child marriage, polygamy, dowry, and the low social value accorded to women.¹⁵⁷

Cross-border trafficking and migration

No one knows definitively how many children are trafficked internally and out of the country each year. To determine the number and extent of internal and cross-border trafficking, the International Organisation for Migration (IOM) commissioned a mapping study from print media of missing, kidnapped and trafficked children and women between 1990 and 1999. Geographic Information System (GIS) was used to compose maps indicating routes of trafficking and place of origin and incidents of trafficked, kidnapped and missing children and women.¹⁵⁸ Media reports alone cannot present the full picture of trafficking (we only know that someone has been trafficked if they are found during the process and/or manage to escape). Nevertheless, it is interesting to note

¹⁵⁵ Dr Jyoti Sanghera, *Trafficking of Women and Children in South Asia: Taking Stock and Moving Ahead, A Review of Anti-Trafficking Initiatives in Nepal, Bangladesh and India*, (Kathmandu: UNICEF Regional Office South Asia and Save the Children Alliance South and Central Asia, March 2000) p.7.

¹⁵⁶ United Nations Special Rapporteur on Violence Against Women, Ms Radhika Coomaraswamy has raised important and serious concerns about the draft *SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution*. In particular, she notes it is not in conformity with international human rights instruments, including the *UN Convention on Transnational Organised Crime*. It moreover does not distinguish between women and children which can be denigrating to both as interventions and recommendations are not necessarily the same for children as they are for women. (Source: see par. 11, E/CN.4/2001/73/Add.2).

¹⁵⁷ Ministry of Women and Children Affairs, *National Plan of Action for Children* (1999), p.108.

¹⁵⁸ Ishrat Shamim, *Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective* (Dhaka: International Organisation for Migration, 2001).

that according to its findings from media reports, 1,693 boys and 1,714 girls up to 16 years of age were trafficked between 1990 and 1999.¹⁵⁹

From 1997, the number of cases decreased, due in part to greater attention and priority to trafficking by NGO, INGO and government efforts. Dr Ishrat Shamim, Farah Kabir and Therese Blanchet who have studied the issue caution, however, that sensitisation and trainings with BDR, police, and others along the border may have led to a decrease in young children being trafficked but that older children, particularly adolescent girls who are often socially and legally viewed as being ‘women’ are likely still being trafficked in large numbers.¹⁶⁰

With regards to the rescue of trafficked children, most of this takes place after the children reached the destination country, primarily India. Of the total 306 children rescued from within Bangladesh, 234 were rescued by police, 51 by local people and 21 from the Bangladesh Rifles (BDR).¹⁶¹ According to the IOM report, most cases of missing children were not reported to law enforcement authorities so in reality the number is likely higher. Girls who had been trafficked and living in BNWLA’s shelter home in Dhaka felt that the actual numbers would be much higher and that girls, especially village girls, are most at risk of being trafficked.¹⁶² They added that vulnerable districts include Barisal and Bagherhat and that children are also trafficked in boats and trawlers.¹⁶³

While it is notable that attention and interest has been paid to this serious violation of children’s rights, it is of concern that by making people aware of the dangers of trafficking, some communities have become so distrustful of strangers that they have taken the law into their own hands when they suspect a trafficker is in their midst. Dr Jyoti Sanghera noted that two salesmen were lynched to death on suspicion of being traffickers.¹⁶⁴ In June 1997, the *Daily Ittefaq* reported that a mob beat and burned to death alleged kidnappers.¹⁶⁵

Economic factors such as unemployment and lack of viable skills; social and cultural factors which include gender discrimination and violence, sexual abuse, and; discriminatory and inappropriate laws, impunity, and corruption create an environment where trafficking takes place. Girls in the children’s consultations who had been trafficked and rescued and living in a shelter home, when asked about the root causes of trafficking, agreed with the issue of gender discrimination, explaining that older girls are

¹⁵⁹ Ibid., p.33.

¹⁶⁰ Discussion with Therese Blanchet, 24 September 2001, Dhaka; and discussion with Farah Kabir and Professor Ishrat Shamim, 3 October 2001, Dhaka.

¹⁶¹ Ishrat Shamim, (2001) p.42.

¹⁶² Discussion with Rachel Kabir about consultations held children in July and August 2001, particularly the one held with girls who had been trafficked at the BNWLA shelter home, 23 September 2001, Dhaka.

¹⁶³ Ibid.

¹⁶⁴ Sanghera, (2000) p.37.

¹⁶⁵ in Ishrat Shamim (2001) p.28.

underfed, unhappy and therefore are vulnerable to trafficking.¹⁶⁶ Their overall comments suggest that home is not a safe place to be, particularly if they have a stepmother or stepfather.¹⁶⁷ Whereas the girls said stepmothers may sell you to a trafficker, the stepfather may sexually abuse you.¹⁶⁸ They added that taking legal action against the trafficker is difficult in part because families that do try to file cases may be threatened with more severe consequences (for example, acid throwing).¹⁶⁹

Therese Blanchet's trafficking research (December 2000 – February 2002) in 4 different districts (including Satkhira, Gazipur and Narayanganj) has likewise found that some of the traffickers are, in fact, family members. She also explained that giving a child away for a certain time in exchange for financial compensation is a normal practice for poor families. She shared one case study which demonstrates the difficulty in reporting cases: the parents of one boy sent him off with a woman more than 6 years ago with the understanding that they would receive money each month.¹⁷⁰ Only because the money was not forthcoming did they report the case to the police.¹⁷¹

What is known from children and women who have been rescued and/or interviewed in other countries is that they were trafficked for a variety of purposes, including forced prostitution, domestic service, labour, marriage and work as camel jockeys (this is only for young boys). UBINIG, a Dhaka-based NGO found in its study of selected border villages that the *dalal* (trafficker) is known in Shanpur village (where many girls have married Indian men) as being able to arrange dowry-free marriages for girls of poor families.¹⁷² Professor Ishrat Shamim and Farah Kabir, in their 1998 study of child trafficking also found that Indian recruiters come to find prospective brides.¹⁷³ The Association for Community Development (ACD) in its sample of 500 rural families in Shibganj thana, Chapainawabganj district found that many girls were allured as brides for men in India through the assistance of a *ghatak* (or matchmaker).¹⁷⁴ ACD found from its research that there is a demand from Muslim men in Agra and Ferozabad, in India for girls from Bangladesh because they cannot afford the high bride price of local girls. Families in Bangladesh feel the trafficker is helping them avoid debt through dowry payments.¹⁷⁵

¹⁶⁶ Discussion with Rachel Kabir about consultations held with children in July and August 2001, 23 September 2001, Dhaka.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ Discussion with Therese Blanchet, Dhaka, 24 September 2001.

¹⁷¹ Ibid.

¹⁷² UBINIG, *Pamphlet 2, Fact Finding Missions on Trafficking in Women and Children from Bangladesh to India and Pakistan* (Dhaka: UBINIG, 1999) p.9.

¹⁷³ Professor Ishrat Shamim and Farah Kabir, *Child Trafficking: The Underlying Dynamics*, (Dhaka: Centre for Women and Children Studies, 5 January 1998).

¹⁷⁴ Association for Community Development, *International Migration of Women: A Study on Causes and Consequences* (Rajshahi: ACD, 1995) p.13.

¹⁷⁵ Ibid., p.17.

As found in the IOM-commissioned survey, agents recruit during lean period before harvest or seek out families in financial difficulties.¹⁷⁶ This has likewise been found by Dr Ishrat Shamim and Farah Kabir, who found that certain times of year are more popular for trafficking: June - August when food is scarce, September to October -during festival months, and pre-harvest times when recruiting is easiest because poverty is at its most acute.¹⁷⁷

The Bangladesh National Women Lawyers Association (BNWLA), in its study of 51 missing and rescued victims of trafficking from 10 villages in the thanas of Sharsa, Teknaf and Patgram between October 1998 and June 1999, learned from those 18 rescued that they were mainly deceived through job offers, with offers of marriage being most common among girls aged 11-16 years.¹⁷⁸

In 1997, UBINIG undertook three fact-finding missions in border-belt areas and in the destination points of Calcutta, Agra and New Delhi, India. Association for Community Development (ACD), based in Rajshahi, similarly undertook a study of two unions in a border belt area in 1999.¹⁷⁹ What both studies reveal is that the smuggling and trafficking of goods and persons involves many people from all ranks of society and is a key source of income for many. The following story provides a good illustration:

As Night Falls, Guests Start Arriving Border Villagers Host Traffickers

Almost every house along the Benapole border has provisions for accommodating a number of paying guests. It may be a hut or an attractive brick structure, while inside, the owners proudly display rest areas including temporary beds, cooking utensils, glasses, bowls -an indication of how many guests they can put up at a time and on short notice. The house owners may be elderly men or women. They cater to hundreds of people traveling to India without passport. In the darkness, the clients are simply led through the border and into India, a few yards away while in the distance Bangladesh border forces personnel guard the border area in their makeshift outposts. Locally the travelers are known as *dhurs*.

During the day, these 'houses' near the border are empty and look abandoned. But as night falls these rural houses bubble with life. Women light up their cookers to prepare meals for the 'guests' who suddenly arrive and keep on arriving throughout the night. They mingle with the

¹⁷⁶ Ishrat Shamim (2001) p.4.

¹⁷⁷ Professor Ishrat Shamim and Farah Kabir, (1998) p.17.

¹⁷⁸ BNWLA, *Causes and Consequences of Children and Women Trafficking: A Socio-Economic Study on Ten Villages of Bangladesh* (Dhaka: BNWLA with support of UNICEF, October 1998 – June 1999), p.44-46.

¹⁷⁹ Association for Community Development (ACD), *Socio-cultural study of Border Belt Area* (Rajshahi: ACD, 1999). The study was of two unions, Binodpur and Monakosha and the methodology included focus group discussions with 57 respondents, in-depth interviews with 15 respondents, and observation.

occupants, have food and then wait for the agents to turn up. A *ghat* is a designated point from where the crossing into India takes place. It is owned by a member of the syndicate that is in charge of the operation in this village. From the Benapole customs and immigration checkpoint up to the Isamati river, about two kilometers to the west, *dhurs* make a substantial contribution to the economy of this area known as Geatipara. Each *dhur* passing through a *ghat* ends up paying up to Tk.500 for the service.

In villages around Jessore, illegal travel agents operate openly. Once the deal is made through some contacts, the procedure is simply and easy. The agents guide the clients to a house near one of the numerous *ghats* of the area. Then two to three agents turn up at a convenient time, collect the fees and then lead them across the border.

"These days less people are using this particular border because the Bangladesh border forces have set up a special team to crack down on the trade", said Masud Ahmed, a local businessman, adding, "Only a few days back you would find it difficult to walk on the roads due to the rush."

"There are two types of *dhurs*," said a senior police in Jessore. "Those who are poor and cannot afford to obtain a passport and others who are victims of the women and child trafficking syndicate." He said that traditionally poor peasants and religious groups have been traveling to and from India without papers and the matter used to be ignored, "After visiting their relatives and shrines as far as Ajmir, these people would return home to Bangladesh. But during the *Puja* festival, as usual, thousands were crossing without papers and at one point we realized that the gangs of child and women traffickers were using this golden opportunity," he added. The Superintendent of Police, Jessore, expressed his concern over child and women trafficking. He said, "For the villagers along the border, the trade is so lucrative that unless their economic conditions improves, it is very difficult to stop the trafficking business. We are nonetheless holding regular meetings with the villagers along the border to create public opinion against trafficking in women and children..."

Source: The Daily Star [Dhaka], 21 December 1997 in Shamim, Ishrat, *Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective* (Dhaka: International Organisation for Migration, no date) p.38.

The above case study shows the link between the villagers, trafficking and illegal migration.

Therese Blanchet has found from her study of trafficking in 4 locations collusion between the traffickers and the Bangladesh Rifles (BDR) who are responsible for the territory

between 0 and 5 km from the border. The BDR employ people to collect money from illegal migrants and/or traffickers.¹⁸⁰ When illegal migrants are caught, it is not usually by the BDR but by other law enforcement officials. UBINIG and BNWLA have found that if the trafficker is arrested, a case is usually filed against that person under the Bangladesh Passport Order, 1973, and are charged a nominal amount as a fine to get out of jail.¹⁸¹ While conducting a secondary investigation of trafficking cases in Satkhira District in April 1996, BNWLA found that the trafficker of 27 rescued men, women and children had been fined Taka 100 for violating Section 11 (c) of the Bangladesh Passport Order, 1973.¹⁸²

From their discussions with girls and women who were victims of trafficking and who ended up in Calcutta, Agra and New Delhi, the UBINIG researchers found that for most, Calcutta was the first entry point to India and from there are trafficked to other parts of India and other countries. Many Bangladeshi girls and women are sold in brothels in big cities in India because they have a lower monetary value than girls from other countries, it doesn't cost much to collect them and there is a demand for them.¹⁸³

Lots of Bangladeshis and Burmese families are also in Karachi (near where fish processing is carried out, an area in which Bangladeshis are skilled). According to the findings of the UN Special Rapporteur on Violence Against Women, Pakistan's strict *zina* laws which pertain to sex outside marriage encourages marriage as a method of trafficking recruitment: traffickers of their partners often marry their victims to protect themselves from prosecution.¹⁸⁴ Ms Coomaraswamy has found that 2,500 Bangladeshi women and children are being detained in Pakistan under the Hudood Ordinances, charged with illegal entry and for having sex outside marriage.¹⁸⁵

While the vast majority of trafficking takes place overland, there are between 18 and 20 common border crossings used for both legitimate and illegal purposes, there are some trafficking cases which start from Zia International Airport. Bangladesh National Women Lawyers Association has noted from its study that those being trafficked by air have work permits or false family visas to travel to countries like the Middle East.¹⁸⁶

Migration for Prostitution

CARE Bangladesh has been supporting some research in a trafficking-prone district in South West Bangladesh. The research team interviewed 24 families, of whom 15-16 said that members of their families (including adolescent girls) had temporarily migrated to India to become engaged in prostitution.¹⁸⁷ Poverty of the families had led to the

¹⁸⁰ Discussion with Therese Blanchet, Dhaka, 24 September 2001.

¹⁸¹ UBINIG, (1999) p. 3 and BNWLA, *Movement against Flesh Trade* (Dhaka: BNWLA, August 1996), pp 4-5.

¹⁸² BNWLA, (August 1996), pp 4-5.

¹⁸³ UBINIG, (1999), p.11.

¹⁸⁴ Ishrat Shamim (2001) p.12.

¹⁸⁵ Ibid.

¹⁸⁶ BNWLA, (UNICEF, October 1998-June 1999) p. 65.

¹⁸⁷ Discussion with Dr Jana, HIV Programme Coordinator, CARE Bangladesh regarding preliminary findings from CARE research in SW Bangladesh, 20 June 2001.

decision taken for some of the girls and women to go to Bombay and Calcutta to work in prostitution. It is unknown to what extent the girls and women were provided with a choice as to whether or not they would do this for their family's survival. As stated by Therese Blanchet provides the context for these findings in her statement, "the right to decide one's own life does not exist here [in Bangladesh]" and the money earned by the girls and women would likely earn them greater value and respect in a poverty-stricken household.¹⁸⁸

Penalisation of trafficked victims

In trying to combat illegal migration and trafficking, the victims usually end up more criminalised than the traffickers. As an example from Pakistan demonstrates, the victims are likely to end up in jail:

30 Bangladeshi women, children released from Karachi Jail

Thirty Bangladeshi and Burmese origin Muslim women and children detained on allegation of illegal entry four years ago were released from detention from Karachi jail recently. A division bench of the Sindh High Court issued the release order for the 13 women and their 17 children who earlier were sent to Edhi Centre (Apen Ghar) from Karachi Juvenile Jail. The court made the order following petitions on behalf of the women by Zia Ahmed Awan, President of Lawyers for Human Rights and Legal Rights (LHRLA) in Pakistan.

Source: *The Bangladesh Observer*, 1 April 1997 in Shamim, Ishrat, *Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective* (Dhaka: International Organisation for Migration, no date) p.63.

Once outside the country, fear of deportation and/or arrest keeps trafficked victims from speaking out. For girls and women who end up engaged in prostitution, the legitimate fear that their families and community will not accept them work keeps them from escaping and/or leaving the profession.¹⁸⁹

With regard to the recovery and reintegration of trafficked children and women, a Human Rights Watch study of Nepali girls and women trafficked to India for sex work found that most did not wish to be rescued because they had nothing to return to, feared the contempt and rejection of family members and had no resources to make a new life for themselves.¹⁹⁰ This is also likely to be the case for many Bangladeshi girls and women. Rescued girls living in a NGO shelter home agreed that they fear rejection and judgement by their families if they attempt to go home.¹⁹¹ Therese Blanchet recounted the story of one girl who was trafficked to the Middle East and ended up engaged in prostitution. She

¹⁸⁸ Discussion with Therese Blanchet, Dhaka, 12 September 2001.

¹⁸⁹ Ishrat Shamim, (2001) p.73 and 74.

¹⁹⁰ Human Rights Watch, *Rape for Profit* (New York: Human Rights Watch, 1995) p. 50.

¹⁹¹ Discussion with Rachel Kabir about consultations held with children in July and August 2001, particularly the group of trafficked girls at the BNWLA shelter home, 23 September 2001, Dhaka.

returned pregnant to her village, but made up a story that she got married while she was gone.¹⁹²

Child Sexual Abuse and Exploitation of trafficked and migrant girls

The link between sexual abuse and exploitation of trafficked and migrant girls is important. Cases have been found where girls have migrated and found jobs or trafficked and placed in jobs, been sexually abused in the workplace, then chosen to engage in prostitution where they are able to make more money.¹⁹³ The following is a good example:

Amiron (14-15 years old), daughter of unemployed parents from the village Lakshanpur in Sarsa, appeared to be well off. At first she was reluctant to talk or share her experience. But afterwards she revealed that she went to Bombay. She crossed the border through Sikarpur and then traveled to Bombay. She lived for a fortnight in her cousin's house and then found a job in a house for Rs. 1000. The man in that house sexually abused her and this became a regular practice. Later she got used to it and somehow started to sell her body for money. She found that the wages were very good. She came to visit her home in Bangladesh. She will soon return to Bombay.

Source: Professor Ishrat Shamim and Farah Kabir, *Child Trafficking: The Underlying Dynamics*, 15 January 1998 Centre for Women and Children Studies Dhaka, p.12.

Vulnerability of Rohingya refugees

According to a 1999 Images Asia report, many Rohingya women and children have been trafficked from Bangladesh to Pakistan, the Karachi area in particular where most of the Rohingya settlements are located.¹⁹⁴

In 1997, Rahima paid a trafficker to be taken over to Pakistan. "I was in a group of 60 people. We travelled through Amritsar. When we crossed the border to Pakistan at night, the Pakistani border rangers arrested us. They detained us for 2 days and pushed us back to India. We tried to cross again but this time we were arrested by the Indian border guards. They took all the young girls and raped them. There were about 10 of them in our group, aged 12 or 13. They kept them in a place under guard. After two hours they were released and sent back to their families. They looked almost dead. Some were unconscious. They were bleeding and wounded. They couldn't walk and we had to carry them to continue our way.

Source: Images Asia, *Trafficked from Hell to Hades The Plight of Rohingya women from Burma trafficked in Pakistan*, November 1999, p. 13.

¹⁹² Discussion with Therese Blanchet, Dhaka, 24 September 2001.

¹⁹³ Ishrat Shamim, (2001) p.73.

¹⁹⁴ Images Asia, *Trafficked from Hell to Hades The plight of Rohingya women from Burma trafficked in Pakistan* (Images Asia, November 1999). According to a report of the Sindh Police, in 1993, the number of Burmese (all Rohingyas) living in and around Karachi was 200,000 and increase of 700% from the previous survey of 1988, p.13.

Just as they were in Bangladesh, the Rohingyas are undocumented and face constant threat of arrest and imprisonment as illegal immigrants after they arrive in Pakistan. While in detention, they are at risk of sexual and physical abuse.

With the exception of the UBINIG and Images Asia study, little is documented about the vulnerability to trafficking of Rohingya women and children. Moreover, there appears to be no system of protection and monitoring to tackle the problem given their undocumented status in Bangladesh.

Internal trafficking and migration

Most of the trafficking studies focus on the cross-border trade in children and women. Just as complicated as it is to distinguish between cross-border trafficking and migration, likewise it is difficult to distinguish between rural-urban migration and internal trafficking. The INCIDIN Bangladesh study of children engaged in street-based prostitution in Dhaka found that 21% of the migrant girls had been internally trafficked to Dhaka and been sold to pimps.¹⁹⁵

One feature of internal migration is that frequently it is men come to the big cities leaving their wives and children behind in village. In the absence of their wives, many visit brothels to satisfy their sexual desires, thereby fueling the demand for prostitutes, including children who are being sexually exploited.¹⁹⁶

Sale of children for sexual exploitation

As explained above, girls are sold for commercial sexual exploitation: to *sardanis* for sex work, and to *dalals* who use them as street-based sex workers or who subsequently sell them to brothels. In the brothels, the period of bondage to a *sardani* varies. According to Therese Blanchet's study of Daulotdia brothel, the average period of bondage is getting shorter: for girls and women under 20 years the average period was 1.76 years, whereas for women who were now over 31 years, at the time it had been 4.56 years.¹⁹⁷ The reasons for this are unknown: it is likely because there is now greater sensitivity about bonded labour which is leading to a reduction in its duration.

Kalpana is a girl of 16. She is now parentless. She read up to class II in a school in a village. She lost her parents when she was ten and came to Khulna city from Barisal with her paternal auntie. She is now living at Rupsha slum with her auntie.

Kalpana used to help her auntie in homework. Her auntie later managed to get a job for Kalpana as a household help while she was at thirteen. She worked there for two years. When her employer was transferred to other city she stayed back and returned to her auntie. She didn't accept her and misbehaved. One day her auntie decided to sell Kalpana to an old man who lived nearby their shanty in exchange of some money. Kalpana was

¹⁹⁵ INCIDIN (1997) p.33.

¹⁹⁶ Professor Ishrat Shamim and Farah Kabir, (1998) p.9.

¹⁹⁷ Blanchet (1996), p.141.

then forced to have sex with unknown persons. Still she was living in that slum as she had no other alternative for earning and living. At the beginning she didn't like it but that old man forced her to do this and sometimes threatened. She used to move around the parks and other areas of the city. She earns about TK 80-90 a day. She is now regular in her sex trade...

Source: Department of Social Services, Ministry of Social Welfare, *A Review of Existing Services Relating to Street Children (Khulna, Barisal and Jessore)* Appropriate Resources for Improving Street Children's Environment (ARISE) BGD/97/028) December 1999, Appendix A, p. 63.

Child pornography

The researcher was unable to locate any concrete information about the manufacture and/or distribution of child pornography in Bangladesh and/or about Bangladeshi children being used in the production of pornography.

Laws and legislation

While laws exist to prevent child marriage, child prostitution, sale of children for prostitution, slavery, kidnapping and abduction for prostitution, trafficking (both internal and cross-border) and some forms of child sexual abuse, many are inconsistent with the CRC and other international human rights instruments.¹⁹⁸ Moreover, legal loopholes and corrupt practices often allow those who sexually abuse and/or exploit children to avoid any punishment.

In early 2000, the *Nari O Shishu Nirjaton Domon Act, 2000* (Suppression of Violence Against Women and Children Act, 2000) was passed. It metes out harsh punishments for those convicted of committing violent crimes, including some forms of child sexual abuse and exploitation against children (under 14 years of age) and women of any age. An unofficial translation is attached at Annex 1.

The law is not fully in accord with the CRC and other international human rights instruments which the Government of Bangladesh has ratified. Nevertheless it is important to recognise that this law goes further than previous ones to stop violence against children and women, including the provision of harsh penalties for trafficking (including sale and purchase of children and women), rape, dowry-related death, and abduction (see sections 5 - 11). Of particular note, section 10 pertains to 'illegally touching the sex organ of a women or child', which is included in most definitions of 'sexual abuse.' Moreover, the news media (at section 14) is forbidden from disclosing any victims' identity, including his or her name and address.

¹⁹⁸ See Annex 1 for the following laws and relevant sections of the Penal Code of 1860: The Suppression of Immoral Traffic Act, 1933, the Children Act, 1974, Suppression of Violence Against Women and Children Act, 2000 and sections 292, 293, 294, 360, 361, 366, 367, 372, 373, 375, 377 of the Penal Code.

Child Marriage

As mentioned earlier, the Child Marriage Restraint Act, 1929 prohibits marriage of girls under 18 years of age and men and boys under 21 years of age. However, under Muslim Personal Law (Sharia Law), a child under 18 years of age may be given in marriage by a guardian until she or he reaches puberty.¹⁹⁹ The Dissolution of Marriages Act, 1939 does, allow a child bride to repudiate the marriage on attaining puberty or the age of majority, 18 years, provided the marriage has not been consummated.²⁰⁰ However, as Saira Rahman Khan points out in her study, *The Socio-Legal Status of Bangali Women in Bangladesh* repudiating the marriage on attaining the age of majority is not so easy:

[she] must prove that the marriage was agreed by her parent/guardian, that it was solemnised when she was below 15 years of age, that she has repudiated the marriage before she reached 18 and that the marriage has not been consummated.²⁰¹

This is a tall order for many girls who are unlikely to know the law, let alone take the case forward. With regard to the registration of marriages, the Muslim Marriages and Divorces (Registration) Act, 1974, at Section 3, states that "Notwithstanding anything contained in any law, custom or usage, every marriage solemnised under Muslim Law shall be registered in accordance with the provisions of this Act."²⁰²

According to Hindu Personal Law, child marriage is permitted and unlike Muslim law does not give the child bride the option of repudiating the marriage at any age.²⁰³ Custom does not allow for divorce among Hindu marriages.

Legal, social and cultural norms preclude sex outside marriage, however, it is of concern that the specific age of sexual consent is still not clear.²⁰⁴ Moreover, according to the Penal Code (Act XLV of 1860), rape within marriage is not considered a crime unless the wife is under 13 years of age. This is in direct contravention to the Child Marriage Restraint Act, 1929 as the bride cannot be younger than 18 years. Moreover, according to Section 375 of the Penal Code, any man who has sexual intercourse with a female, with or without her consent, when she is under 14 years of age will be said to have committed rape. Rather than being described as a 'child', the 14 year-old is described as a "woman" which is in contravention of the Children Act, 1974, and the CRC.

¹⁹⁹ UNDP Bangladesh, *National Gender Profile* (Dhaka: UNDP Bangladesh, 1999) p.24

²⁰⁰ Ibid.

²⁰¹ Saira Rahman Khan (2001), p.85.

²⁰² Ibid, 84.

²⁰³ UNDP (1999), p.26.

²⁰⁴ As stated in Section 373 of the Penal Code, 1860, 'illicit intercourse' is sexual intercourse between persons not united in marriage or by any union or tie which, though not amounting to a marriage, is recognised by the personal law or custom of the community to which they belong...' Discussion with Faustina Pereira, Advocate, Ain O Salish Kendra, 21 June 2001 and discussion with Sigma Huda, Advocate, Bangladesh Society for Enforcement of Human Rights, 3 October 2001.

Advocate Sigma Huda, Bangladesh Society for Enforcement of Human Rights (BSEHR), filed a petition in the court requesting its direction to study the inconsistencies and identify the anomalies with the Child Marriage Restraint Act, 1929 and between it and customary law (both Muslim and Hindu Personal Law).²⁰⁵ As of October 2001, the petition had been ‘stayed’ (kept pending) so that she could substantiate it further.

Children in Safe Custody

According to the *Nari O Shishu Nirjaton Domon Act, 2000* the previous controversial practice of ‘safe custody’²⁰⁶ has been formally institutionalised by law.

According to Section 31 of the Act, ‘safe custody’ is explained as follows:

If during the investigation or trial of any offense under this law the tribunal considers that any woman or child needs to be kept in safe custody, the tribunal **can give the order** for the woman or child to be kept outside the jail and in a government approved place for this purpose under the care of the government. **[my emphasis].**

While the Act (at Section 31) states that “the tribunal can give the order for the woman or child to be kept outside the jail and in a government approved place...”, no clear guidelines regarding the “government-approved place” for safe custody have been put in place. The accreditation process the “government-approved place” has not yet been determined.

There is some uncertainty between the *Nari O Shishu Nirjaton Domon Act, 2000* and the Children Act, 1974 which states that children requiring special protection (either for fear that an offence will be/or has been committed against that child) are to be taken “to a place of safety.”(Part VIII Section 55(2)) In the new Act, as mentioned, the place where the victim or possible victim will stay is not adequately made clear, which raises concerns that the previous practice of placing those in “safe custody” behind bars, will continue as will the abuse.

²⁰⁵ Discussion with Sigma Huda, Advocate, Bangladesh Society for Enforcement of Human Rights, 3 October 2001.

²⁰⁶ Until the passage of the *Nari O Shishu Nirjaton Domon Act, 2000* there existed no legal basis for ordering ‘safe custody’ with several notable exceptions. Chapter XXIV, Lunatics, Section 466 (2) and 471 (1) of the Code of Criminal Procedure, 1898, states that the ‘Magistrate or Court, as the case may be, shall order the accused [to protect him or herself or others] to be detained in safe custody in such place and manner as he or it may think fit, and shall report the action to the Government...[in accordance with the Lunacy Act, 1912].’ Under Section 13, ‘the Suppression of Immoral Traffic Act, 1933,’ police may recover girls under 18 from places such as brothels and under Section 14 the Magistrate usually puts the girl into “safe-custody” in a jail or detention centre or sends her to a relative. Under the ‘Children Act, 1974,’ victimised children (section 57) are sent to juvenile court and according to Section 58, they may be sent to certified institutes or approved homes. Under Section 2(j) the “Place of Safety” is defined as places including remand homes, or any other suitable institution where such institution is not available. For male children, a police station where children are kept separately from other inmates is possible. Source: SCF:UK “The Legal Backdrop” *Safe Custody Orders: The Victims*. [no date].

Children engaged in prostitution

According to the Suppression of Immoral Traffic Act, 1933, no girl under 18 years of age may be engaged in prostitution (defined according to the act as 'any female available for the purpose of prostitution, which is promiscuous sexual intercourse for hire, whether in money or kind').²⁰⁷ Moreover, any person who brings or attempts to bring (either through force or encouragement) a girl under 18 years of age to a place for purposes of prostitution shall be punished. In addition, no one is permitted to manage a brothel and/or lease it to person(s) who will use the premises for such purposes.

According to Section 42 of the Children Act, 1974, no girl under 16 years of age, either willingly or through coercion, is permitted to work as a prostitute. Anyone who causes or encourages her to become one will be punished. Moreover, according to Section 41, no child over the age of 4 years is permitted to reside in or frequent a brothel and anyone who allows this to take place will be punished. According to the Penal Code, anyone who induces or forces a girl under 18 years of age into illicit intercourse shall be liable to punishment.

Of note, neither the Suppression of Immoral Traffic Act, 1933, nor the Children Act 1974, makes any mention of boys engaged in prostitution.

Although not part of any written law, a practice has emerged in Bangladesh whereby any woman above 18 years may affirm an affidavit before a Notary Public or First Class Magistrate attesting to her age and that she has willingly chosen to engage in prostitution, by not having any other source of income.²⁰⁸ The affidavit is commonly referred to as the license or registration of the prostitute.²⁰⁹

In her study of Daulotdia Brothel, Therese Blanchet found that no one may be engaged in prostitution in the brothel unless her name is entered into the thana (local municipality) police register and a fee is paid: "[t]he brothel is an important source of income for the thana police who have clear interests at stake in keeping business flourishing even though it means covering up and protecting illegal practices."²¹⁰ According to her findings, the younger and prettier the girl, the higher the fee required.²¹¹

BNWLA is one NGO that has filed a case with the Bar Council against a Notary Public and lawyer for having made false affidavits that two underage girls were at least 18 years so that they could be registered as prostitutes in Tanbazar Brothel. According to Salma Ali, Advocate, one girl was only 14 years old, but the document said she was 22 years

²⁰⁷ Of note, the Act only pertains to girls; there is no such law for boys.

²⁰⁸ Discussion with Faustina Pereira, Advocate, Ain O Salish Kendra, 22 June 2001, Dhaka.

²⁰⁹ BNWLA, *A Research on Prostitution: An unresolved social issue due to incomprehensive nature of Suppression of Immoral Traffic Act, 1933* (Dhaka: BNWLA, 1999), p.25 and see also BNWLA, *Prostitution: Women, Society, State and Law* (Dhaka: BNWLA, 1997) p.10.

²¹⁰ Blanchet (1996), p.126 and also Md. Farid Uddin, Monira Sultana, and Sultan Mahmud; Maggie Black, Harriet Goodman and Rachel Kabir (eds.), *Growing up in the Daulotdia and Kandapara brothel communities of Bangladesh* (Save the Children Sweden, draft of January 2001), p.15.

²¹¹ Ibid.

old.²¹² The case was filed over three years ago, and although BNWLA keeps following up, as of September 2001 there has not yet been any judgement.²¹³

Of note, the newspaper, the *Daily Ittefaq*, in May 2001, reported that Judge Rahman, presiding over the Women and Children Anti-Repression Tribunal (established under section 26 of the 'Nari O Shishu Nirjaton Doman Act, 2000') in Tangail District awarded life imprisonment and a fine of Taka 5000 each to two persons charged with selling an adolescent girl to Kandapara Brothel, Tangail.²¹⁴ The father gave his daughter up to two men on the agreement that they had found her a job as a domestic worker. They subsequently sold her to the brothel and police rescued her.

Given the absence of birth registration, the difficulty of proving one's age and collusion between *sardanis* (madams), *dalals* (pimps) and the Notary Public and police, many of the registered prostitutes are in fact children forced into prostitution. The police maintain dual roles with the sex workers, acting as their protectors as well as getting money from the brothel.²¹⁵ They also collude with traffickers who sell women and children to the brothel. Moreover, as mentioned earlier, socially and legally, once a girl reaches puberty –sometimes as young as 13 years –she is no longer viewed as a child (as per the definition in the CRC) but rather as a woman. This belief is a contributing factor to the persistence of child prostitution. According to the consultations held with children who grew up in the brothel, those at risk of becoming prostitutes include daughters and adopted daughters of registered prostitutes, trafficked girls, girls living with a step-parent, girls who have had a pre-marital relationship, sexually abused girls, orphans and girls living in slums.²¹⁶

Affidavit for Prostitution as Profession

While rescuing some teenagers from Kandupatty, the police recovered and captured some affidavits. During the interviews the girls told “sardani told us that we have license, police can do nothing.” It was found that the affidavits were in the presence of a notary public who is also our advocate. Dalals or the pimps prepared these documents. The language of such affidavits are almost same in which the girls put their left thumb impression (LTI)...In the affidavits the girls stated their names, their fathers' names, addresses, ages, religion and nationality and made a declaration as to why they choose to become prostitutes. Advocate Md Shahjahan was appointed as a Lawyer by the dalals who on behalf of these girls appeared before the court and deposited the affidavits to the same...In fact, the girls never prepared the affidavits themselves or heard the contents of these documents or even

²¹² Discussion with Salma Ali, Advocate, BNWLA, 25 June 2001. Dhaka.

²¹³ Discussion with Salma Ali, Advocate, BNWLA, 25 June 2001 and 8 October 2001, Dhaka.

²¹⁴ 'Two persons get life term in Tangail for selling an adolescent girl to brothel,' in *Daily Ittefaq* [Dhaka] 14 May 2001 (English translation from Bangla original).

²¹⁵ Uddin, Sultana and Mahmud, (January 2001 Draft) p.18.

²¹⁶ Discussion with Rachel Kabir on findings from consultations held with children who grew up in the brothel in the month of July 2001, 23 September 2001, Dhaka.

they did not put their LTIs... The girls confessed before us that they never became prostitutes after affidaviting. They solemnly gave their affirmation and declaration in the affidavits long time after becoming prostitutes though there is a rule that the affidavit has to be made before this profession.

Source: Maudad, Baby (ed.) *Teen-Agers Are Forced For Flesh Trade* (Dhaka: Mahila Porishad, 1992) p.71.

According to Section 377 of the *Penal Code*, 'unnatural offences' which can include males having sex with males are punishable with life imprisonment or with a term up to 10 years and a fine (see Annex 1).

Trafficking in Children

The *Nari O Shishu Nirjaton Doman Act, 2000* also prescribes harsh penalties for trafficking (including sale and purchase) of women and children outside the country (see sections 5 and 6) and for kidnapping or abducting children and women (refer to section 7).²¹⁷ The law also provides for special Women and Children Anti-Repression Tribunals to hear and try the case expeditiously.

As it is profitable and a source of income for influential and powerful individuals and networks and many people living on the border, there is a vested interest in keeping 'trafficking' in existence. This is one of the key obstacles to eliminating trafficking. Nevertheless, as the South Asia Human Rights Documentation Centre (SAHRDC), Dr Jyoti Sanghera and others argue, any effort to eliminate or curtail trafficking must include a component which involves the government, including law enforcement officials (border security forces and police) and policy-makers.²¹⁸ The creation of more stringent laws will not eliminate the trade, rather addressing the lack of adequate enforcement and corruption is first required.

Another dimension of the problem is that men employed overseas occasionally come back to marry, and police cannot arrest husbands who are travelling with legally married wives to other countries.²¹⁹ Men may come back and express a wish to marry: parents think their daughters will have better prospects and only after something happens do they get suspicious. The researcher notes, however, that during a visit to Shibganj District, ACD workers informed her that previously many girls were married to Indian men, including strangers, but that now girls, parents and the community as a whole are more wary of strangers coming to get married and less likely to marry their daughters to them.²²⁰

What makes trafficking so difficult to determine is that the distinction between trafficking and illegal border crossing/migration is not always clear. As Dr Jyoti Sanghera,

²¹⁷ see Annex 1 for a copy of the unofficial translation of the law.

²¹⁸ Sanghera, (March 2000) p. 36.

²¹⁹ Professor Ishrat Shamim and Farah Kabir, (1998) p.17 and Ishrat Shamim (2001) p.7.

²²⁰ visit to ACD project sites in Shibganj, Rajshahi Division, 10 June 2001.

BNWLA, Professor Ishrat Shamim and Farah Kabir and UBINIG point out in all their reports, if apprehended at the border, most traffickers will get charged with illegal border crossing and not the non-bailable offence of trafficking, which is, admittedly, more difficult to prove.

According to a senior official with Bangladesh Rifles, the traffickers are not punished because the victims withhold complaints. Therefore, “[h]ere, the victims are charged under section 11 (C) of the Passport Act [in fact, it is officially called the Bangladesh Passport Order, 1973] but are released of charges the next day because it is a minor offence to travel across a border without a passport. Law prescribes only nominal fine and one month imprisonment for this.”²²¹

BNWLA has found that rather than withholding complaints, law enforcement officials accept bribes to allow illegal crossing or hold traffickers responsible only for a passport violation, a lesser charge instead of trafficking, which has severe penalties.²²² In 1997, only 128 individuals were arrested on a trafficking charge.²²³ As documented by Professor Ishrat Shamim and Farah Kabir, a joint study by the Ministries of Home, Social Welfare and Women's Affairs showed that over a period of 5 years, at least 13,220 children were smuggled out of Bangladesh of whom only 4700 were rescued.²²⁴ During this period, only 53 cases of trafficking came before the courts out of which 35 had to be dropped because of lack of evidence and only 21 culprits were convicted.²²⁵

Many victims withhold complaints, but corruption is also a problem. While even locals know who the traffickers are, little is done to stop them from operating. This is because both locals and the trafficking victim fear reprisal from the trafficker and his/her network. They may owe money to the trafficker. Moreover, the need to financially support themselves and/or their families makes them unwilling to do anything that may jeopardise that goal. Moreover, they distrust the capacity of law enforcement officials to protect them. In many cases, people don't report incidents because they are not familiar with the law, and/or lack confidence in the legal system.

Child Pornography

While the law does not specifically mention 'child pornography', Sections 292, 293 and 294 of the Penal Code (Act XLV of 1860) pertain to the sale, rent, distribution, exhibition and/or circulation of materials that are 'obscene.' Interestingly, the punishment for selling, renting, distributing, exhibiting and circulating obscenity to young persons under 20 years of age is twice as harsh (with the penalty extended from a prison term of up to three months and/or a cash fine up to six months in prison and/or a cash fine). Refer to Annex 1 for more details.

²²¹ *The Daily Star* [Dhaka] 20 December 1997) in Ishrat Shamim, (IOM, 2001) p.39.

²²² BNWLA, (BNWLA with UNICEF support, October 1998-June 1999) p.8.

²²³ Ibid.

²²⁴ referenced in Professor Ishrat Shamim and Farah Kabir, (1998) p.7.

²²⁵ Ibid, p.7.

Legislative Remedies

According to the National Plan of Action for Children (1997-2002), the government is trying to address the discrepancies in laws which pertain to children and the justice system. In particular those that require immediate attention,

the government is focussing on harmonizing the Children's Act 1974, read with the Children Rules 1976, laws relating to juvenile [sic] offenders, and the Bengal Vagrancy [sic] Act 1943. They need to be brought into consonance with the CRC. The government has set up an inter-ministerial Core Group and a Task Force in December 1997 to strengthen and streamline the juvenile justice system.²²⁶

Chapter 3. Documentation of 'Good Practices' and Lessons Learned

From discussions with NGO, INGO, UN agency and government project staff and other concerned officials, good practices are to be identified and analysed. The following section is not an evaluation of individual interventions. Rather, as mentioned above, it is intended to identify 'good practices' (approaches), challenges, gaps and recommendations for combating sexual exploitation and abuse.

Criteria for gauging what constitutes a 'good practice'

It is difficult to assess what constitutes 'good practices' for combating sexual abuse, exploitation of children, including trafficking of children. This is because, as mentioned below, there are still so many gaps to fill in information and experience. Nevertheless, there are some essential criteria: the intervention(s) must be rights-based and therefore in adherence to international human rights instruments, particularly the CRC, Stockholm Agenda for Action, and ILO Convention No. 182.

Drawing from the experiences shared in Stockholm, good practices with specific respect to combating child sexual exploitation should therefore fit into one or more of the following areas (with child participation ideally as a cross-cutting theme):

1. coordination and cooperation;
2. prevention;
3. protection;
4. recovery and reintegration, and;
5. child participation.²²⁷

With respect to national policy, 'good practices' should also support implementation of the Government of Bangladesh's *National Plan of Action for Children 1997-2002 (NPA)*.

²²⁶ Ministry of Women and Children Affairs, *National Plan of Action for Children 1997-2002*, p.111.

²²⁷ See [www://focalpointngo.org/DOCS/English/98_0006_uk.html](http://www.focalpointngo.org/DOCS/English/98_0006_uk.html) as of 7 June 2001. See also Vítit Muntarbhorn, *Extraterritorial Criminal Laws against Child Sexual Exploitation* (Geneva: UNICEF, 1998), p.114-118).

The NPA recognises that ‘children in need of special protection’ includes children who are sexually exploited and abused and requires the efforts of all sectors of services dealing with child development issues. As clearly stated in the NPA,

There has been increasing recognition of sexual abuse that children face at home and elsewhere...Although it is not known how many children face the threat of sexual abuse, WHO estimates that in South Asia, one in ten face this problem. The Government recognizes the existence of the problem and has entered into discussion with NGOs which are becoming increasingly involved in preventive and mitigating action.²²⁸

‘Good practices’ should also support implementation of the forthcoming *National Plan of Action against Sexual Abuse and Exploitation of Children, including Trafficking*. The National Plan of Action will create a blueprint for action by the Government, in cooperation with children and national and international organisations (including NGOs, INGOs, UN Agencies, bilateral partners) in the following areas: prevention, protection, recovery and reintegration, monitoring and coordination, HIV/AIDS, Sexually Transmitted Infections (STIs) and Substance Abuse, Child Participation, and Perpetrators.

Therefore, in identifying what constitutes a ‘good practice’ in combating child sexual abuse and exploitation (including trafficking), approaches which adhere to the principles of child-rights have been identified and documented. While very few evaluations and studies have been undertaken to determine the effectiveness of the interventions outlined below, a ‘good practice’ should ideally have made a measurable impact in achieving the above objectives.

Examples of ‘Good Practices’

From project visits, documentation and discussions with project staff and others it is clear that many interventions and ‘good practices’ are working in multiple areas. For example, NGOs may combine coordination, prevention, protection, child participation, and recovery and reintegration approaches. The following are highlights of the ‘good practices’ (including lessons learned and challenges) for combating child sexual exploitation and abuse in Bangladesh.

Coordination and Cooperation:

Participatory approaches to facilitating and formulating a National Plan of Action against Sexual Abuse and Exploitation of Children, including Trafficking

To assist the Government of Bangladesh in meeting its obligation before the 2nd World Congress against Commercial Sexual Exploitation of Children, NGOs, INGOs, and UN agencies were invited to join a ‘Core Group’ (established in February 2001) steer-headed by a senior official from the Ministry of Women and Children Affairs.

²²⁸Ministry of Women and Children Affairs, (1999) p.108.

The tasks of the 'Core Group' and its subsidiary subnational 'Technical' and 'Child Consultation' groups were to create a national policy to address both sexual abuse and exploitation (including trafficking) of children and to identify good practices to combat such problems.

The *National Plan of Action against Sexual Abuse and Exploitation of Children, including Trafficking* stands out as a good practice because of the participatory process that has led to its formulation. In addition to being a product of a diverse group consisting of NGO, INGO, UN and government representatives, it has furthermore sought to ensure the input of divisional and district-level officials and NGO representatives during three sub-national meetings. A separate process involved children's input to the national plan of action. It was undertaken to ensure their views were solicited and incorporated in an interactive, yet ethical and non-threatening way. Facilitators with extensive experience working of with children and promoting children's rights designed the methodology and led the nine consultations held with children.

Local-level initiatives

In addition to national-level initiatives to improve coordination and cooperation amongst a wide number of actors, it is also important to note what is being done at the local level to combat competition, rivalry and duplication. For example, in Jessore (a district in South West Bangladesh), CARE Bangladesh has created an HIV Steering Committee in Jessore to bring together the large number of organisations working with sex workers and sexually exploited children to avoid duplication and promote coordination.²²⁹

In Daulotdia brothel, in the past couple of years, a lot more NGOs have begun working than did previously. Save the Children Australia has organised monthly meetings amongst the NGOs working there to help avoid duplication and overlap in their interventions.²³⁰

Coordination and cooperation to combat trafficking

With respect to NGO efforts to coordinate and cooperate in anti-trafficking efforts, the 15 member NGOs of Action Against Trafficking and Sexual Exploitation of Children (ATSEC) Bangladesh Chapter coordinate among themselves for repatriation and rehabilitation and legal aid.²³¹

As part of the ILO-IPEC project 'Trafficking in Children in South Asia' (TICSA) which is being implemented in three countries: Bangladesh, Nepal and Sri Lanka, a network between local NGOs have been established to coordinate anti-trafficking activities between the three Northern districts of Panchagahr, Dinajpur and Thakurgaon.²³² Such

²²⁹ Discussion with Dr K.F. Mahmud, Project Manager, HIV/AIDS Prevention Project, 3 June 2001, Jessore.

²³⁰ Discussion with Sultan Mahmud, Country Director, Save the Children Australia, 11 June 2001, Dhaka.

²³¹ Discussion with Mizanur Rahman, Project Director, ATSEC, 8 October 2001, Dhaka.

²³² Discussion Tine Staermose, Chief Technical Advisor, ILO-IPEC, TICSA, 8 November 2001. The TICSA project is for two years, June 2000-June 2002.

efforts include awareness-raising and training of paralegal groups.²³³ The TICSA project has a Project Advisory Committee chaired by the Joint Secretary, Ministry of Women and Children Affairs (MoWCA). In so doing it seeks to promote coordination between the Government, UN and INGOs on anti-trafficking efforts.²³⁴

Matthew Friedman, Technical Advisor, Population, Health and Nutrition Office, USAID has pointed out that, at the moment, most efforts to build coordination and cooperation to combat trafficking have focussed on the NGO sector, rather than Government where more attention is needed.²³⁵ In addition to the ILO-IPEC project, with the new NORAD-funded project of the Ministry of Women and Children Affairs (MoWCA), outlined below, it is anticipated that this weakness may be addressed.

According to the Project Proforma (PP) of the MoWCA project to combat child trafficking, 'Child Development Coordinated Program to Combat Child Trafficking, Pilot Project 1' children and women are trafficked to India, Pakistan, and the Middle East through 25 *upazillas*²³⁶ situated along the border with India.

The three-year pilot project will be implemented in 14 Districts, 25 Upazilas (including trafficking and transit points) with support of the Royal Norwegian Embassy. The project seeks to develop an effective mechanism and administrative set-up to address child trafficking, activate multi-sectoral institutional initiatives for different agencies, effectively dispose of child trafficking cases and rescue and rehabilitate trafficked children.²³⁷ As of researching and writing this paper, many of the activities were not yet in the implementation phase and therefore it is difficult to glean the 'good practices'. Nevertheless, what is interesting about the project is how it seeks to address a critical gap in previous anti-trafficking efforts: the development of structures/administrative set-up and mechanisms in the government -at national, district and thana levels to combat child trafficking.²³⁸ As mentioned already, thus far, most anti-trafficking initiatives have been undertaken by NGOs. The project also seeks to establish coordination mechanisms between all multisectoral initiatives (including those of NGOs) so as to strengthen existing institutional and community-level activities to combat trafficking. It also seeks to improve dispensation of justice in the field of trafficking, and to improve mechanisms for the more effective rescue, rehabilitation and reintegration of trafficked children.

The project office has been established in the Ministry, however, a cell will be established in the Ministry of Home Affairs to coordinate and carry out all rescue and

²³³ Ibid.

²³⁴ Discussion with Tine Staermose, Chief Technical Advisor, ILO-IPEC TICSA, 8 November 2001, Dhaka.

²³⁵ Discussion with Matthew Friedman, Technical Advisor, Population, Health and Nutrition Office, USAID, 24 September 2001, Dhaka.

²³⁶ An 'upazilla' is an administrative tier of government at the sub-district level. There are currently 463.

²³⁷ Ministry of Women and Children Affairs, *Project Proforma* (PP) Dhaka: May 2000.

²³⁸ See Ministry of Women and Children Affairs, *Project Proforma* (PP) 'Child Development: Coordinated Programme to Combat Child Trafficking (Pilot Project)', Dhaka, May 2000; and also Dr Kazi Saleh Ahmed, Mrs Gule Afruz Mahbub and Dr Jyoti Sanghera, 'Appraisal of the PCP: Coordinated Programme for the Elimination of Child Trafficking,' Final Report, 20 July 1998.

recovery operations. This will involve the Bangladesh Rifles (BDR), police, village-level police (Ansar Village Defense Party (VDP)).²³⁹ The project office will also review all existing policies, laws, rules and regulations on rescue and repatriation for revision and streamlining. The National Task Force will be headed by the Minister of Home Affairs, with the Minister of Women and Children Affairs serving as Vice-Chair. A project Steering Committee will be headed by the Secretary MoWCA. District and Thana-Level Task Forces will be chaired by the Deputy Commissioner and Thana Nirbahi Officer, respectively, with the membership and active involvement of the Superintendents of Police, BDR Vice-Chairs, NGOs, imams, primary school teachers, and youth.

ILO-IPEC is exploring ways to include its partners, including government, employers' associations and trade unions, in efforts to combat trafficking. In October 2001, the delegation from Bangladesh agreed to focus on the reintegration process, in particular, job placement and skills training for trafficking victims. It furthermore, sought to learn more about how the tourism and transport sector could serve as 'watchdogs' in the country's anti-trafficking efforts.²⁴⁰

Networking and capacity-building among NGOs

Action Against Trafficking and Sexual Exploitation of Children (ATSEC) Bangladesh Chapter is a networking organisation of 15 member NGOs who are working to combat trafficking in children. It was established in May 1998 in Calcutta, and since that time chapters have been established in West Bengal, Nepal and 17 states in India. The Regional Secretariat of ATSEC is in Bangladesh. The objectives of ATSEC are to share information and build capacity among members and associate members to combat trafficking in children. As explained by the Project Director, the more networks the better for prevention of trafficking.²⁴¹

Through Save the Children Denmark, USAID provides support for ATSEC to improve its resource centre and database. It further provides technical support to grassroots organisations, including 8 associate members, including training and advocacy and support in planning, managing, implementing, monitoring and evaluation for better anti-trafficking efforts (including aspects of safe migration and some of the risks involved in illegal migration).²⁴² It seeks to support their efforts to create effective local campaigns to combat trafficking and will seek to create linkages with other organisations and networks elsewhere for incorporating their best practices.²⁴³

²³⁹ VDP Ansar is a para-military unit consisting of equal numbers of men and women who cannot take legal action, but who help maintain law and security at the village level.

²⁴⁰ Correspondence from Tine Staermose, Chief Technical Advisor, ILO-IPEC, TICSA, August 2001 and discussion with Ms Staermose, 8 November 2001, Dhaka.

²⁴¹ Discussion with Mizanur Rahman, Project Director, ATSEC, 8 October 2001, Dhaka.

²⁴² Discussion with Matthew Friedman, Technical Advisor, Population, Health and Nutrition Office, USAID, 24 September 2001, Dhaka and discussion with Mizanur Rahman, Project Director, ATSEC, 8 October 2001.

²⁴³ Discussion with Mizanur Rahman, Project Director, ATSEC, 8 October 2001.

ATSEC also aims to build the capacity of its member and associate member NGOs in the provision of psycho-social care and support.

ILO-IPEC, which is working with the Government of Bangladesh to help implement ILO Convention No. 182 similarly seeks to enhance the knowledge base amongst all stakeholders on trafficking.²⁴⁴ In so doing, it seeks to work closely with its NGO partners to build their capacity in action research. One interesting feature is that the same research methodologies are being used in the three participating countries. This will feed into a comparative regional analysis of the problem of trafficking, which is considered one of the worst forms of child labour.

Awareness-raising for prevention of child sexual abuse

Rather than trying to tackle the problem themselves, Breaking the Silence (a Dhaka-based NGO) specifically aims for prevention and awareness-raising by encouraging other organisations/institutions to incorporate information about child sexual abuse in their programmes.

Breaking the Silence will seek to create a module that can be taken up by some of the large NGOs which have the capacity to influence large numbers of their members.²⁴⁵ It has already entered into a dialogue with BRAC about this issue, including incorporation of awareness and prevention of sexual abuse in the curriculum of its Adolescent Girls' Peer Organised Network (APON) programme and orientation with staff, including junior and field level teachers.²⁴⁶ In addition, after first speaking with parents, it has engaged with students in both formal (Agroni, Salvation Army and World Vision schools in Dhaka) and non-formal schools (the UNICEF-supported Basic Education for Hard-to-Reach Urban Children Project) about sexual abuse.

While waiting for various health services at the Radda Clinic in Mirpur, girls and mothers are provided with information about child sexual abuse by Breaking the Silence's social counsellor, Sadeka Islam as a form of prevention.²⁴⁷ Between June 1998 and June 1999, she discussed child sexual abuse with 1,388 clients who came to receive services.

Breaking the Silence members have furthermore facilitated workshops on child sexual abuse in several Divisions with school and other government officials, participating NGOs and others. There still appear to be differences of opinion between district and national-level officials about whether the issue should be incorporated into the school curriculum, however, Breaking the Silence members continue to raise the issue. One member, a Member of Parliament raised the issue in Parliament during last year's June 2000 session. While she did not receive any support, it demonstrates the varied means by

²⁴⁴ Discussion with Tine Staermose, Chief Technical Advisor, ILO-IPEC TICSAs, 8 November 2001, Dhaka.

²⁴⁵ Discussion with Afsan Chowdhury, member, Breaking the Silence, 7 June 2001, Dhaka.

²⁴⁶ Discussion with Breaking the Silence members, 14 June 2001, Dhaka.

²⁴⁷ Discussion with Breaking the Silence members, Roxana Sultana, Md. Abul Khaer, and Sadeka Islam, 14 June 2001, Dhaka

which members, in their own capacity and as a group, are seeking to bring the issue of child sexual abuse into the mainstream debate for action.

All involved in the 'Child Development Network,' which includes social workers, psychologists, clinical psychologists and doctors (including neurologists, eye specialists and other pediatricians) from hospitals and medical facilities around the country have received training about child sexual abuse and will refer cases to each other when needed.

Children participating in Resource Bangladesh's drop-in centre said their parents don't know about sexual abuse.²⁴⁸ They said that pamphlets like the ones Monwara Parveen hands out at the Shishu Hospital about sexual abuse (created by Breaking the Silence) can be useful, but that for parents who cannot read, nurses need to tell them and all the hospitals should have copies, not just those part of the Child Development Network.²⁴⁹ (See also the section on peer education for more information about how children are disseminating information about sexual abuse to other children).

Lessons learned and challenges

Although the Breaking the Silence Group has begun to create a space where child sexual abuse can be discussed, one of its members, Afsan Chowdhury is among the first to recognise the challenges that still remain: more training and skilled service provision is required.²⁵⁰ He says "there is a reluctance on the part of many NGOs, counsellors, etc to go into this type of work because it is difficult, time-consuming, and they need very good training." Child Psychologist Monwara Parveen who works with children who have been sexually abused agrees and says that there is a need for more social counsellors to inform pregnant women, parents of children with disabilities and others.²⁵¹

The media

With regard to child sexual abuse, some information is contained on sexual exploitation, but until recently, very little has been aired, heard or written about sexual abuse of children in the media. There is evidence that this is changing, thereby creating more awareness about the problem. Bangladesh Betar, the government-operated radio station, on its weekly Saturday morning channel "Child Development" has featured Child Psychologist Monwara Parveen speaking about sexual abuse.

Following the national consultation to create a *National Plan of Action against Sexual Abuse and Exploitation of Children, including Trafficking* (held in Dhaka on 16 September 2001), an editorial appeared in the English Daily, the *Daily Star* praising the government for convening such a meeting to include the problem of child sexual abuse on the agenda and urging the government to undertake action in this area.²⁵²

²⁴⁸ Discussion with Zakir, Resource Bangladesh, 25 June 2001.

²⁴⁹ Discussion with Farzana, Resource Bangladesh, 25 June 2001.

²⁵⁰ Discussion with Afsan Chowdhury, member, Breaking the Silence, 7 June 2001, Dhaka.

²⁵¹ Discussion with Monwara Parveen, Child Psychologist, Dhaka Shishu Hospital, 24 June 2001.

²⁵² 'Ending sexual abuse,' editorial in the *Daily Star* [Dhaka], 18 September 2001.

Moreover, in a five-year initiative that started in August 2001 of the Government and UNICEF, the Bangladesh Shishu Adhikar Forum (BSAF), Bangladesh Television (BTV) will be airing weekly 25 minute programmes on children's rights to create greater awareness. Messages will include information about child trafficking and child sexual abuse.²⁵³

The Ministry of Women and Children Affairs and Ministry of Information have sponsored television spots on children's rights, which include sexual abuse and exploitation, however, senior officials in the Ministry of Women and Children Affairs recognise that much more must be done to build awareness and break the stigma associated with this form of child rights violation.²⁵⁴

Child peer educators

An interesting feature of several NGO and government programmes is the development of 'peer educators' who impart information and skills on a wide variety of children's rights issues, including, in some cases, information about sexual exploitation and abuse to other children (their peers). Visibly, many of the adolescent 'peer educators' are confident and well-aware of their rights.

Through the Radda Centre (health clinic) and outreach programme in Mirpur, Breaking the Silence, for example, has developed groups of adolescent girls (15 volunteers) and boys (10) who will begin imparting messages about child sexual abuse through a Child-to-Child approach. They inform their classmates and arrange discussions with adults in the Mirpur area after the social counsellor has discussed the issue with mothers in the community. Unlike the girls, the boys are not yet sufficiently trained to impart information about sexual abuse to their friends and neighbours. Breaking the Silence has found that getting boys to discuss these issues is difficult, however, they are trying.

The Association for Community Development (ACD) in Rajshahi, has likewise developed peer educators in their adolescent girls' and boys and young men's groups who meet regularly. None of the peer educators are paid. The girls in Shibganj are mostly between the ages of 12 and 18 years and are mainly school and college-going, however, there are non-school going girls as well. The peer educators are facilitated by an adult woman (for the girls) or man (for the boys). They discuss reproductive health, early marriage, dowry, divorce, polygamy, trafficking (the area is a popular transit point for cross-border trafficking and migration), sexual exploitation, sanitation, and other issues. The girls say they enjoy the meetings as they get to exchange information that they do not learn in school.²⁵⁵ The social worker says she talks about sexual abuse with adolescent

²⁵³ Discussion with Mizanur Rahman, Resource Bangladesh, 25 June 2001, Dhaka, and; Discussion with Muhammad Asgar Ali, Director, Bangladesh Shishu Adhikar Forum (BSAF), 7 October 2001, Dhaka.

²⁵⁴ Discussion with Mr Rab, Joint Secretary, Ministry of Women and Children Affairs and Mr Shamsul Arefin, Senior Assistant Secretary, Ministry of Women and Children Affairs, 25 June 2001.

²⁵⁵ Discussion with adolescent girls and social worker in Shibganj Sadar Thana, Rajshahi Division, 10 June 2001.

girls.²⁵⁶ As a group, girls explained they identified a suspected trafficker and informed the Union Parishad Chairman. They also inform the ACD staff if they know a girl is going to get married to an Indian man (a common means of trafficking girls).

The boys and young men similarly discuss early marriage, dowry, HIV/AIDS, sanitation and trafficking. The group in Shibganj, consisting of boys and men between the ages of 10 and 22 years said they meet twice/month. The peer educators are also facilitated by an ACD social worker.

BRAC's APON programme (partially supported through a project of the Ministry of Women and Children Affairs with support from UNICEF) has similarly created adolescent girl peer educators who facilitate the weekly girls' meetings. Of interest, BRAC identified the girls as the most appropriate facilitators of the girls' groups because they found the girls were more receptive of the information to be imparted to their peers, including messages about their rights, sexual and reproductive health and gender, than the adult women. The girls are paid a small salary and receive initial and periodic trainings to keep apprised of new information.

Aparajeyo Bangladesh supports street children, operates drop-in centres and open-air schools, and supports an adolescent girls' hostel for street and former street children in Dhaka. It aims to reach potential street children at the main entry points to Dhaka (the railway and bus station and at the steamer/launch point). In addition to having staff who look for 'new' children, they utilise a Child-to-Child approach for identifying recent arrivals and informing them about the Aparajeyo programmes. The 'child motivators', former street children, work in the open-air street school part-time and continue with their education. They live in hostels and are paid Taka 1500/month. They serve as role models for the other children. It is the long-term aim of Aparajeyo Bangladesh that former street children will be working in and administering the NGO.

INCIDIN Bangladesh's 'Misplaced Childhood' drop-in centre in Dhaka currently has employed 4 girl and 4 boy peer educators, all of whom are engaged in prostitution who receive training and who receive a small salary for disseminating information to their peers. They play a critical role in building rapport with other children and encouraging them to come to the centre. INCIDIN Bangladesh aims to build up their skills and encourages them with training to find other non-exploitative jobs and employment: 5 of the children have been offered jobs in other organisations.

Challenges, lessons learned and questions regarding child 'peer educators'

While it appears that 'peer educators' develop their leadership and communication skills, as well as expertise on the information they are disseminating to their peers, there are nevertheless lots of remaining questions about which approaches are best. In some cases, 'peer educators' are paid for the service they provide, whereas for others it is volunteer. It is unknown which approach yields the greatest impact and benefit both for the peer educator her or himself or for the children at the receiving end of the information. Another unresolved issue worth exploring is if 'peer educators' are chosen from amongst

²⁵⁶ Ibid.

the best educated children or not, and/or if more socially and economically disadvantaged children are given equal opportunities and/or investment is placed in them so that they too can become 'peer educators.' How long do children serve as 'peer educators'; is there rotation and how often does that take place? Are 'peer educators' given opportunities to undertake refresher trainings or courses? As peer educators, do they interact only with their peers or do they have opportunities to interact and inform adults? Finally, are 'peer educators' responsible for facilitating meetings and discussions on their own, or are they assisted by adults and which approach works best?

Creation of 'safe havens'

Many NGO, INGO, UN and Government-supported interventions aim to create a safe and non-exploitative environment for children living on and off the street, including children being sexually exploited. Drop-in centres have been established in areas of urban centers where children are most likely to arrive, work and congregate. Some such centers provide a wide range of services and programmes including health care, non-formal education, games, vocational training, job placement, and psychological counselling for girls and boys up to 18 years of age.²⁵⁷

The Appropriate Resources for Improving Street Children's Environment (ARISE) project of the Department of Social Services, Ministry of Social Welfare and supported by UNDP, aims to undertake a holistic approach comprising 12 components, including support street children with drop-in shelters, non-formal education, opportunities for vocational training, health services and counselling through partner NGOs and government partners.²⁵⁸ Project activities commenced in 1999 are expected to continue up to end March 2002. This is the first such effort of the government taking place in 6 Divisional Cities. Many of the children, girls in particular, have been sexually abused and exploited. and this is their first opportunity to be provided with various types of services to assist them in recovery.²⁵⁹

Under CARE's HIV/AIDS Prevention Programme, adolescent boys and men frequent the CARE drop-in centres in Jessore to get information about HIV/AIDS, STIs, and play games.

Under its 'Capacity-Building, Poverty Alleviation and Sustainable Livelihood of the Socially Disadvantaged Women (SDW) and their Children' project implemented by the Department of Social Services, Ministry of Social Welfare (and supported by UNDP), day 'shelter homes' for children of sex workers have been created outside 5 brothels and for street-based sex workers in Dhaka. Creche facilities offered for children aged 0-5 years, are for 24 hours and boarding facilities are available for adolescent girls and boys

²⁵⁷ Visit to ACLAB drop-in centre in Khulna supported by UNDP/DSS-supported ARISE Project, 3 June 2001, Khulna.

²⁵⁸ Discussion with Mr Dewan Zakir Hussain, Deputy Secretary, Ministry of Social Welfare and National Project Director, ARISE Project, Department of Social Services, Dhaka, 5 September 2001.

²⁵⁹ Ibid.

who may be most at risk of being sexually abused and exploited.²⁶⁰ Non-formal education, formal education, health education (including HIV/AIDS awareness and prevention), vocational training and other services are provided to women and their children. The project is implemented through partner NGOs, including Nari Maitree, INCIDIN Bangladesh, and PIACT.

INCIDIN Bangladesh works with boys and girls engaged in street-based prostitution in Dhaka to improve their health (both physical and psychological) and provides opportunities for alternative forms of employment. It seeks to link up with other NGO and government interventions for improved service provision to children, better coordination and rapport-building. For example, field organisers and assistants take children to a number of organisations to show them where they can get information about STIs, reproductive health, pregnancy, training and condoms.²⁶¹ Through direct interventions with the General Post Office, it has been possible for children to open savings accounts with a Taka 5 deposit (banks refused to accept such low amounts as a first deposit).²⁶² Based on recommendations from the children beneficiaries of the project, several staff members were subsequently replaced which indicates that children have an important role in decision-making and this promotes accountability of staff to the children.²⁶³

Aparajeyo Bangladesh similarly offers drop-in centres for street children. It recognises that integrated efforts are required to combat children's lack of trust, low self-esteem, and shame (particularly if she or he has been sexually abused and/or exploited). Some children are extremely traumatised and may require more psycho-social care and services than others to help them recover. The children who go to the drop-in centre are encouraged to pool their resources and make their own food which is healthier than what they buy on the street and cheaper if they pool their money. When children are ready to leave life on the street, the hostels offer them a chance. As Jahan Ara, Manager, Girls' Hostel stated, occasionally the newer girls will leave for a couple of weeks, some will return to street work (including prostitution), however, they normally come back. Whereas they used to have more drop-outs, this no longer appears to be the case.

Aparajeyo Bangladesh has maintained some links with children who have dropped out of their programme and there is evidence to suggest that they may have an influential role in encouraging other children to stay involved. For example, a girl who used to be engaged in street-based prostitution joined the Aparajeyo programme then dropped out. She got married, the marriage ended and she returned to prostitution. Through this period she maintained her links to the organisation and would occasionally come back to speak to the adolescent girls in the hostel about the importance of staying in the programme, making decisions carefully and staying off the streets. She had a tremendous impact on

²⁶⁰ Ibid.

²⁶¹ INCIDIN Bangladesh, 'Project Annual Progress Report: Misplaced Childhood: A Pilot Project for Street Child Prostitutes in Dhaka City' 5 January 2001, p.9.

²⁶² Ibid, p.8.

²⁶³ Ibid.

the girls, many of whom had been previously engaged in street-based prostitution and who were at risk of returning to that life.

Challenges of working with street children, including street-based sex workers

A challenge raised by NGOs specifically working with street children who are getting paid for sex work is that they do not frequently mix with other children living on or off the streets. Mustaque Ali of INCIDIN Bangladesh, Shale Ahmed of Bandhu Welfare Society and others noted that such children are not comfortable, nor always welcome at drop-in centres for other street children.²⁶⁴ The shame, stigma and isolation they experience is also imparted by other children. Moreover, as the NGO staff will agree, child sex workers may be difficult to work with and can be disruptive and have a negative influence on other children. More work is required in this area, both to develop best practices and lessons learned working with child sex workers and motivating them to find other forms of income, but also to combat the discrimination they may experience from other children.

Stopping the cycle of sexual exploitation

Several NGO and government-supported interventions seek to provide mothers and their children with safe and non-discriminatory interventions, either in separate facilities close to their mothers or safe shelters away from their mothers. What is interesting about the following approaches is how they seek to incorporate a rights-based approach to ensure that children are not discriminated against and that their right to an education is ensured.

Listening to children of sex workers for prevention of child sexual exploitation

While some mothers may not want their daughters to follow in their profession, there are many other cases whereby daughters have been initiated into sex work, for example, 'registered' on the initiative of the mother. The following is a compelling story of how an NGO was motivated to create an entirely new intervention based on the urgent request of several girls who, after learning that their friend, also a child of a prostitute, had been initiated into prostitution by her mother, were fearful that the same would happen to them.²⁶⁵

For several years, with the support of Save the Children Australia, Karmojibi Kalyan Sangstha (KKS), an NGO in Rajbari had been supporting a primary school outside Daulotdia brothel for children of sex workers and local children. The school followed the government non-formal primary education from Class 1-5. The children spent their days/mornings at the school then returned home to their mothers in the brothel in the evening. The girls who feared that they too, like their friend, would be initiated into prostitution went to the KKS office and explained that they did not want to go back home.

²⁶⁴ Discussion with Mustaque Ali on 25 June 2001, Dhaka, and; discussion with Shale Ahmed, 17 June 2001, Dhaka.

²⁶⁵ The following is based on discussion with Sultan Mahmud, Country Director, Save the Children Australia, 11 June 2001, Dhaka.

The staff and girls spoke with the mothers and it was agreed that they could stay in the office of KKS. For two years, the girls slept in the office and attended school there. The mothers visited, but the girls wanted assurance that they could trust their mothers not to initiate them in prostitution. The NGO eventually raised the funds to build a proper 'safe home' away from the brothel. The reason it was not so close was to avoid the girls being judged by their mothers' profession and their background. The girls are now in Classes 7 and 8, and the organisation recognises that they will have to move elsewhere soon.

Mothers are supposed to contribute Taka 600/month towards education and food costs of their children staying in the Safe Home and attending the local school. This is also to ensure that the mothers realise they have responsibility to their children. Nevertheless, not all mothers can pay. In addition, some of the local community parents cannot afford the fees at the school. Therefore there is a flexible payment option (pay when you can). There are drop-outs and many are compelled by their mother to become engaged in prostitution.

Currently there is no such 'safe home' for boys. Consultations with girls living at the KKS shelter home and boys living in Daulotdia brothel revealed a strong request for a similar such home for boys.²⁶⁶ Boys in particular said they did not want interventions located within the brothel, but rather outside where they can have a place to study and quiet place to sleep.²⁶⁷

Listening to children, designing an intervention following the girls' initiative is a significant good practice that could be expanded to create one such place for boys.

Children of prostitutes, ensuring their right to education first

UTSHO Bangladesh provides a day and residential school for children (both boys and girls) of working mothers, including those engaged in prostitution. It was established in 1993 in Dhaka. UTSHO aims to provide an alternative for girls who would otherwise follow in their mother's footsteps. From playgroup to Class 5, children attend the government school in the facility, but from Class 5 the children are mainstreamed in schools with other children. The aim is for all children who have the capacity to continue through university and for those who may be less academic to attend a good technical school, for example, UCEP and job placement. Interestingly, the children are not integrated in a local public school because the quality is poor.²⁶⁸ UTSHO's special emphasis is on ensuring that children receive an excellent quality of education.

As mentioned above, the KKS school outside Daulotdia Brothel includes both children of prostitutes and children who live outside. In Baniashanta Brothel in Mongla Port, Jagrata Juba Shangha (JJS) supports a non-formal school for children of prostitutes and the local

²⁶⁶ Discussion with Rachel Kabir regarding findings from consultations with children held in July and August 2001, 23 September 2001, Dhaka.

²⁶⁷ Ibid.

²⁶⁸ Discussion with Mahbooba Mahmood, Project Coordinator Network Project Naripokkho and Chief Executive Director, UTSHO Bangladesh, 24 June 2001, Dhaka.

community in Class One.²⁶⁹ Children in Classes 2 and above attend local government schools in Mongla and Khulna.

The challenge and lessons learned of integrating children of prostitutes in community schools and promoting the principle of non-discrimination

NGO workers explain the difficulty of having integrated programmes whereby children of prostitutes attend schools with children who do not live in the brothel community: parents will withdraw their children. Some NGOs have found it difficult to even rent a building when the landlord knows it is for children of sex workers.²⁷⁰

Despite this enormous challenge to counter societal discrimination and isolation of children of women engaged in prostitution, there are some examples whereby NGOs have managed to integrate children of prostitutes into schools with other children. As noted by both the Country Directors of Terre des Hommes Italy and Save the Children Australia, personal influence, community acceptance and high regard for the NGO is critical for helping ensure community acceptance, trust and to promote integration.²⁷¹

Alternative means of livelihood

The Stockholm Agenda for Action seeks the promotion of "alternative means of livelihood" so as to prevent sexual exploitation. As mentioned above, many UN-supported NGO and Government interventions include a vocational training component as part of their activities and it is evident that for many children, acquiring a marketable skill leading to a good job is something that they themselves are requesting. This creates a possible contradiction between ensuring children's right to education (particularly if children do not have even the basics of reading, writing and numeracy), but at the same time recognising that for most socially and economically disadvantaged children, earning a income is critical to their immediate survival.

Vocational training for children in government institutions

Girls and boys in the Vagrants' Homes are provided with education and vocational skill training (in fact, employment or release to family are the only conditions of release). Therefore, it is of great interest to many girls and boys to learn a skill which can get them an early release. Whereas boys at the Betila Vagrants' Home were learning tailoring (on manually-operated machines), pattern cutting, hair dressing and carpentry; girls and women at the Godnail Vagrants' Home were learning embroidery and tailoring (on industrial sewing machines). All the children who manufactured saleable items were paid and saved it for their release.

As mentioned above, the quality of the training and its link to a secure job and income which enables one to support oneself in dignity are essential. Regrettably, the Director of the Betila Vagrants' Home said that none of the 8 boys released recently (6 to carpentry

²⁶⁹ Discussion with A T M Zakir Hossain, Executive Director and visit to Baniashanta Brothel on 3 June 2001, Khulna and Mongla.

²⁷⁰ Discussion with Shaheen Akter Dolly, Executive Director, Nari Maitree, 13 June 2001, Dhaka.

²⁷¹ Separate discussions with Alexander von Braunmuhl, Country Representative, Terre des Hommes Italy 7 June 2001 and Sultan Mahmud, Country Director, Save the Children Australia, 11 June 2001, Dhaka.

and 2 to tailoring jobs) kept their jobs.²⁷² One of the lessons Hossain Shahid Sumon from Concern Bangladesh has learned from his observations of working in the Vagrants' Homes is that the 6-month skill training is not long enough for the boys and girls to acquire the necessary skills.²⁷³ Moreover, the fact that the employers are not sensitive to the children's and women's rights, have already pre-judged them as 'vagrants', pay them poorly, and treat them badly discourages the former residents from continuing to build on their skills and keep their job.²⁷⁴

For example, at the Godnail Vagrants' Home, the older girls and women may get opportunities to learn how to make garments and be placed in a garment factory job to secure their release. However, they don't earn very much working in the garment industry and are therefore more likely to return to prostitution.

Furthermore, one cannot overlook the information provided by Dr. Jana, HIV Programme Coordinator, CARE Bangladesh that many street-based prostitutes were once garment workers. While admittedly for many girls the garment industry has created a period of adolescence and independence for many that did not exist previously, it also cannot be denied that for most the work is long and exploitative, the wages low and the sexual harassment high. Positive examples of the private sector investing in its workers, including secure contracts, fair wages and earnings paid on-time are needed.

Vocational training in UN, government and NGO-supported interventions

Vocational skill training is also a feature of many NGO interventions for children who have been sexually abused and exploited and/or who are at risk of being sexually exploited. While some NGO representatives admit they would prefer girls to acquire skills other than garment-making, they admit they need to do more to challenge gender stereotypes and encourage girls to explore other skills. For example, girls living in the BNWLA shelter home learn embroidery and tailoring. Fourteen girls recently arrived to stay at an ARISE project centre in Khulna for 5-6 months training in embroidery and clothes-making; they were motivated by the opportunity to learn a skill.²⁷⁵ A previous group of girls had gone through the training and were now working in garment factories in Dhaka.

Mr Hussain, the ARISE National Project Director, recognising the need for high quality and diversified vocational training, explained that an expert in that area had been contracted for the project.²⁷⁶ That person is responsible for identifying and imparting skills for boys and girls which can lead to employment that pays relatively well, including employment as security guards (for older boys aged 16-18 years), beauty parlour workers (for girls) and other forms of service sector employment.²⁷⁷

²⁷² Discussion with Director, Betila Vagrant's Home, Manikganj, 18 June 2001.

²⁷³ Discussion with Hossain Shahid Sumon, Concern Bangladesh during visit to Vagrants' Homes in Manikganj and Narayanganj, 18 June 2001.

²⁷⁴ Ibid.

²⁷⁵ Ibid.

²⁷⁶ Discussion with Mr Dewan Zakir Hussain, Deputy Secretary, Ministry of Social Welfare and National Project Director, ARISE Project, Department of Social Services, Dhaka, 5 September 2001.

²⁷⁷ Ibid.

Fazlul Haque Fakir, Deputy Coordinator, UNDP Assisted Capacity Building Project explained that the project mid-term evaluation has suggested an upgrading of training opportunities from traditional (such as embroidery and sewing) to new avenues for training to increase one's income for alternative livelihoods.²⁷⁸ The project will also seek to explore job placement opportunities for those who have completed the training.

Aparajeyo Bangladesh similarly wishes to explore alternative vocational training opportunities for children on the street. One idea is to help create flower businesses (including flower-arranging) for groups of children. In its Adolescent Girls' Hostel, several girls who did not pursue higher studies are garment workers. After they move out of the hostel, the NGO helps the girls find a group house to rent. What is interesting about the girls working in the garment industry who are part of the Aparajeyo programme is that while they do not earn a lot of money, none are compelled to go back to the street, including prostitution. While recognising how long it takes, the efforts of the Aparajeyo staff to build street children's awareness, pride and confidence in themselves appears to have been successful.

The provision of psycho-social care and services

Interventions in the development of psycho-social care and services, including counselling, for children who have been sexually abused and/or exploited are relatively new in Bangladesh. In recent years, technical support for developing the capacity of NGO and government staff, particularly those who work directly with children, have been forthcoming from abroad, where capacity and expertise is stronger. As an essential first step and example of a good practice, NGOs, government and UN-supported interventions are increasingly receiving training and recognising the need for more development and capacity-building in the area of psycho-social care and support.

Of note, Child Psychologist Monwara Parveen's experience with children who have been sexually abused shows that a significant challenge is that parents, both mothers and fathers, contribute to the child's stress by thinking that all is lost for his or her future, particularly when it happens to a girl. Moreover, as Aparajeyo staff shared with the researcher, with respect to the issue of sexual abuse and exploitation, street children will rarely if ever talk to staff about it: it can take many years for children to open up because they will be judged badly if they explain they were once sexually abused or exploited.²⁷⁹

For staff working with street children, including many so-called counsellors, their capacity is more recently being developed in this important and thus far largely neglected area. As a first step, the ARISE project has imparted to selected project staff basic knowledge (including theories) about counselling through a 10-week course consisting of

²⁷⁸ Discussion with Md. Fazlul Haque Fakir, Deputy Coordinator, UNDP Assisted Capacity Building Project, 6 September 2001, Dhaka.

²⁷⁹ Discussion with Eric Thipthorpe, Information and Publication Officer and Jahan Ara, Manager, Girls' Hostel, Aparajeyo Bangladesh, 14, June 2001, Dhaka.

course and field-based work.²⁸⁰ Given that many of the support staff in the drop-in centres were not previously aware of the principles and techniques of counselling, the project is tackling a previously unmet need. The aim of the counselling is to help street children develop their confidence, make informed choices, move into mainstream society, and heal themselves. The ethics and importance of maintaining a child's confidentiality is also part of the course. Those who took the course are encouraged to counsel children primarily through group work which consists of group discussion (including topics on sexual abuse, including rape), drawings, body mapping, and other activities.

Valerie Jacques, International Expert in Child Counselling for the ARISE Project is hoping that the 37 group facilitators who have received the counselling training will eventually be able to facilitate group sessions with street children. Ultimately, she would like to see how the project can help develop peer educators from amongst the children.²⁸¹ She said that Sanlap, an NGO in Calcutta, had positive experiences with developing children's capacities as facilitators and peer educators.

Community involvement

In building awareness, creating community vigilance, creating informal contacts and referral systems, the Association for Community Development (ACD), based in Rajshahi, has helped to protect and prevent children from being trafficked. While many police and NGOs working in this area have either no links to each other or adversarial ones, ACD stands out in having positive links to the police, the latter who are likely to bring lost and/or rescued children to the ACD Shelter Home. In fact, as Executive Director, Ms Salima Sarwar stated, "it was our aim from the start to involve the police. We invited them to be part of all of our work."²⁸² One challenge, however, is that transfers are frequent so they have to continually build relationships with new officers. Save the Children Australia's Country Director likewise said that frequent transfers amongst police officers working near Daulotdia Brothel makes it difficult to develop good rapport and working relationships. In Rajshahi, ACD has also developed positive relationships in the district with the local elected members of the Union Parishads and other leading community members.

Nevertheless, Salima Sarwar does still recognise that stigma and shame associated with sexual abuse is a significant obstacle to the recovery and reintegration of victims.²⁸³ Moreover, another challenge is in making elected members, and other community people aware of sexual abuse and taking initiative on such cases when they are filed. She says they may organise a *salish* but that they will ignore the rights of the women and girls and either dismiss the case or award them money as compensation.²⁸⁴

²⁸⁰ Discussion with Valerie Jaques, International Expert on Child Counselling, ARISE Project, 12 June 2001, Dhaka.

²⁸¹ Ibid.

²⁸² Discussion with Salima Sarwar, Executive Director, ACD, Rajshahi, 11 June 2001, Rajshahi.

²⁸³ Ibid.

²⁸⁴ Ibid.

Prevention and protection of children from trafficking and promotion of safe migration

With regards to the prevention of trafficking, the Agenda for Action from Stockholm encourages “gender-sensitive communication, media and information campaigns to raise awareness and educate government personnel and other members of the public about child rights and the illegality and harmful impact of commercial sexual exploitation of children”.

Efforts appear to be underway to address this gap in the area of trafficking and unsafe migration: with the support of USAID, ATSEC will undertake market research for a nation-wide awareness-raising campaign on trafficking, including information for media, presentations in schools and to conduct workshops in 20 districts.²⁸⁵ ATSEC has signed a Memorandum of Understanding (MOU) with IOM for assistance in this area.²⁸⁶ Of interest, the materials will be prototypes which can be taken up and adopted by any grassroots organisations. The components of the campaign include: school-based (including a ‘help card’ with phone numbers of key district-level officials to contact if one suspects trafficking is taking place) for school-going and drop-outs, rural and urban children, parents, teachers, and school committees.²⁸⁷

ATSEC will also support border campaigns through drama (including child drama groups, mentioned above, and adult performers’ groups), and meetings with law enforcement officials. ATSEC hopes to launch the border campaigns at the same time as the West Bengal ATSEC chapter launches theirs’ for maximum effectiveness.²⁸⁸ The campaign will also include a mobile unit that will be able to distribute leaflets and information and show videos.

The International Organisation for Migration (IOM) recognises that ‘trafficking’ is a process and that in most cases it starts with the victim’s search and need for alternative livelihoods (the appeal of and frequent need for migration) and results in deception at the end.²⁸⁹ The organisation therefore aims to provide prospective migrants with information that can help them prevent being trafficked, and to prepare them as prospective migrant workers (of which Bangladesh has many working primarily in Gulf countries and Malaysia).

It aims to create an information campaign, including the publication of articles, leaflets, broadcasting and will build the capacity of media at the local (district and thana-level). Together with other UN agencies, the IOM will work in migrant-prone districts to inform prospective migrants and their families about their rights and the problems and issues of which they should be aware (for example, exploitation in the workforce, HIV/AIDS, etc).

²⁸⁵ Ibid and Discussion with Matthew Friedman, USAID, 24 September 2001.

²⁸⁶ Discussion with Mizanur Rahman, Project Director, ATSEC, 8 October 2001.

²⁸⁷ Ibid..

²⁸⁸ Ibid.

²⁸⁹ Discussion with Ruben Korevaar, Programme Officer, IOM, 17 June 2001, Dhaka.

Moreover, IOM is working with the government to create a national plan of action on migrant workers, including implementation of the United Nations *Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (after it comes into force).

The Centre for Women and Children Studies (CWCS) has been working to raise awareness about trafficking since 1997. Since September 2000, with the support of the European Commission, it has been specifically working in 8 northern districts, including Dinajpur, Nilphamari, Rangpur, Lalmonirhat, and Panchagarh. Its objective is to build awareness through campaigns, workshops, and dialogue with members of the community, police, teachers, journalists and police at upazilla level in trafficking-prone areas at the district, upazilla and village level.²⁹⁰ It seeks to do this through information sharing, the development of information, education and communication (IEC) materials, and the establishment of a network for combating trafficking in the northern region.

Building capacity of law enforcement officials to combat trafficking

As documented in the situation assessment and analysis, overall law enforcement is weak: both while the child is being 'trafficked', and also once the child has reached his/her destination. While noting this weakness, in addition to the government efforts, both IOM and USAID are seeking to improve the capacity of the law enforcement officials to protect the victims of trafficking.

Through its partner NGOs, IOM has begun conducting seminars with members of the police, Bangladesh Rifles and VDP Ansar.²⁹¹ IOM seeks to improve the investigation and interview techniques of these officials, and to improve cooperation and coordination amongst them to prevent trafficking and identify trafficking/illegal migration. Its ultimate goal is for information about trafficking and migration to be incorporated into the curriculum of police, VDP Ansar and BDR.

Through its partner NGOs, USAID seeks to build the capacity of legal professionals and judges to restore peoples' confidence in the legal system and to help combat impunity by sending a clear message to traffickers and other exploiters of children and women that they will be punished if they violate the law.²⁹²

The Centre for Women and Children Studies (CWCS), with DFID funding and support from the British Council, was able to undertake a pilot project for police training and

²⁹⁰ Discussion with Professor Ishrat Shamim, 3 October 2001, Dhaka and Ishrat Shamim, *Proceedings of the Meetings and Workshops on Trafficking in Women and Children - January – June 2001* (CWCS: Dhaka, September 2001).p. 1.

²⁹¹ Discussion with Ruben Korevaar, Programme Officer, IOM, 17 June 2001, Dhaka.

²⁹² Ibid and Discussion with Matthew Friedman, Technical Advisor, Population, Health and Nutrition Office, USAID, 24 September 2001, Dhaka..

community sensitisation on women and children's rights in Bogra district.²⁹³ The 5-day course comprised a 2-day session involving constables, sub-inspectors and assistant sub-inspectors; a 2-day session involving local community members, and; a 1-day session which brought both groups from police and the community together.²⁹⁴ As part of the course, a session on rape, trafficking and child sexual abuse with links to the laws and procedures for filing cases were included.²⁹⁵ Since September 2000, CWCS has been undertaking similar types of police and community sensitisation workshops in Jessore and Rajshahi with the support of UNIFEM.²⁹⁶

Mapping and matrices for improved coordination to combat trafficking

An extremely useful means to identify where organisations are working, what they are doing, and with whom they are working is to utilise mapping and Geographic Information System (GIS) technology. This is also a useful means by which to identify what interventions are overlapping, and where there are gaps. For example, under the UNDP-supported, 'Bangladesh AIDS Prevention and Control Programme' a GIS was done on brothels in Bangladesh.²⁹⁷ The mapping shows the brothels' proximity to police and health complexes (including hospitals), family planning centres and outlines of the brothels and room layouts.

A similar mapping exercise has been undertaken for all major HIV/AIDS prevention activities in Bangladesh and it shows which NGOs are working where, and what types of interventions they are undertaking (for example, peer education, condom distribution and community outreach/awareness).²⁹⁸

One of the 5 approaches by USAID to combat trafficking is to strengthen networks, which involves creating an inventory/catalogue of NGO interventions to identify what is being done and by whom and the lessons learned.²⁹⁹ An additional aim of strengthening networks is to improve coordination, identify lessons learned and avoid duplication. USAID is also helping to implement the Agenda for Action against Commercial Sexual Exploitation through the creation of a database on children and women who have been trafficked, including their profile, how they were trafficked etc.³⁰⁰ With regular updates, the database may be able to identify possible changes in the means and methods by which

²⁹³ Discussion with Professor Ishrat Shamim, 3 October 2001, Dhaka and CWCS, *Proceedings of the Police Training and Community Sensitization Workshop on Women and Child Rights* –February – May 1999, Bogra.

²⁹⁴ Ibid.

²⁹⁵ Ibid.

²⁹⁶ Ibid.

²⁹⁷ Urban Community Health Programme, *Geographic Information System (GIS) on Brothels in Bangladesh* (Dhaka: Bangladesh AIDS Prevention and Control Programme, supported by UNDP, December 1998).

²⁹⁸ Social Marketing Company, *Mapping Major HIV/AIDS Harm Reduction Activities in Bangladesh* (Dhaka: Social Marketing Company, March 2000).

²⁹⁹ Presentation by Matthew Friedman, Programme Coordinator, Population, Health and Nutrition Team, USAID to Women's Advancement and Gender Equity LCG, 20 May 2001, Dhaka.

³⁰⁰ Ibid.

children are trafficked. If its findings are concretely linked to influence prevention activities, it may contribute to better targeted interventions for at-risk and vulnerable people, including children.

Also with regard to anti-trafficking activities, a matrix prepared by the ILO (Informal Donor Group on Trafficking, jointly with IOM), identifies the funding agency, project title and duration, activities, geographical coverage, partner, status and contact details. While more simple than the mapping, it is an informative document that identifies the main actors, activities and their status for combating trafficking.

As mentioned in the matrix, from newspaper reports and data compiled over a 10-year period, an IOM-supported study has identified trafficking routes, including maps.

For those organisations interested in holistic and integrated approaches (for example the sustainable livelihoods approach) to combating child sexual abuse and exploitation, including trafficking, the GIS, mapping, a database and matrices can identify the missing links and help project officers identify strategies to improve on existing programmes, and bring about more linkages for strengthened interventions.

Promoting children's creative expression, rights and leadership

As explained in the Government's First Periodic Report to the Child Rights Committee, children's freedom to express themselves through artistic media is somewhat limited due to the impact of prevailing cultural and social values on children's home and school environments.³⁰¹ This is especially the case for children from disadvantaged families who may have fewer opportunities for cultural and artistic expression.³⁰² This situation is, however, changing with parents becoming more used to children speaking out on a variety of topics, and active and creative processes becoming a normal part of learning for children.³⁰³ Such activities may also promote psycho-social recovery in children who have experienced sexual abuse and/or exploitation.

Child drama and theatre groups are a highly innovative and participatory approach to impart awareness, knowledge and skills to other children about their rights, including the dangers of sexual abuse and exploitation. Those children who participate have an opportunity to express and develop their own creative talents, and in so doing are treated with respect by their peers and adults, become self-confident, and develop their communication and leadership skills. Twenty-three children living in the Lalkhan Bazaar, Pora Colony Slum in Chittagong annually audition and are selected to take part in the Bangladesh Institute of Theatre Arts (BITA) theatre group. Resource Bangladesh, based in Dhaka similarly has its own child drama group. Many of the children combine work with non-formal education. Interacting with others, motivating others and learning about child trafficking and other dangers is what children in the BITA programme said

³⁰¹ Ministry of Women and Children Affairs, Final Draft First Periodic Report of the Government of Bangladesh under the Convention on the Rights of the Child (Dhaka: GOB, December 2000).

³⁰² Ibid.

³⁰³ Ibid.

they like most about performing.³⁰⁴ Through entertaining stories that the children write and act themselves, they teach children what to do if a stranger approaches them, they get lost, or if they find that a friend is missing. The children watching the performance say they learn more through the theatre than if someone else tells them.³⁰⁵ BITA also seeks to impart cultural exchange and rights-based training to other NGOs working with children around the country.

Within the confines of BNWLA's shelter home for boys, girls and women, the staff try to provide as many cultural activities as possible for the children who may have to reside there for long periods of time while families are found and/or legal cases draw out. Playing outside and outings are not as frequent as either the staff and children would like. This is a challenge for BNWLA, which recognises the difficulty of keeping children confined and of the frustration it causes for many. For many of the girls, education that leads to a good job or marriage are the only options as family reintegration is difficult and sometimes unwise. Nevertheless, not only is there strong emphasis placed on education, but also the children take classes in dance and singing, which they seem to enjoy and which are opportunities that many would not have had in their previous home environment.

As recognised by the Committee on the Rights of the Child, there is a lack of widespread awareness of children's rights and professional groups working with and for children are insufficiently trained in children's rights.³⁰⁶ Since the Initial Report of the Government of Bangladesh was considered in May 1997, considerable efforts have been undertaken to promote and disseminate information about children's rights, including training to concerned government officials, police officers, and other law enforcement officials. Nevertheless, much remains to be done.

A particularly innovative and participatory approach to imparting information and messages about children's rights is one which uses children as co-facilitators and facilitators of child rights' trainings based on the Convention on the Rights of the Child.³⁰⁷ Two children (alternating from amongst the 15 child facilitators) and two adults undertake child rights trainings for other children. Resource Bangladesh, which started this programme in 2001 with the support of the Ministry of Women and Children Affairs (MoWCA) and UNICEF encourages the children themselves to develop and implement the training modules. One called 'pain' includes sexual exploitation, but other themes which include child labour, trafficking, child marriage, street children, children and media, and birth registration are presented and discussed. Children who participate in the trainings are from mixed backgrounds, comprising government and non-formal school-going children, child labourers, street children and others. By mixing up the participants,

³⁰⁴ Discussion with child theatre group participants, BITA theatre group, Lalkhan Bazaar, Pora Colony Slum, Chittagong, 26 May 2001.

³⁰⁵ Discussion with children watching the performance, Lalkhan Bazaar, Pora Colony Slum, Chittagong, 26 May 2001.

³⁰⁶ Par. 13, CRC/C/15/Add.74, 6 June 1997.

³⁰⁷ Discussion with Children's Congress members of Resource Bangladesh, child leaders, drama group members and editorial board of Resource Bangladesh and Mizanur Rahman on 25 June 2001, Dhaka.

the training also seeks to build solidarity amongst the children and lessen the discrimination that socially and economically-disadvantaged children may experience from wealthier children.

In addition to spreading messages and information about child rights, those that participate in the trainings (subsequently called ‘Child Advocates’) are responsible for sharing their experiences and knowledge with other children in different forums. They are additionally linked with the Children’s Congress through the election amongst themselves of ‘Children Leaders’(explained below).

Another example of how children are provided with opportunities to develop their leadership skills and express their views is their involvement in the Bangladesh Shishu Adhikar Forum (BSAF). BSAF is a network of 133 NGOs working with or for children’s rights, established in 1999. Among other activities, it publishes a directory on NGOs engaged in child rights and an annual report on the situation of children in Bangladesh. It supports research, undertakes district awareness-raising activities on trafficking, and seeks to build capacity in its members on child rights, the provision of psycho-social care, etc. Of particular interest, regarding its management, an Advisory Committee consisting of 9 prominent officials and an Advisory Committee consisting of 9 children (elected from amongst its membership organisations) sit for a 2 year term and meet quarterly.³⁰⁸ The children include those from social and economically deprived backgrounds. Their views are incorporated into the workplan for the forum.³⁰⁹

Creating space for children to learn about their rights through their peers, and providing opportunities to build children’s leadership skills and build solidarity and confidence amongst themselves has helped protect the rights of other children. What is interesting about the group-based approach is that there is strength and unity in numbers. While the voice of an individual child may not be heard, and which would perhaps put him or her at risk of punishment, when children are able to form a group, they have managed to change the status quo, protect their rights as well as their friends’. In so doing, they are building their own self-confidence, leadership, negotiating and communication skills. For some, as an example provides below, they are even becoming aware of their civil and political rights.

The Children’s Congress, initiated by Resource Bangladesh, is one such effort. Of 12 participating NGOs in 3 Divisions (in Dhaka, Chittagong, Rajshahi), a minimum of 10 children are elected from each organisation as ‘Children Leaders’. Among the ‘Children Leaders’, an Executive Board of 11 members are elected and sit for a 2 year term. They attend and participate in the monthly (or as needed) Children’s Congress and are responsible for keeping the other children informed and their views represented. Member NGOs include Nari Maitree, Aparajeyo Bangladesh, BNWLA and Phulki. The children are between the ages of 11 and 18 years and include a mixed group of children who are working, living on the street, children who are being sexually exploited and children of

³⁰⁸ Discussion with Muhammad Asgar Ali, Director, Bangladesh Shishu Adhikar Forum, 7 October 2001, Dhaka.

³⁰⁹ Ibid.

women engaged in prostitution. Five of the children are child journalists with ETV's 'Mukto Khobor' programme.³¹⁰

One example provided by 'Children's Leaders' in the Children's Congress was of their efforts and success at preventing an early marriage: after learning of the proposed marriage they went to the house of the girls' parents to try to change their minds.³¹¹ When that failed, they went to the community leaders, who also did not listen to them. Finally, they went to the police, explained the story, and the police came and stopped the marriage from taking place. Other examples of their leadership efforts include hosting high-level meetings and press conferences on topics which have included sexual abuse and exploitation, with recommendations presented to the Prime Minister, Home Minister, and others.

Groups of girls in the Centre for Mass Education in Science (CMES) Adolescent Girls' Programme, BRAC's Adolescent Peer Organised Network (APON), and Association for Community Development's (ACD) adolescent girls groups in Rajshahi have similarly developed their self-esteem and leadership skills.³¹² They learn about safety and protection issues, including trafficking and sexual exploitation, but also are provided with information on health, including reproductive health, gender marriage and inheritance laws, and other important issues that they do not learn from school or their parents. They take pride in this knowledge and some of the girls have helped intervene to stop child marriages from taking place. Others, however, have through their community-level activities (for example road repair) challenged gender stereotypes and in so doing have demonstrated that girls make a difference, and that they are not liabilities to their families and communities and can be self-reliant.³¹³ Such information and skills may serve as protective factors against child sexual exploitation.

Last 3 March 2000, more than 500 members of Shishu Clubs (children of sex workers of Daulotdia and Kandapara Brothels), organised their first conference and called upon the government to protect their rights. They protested against the stigma and separation they experience from the rest of society. A Member of Parliament, NGO representatives working in the brothel and INGO representatives also spoke at the meeting. The children, particularly the girls, requested the creation of more safe homes so that they could have other choices than follow in their mothers' footsteps. Boys too voiced their frustration at the stigma they experience when they try to leave the brothel and work outside.

Overall, what is compelling about these approaches is how as networks/groups, children have made substantial contributions to other children, their families and communities

³¹⁰ 'Mukto Khobor' is a news programme by and for children aired on Ekushey Television. It receives support from Save the Children Sweden and UNICEF Bangladesh. The child journalists include children from both advantaged and disadvantaged backgrounds.

³¹¹ Ibid.

³¹² BRAC's APON programme and CMES' AGP are, in part, supported by a Department of Women's Affairs, Ministry of Women and Children's Affairs and UNICEF-supported project, 'Empowerment and Protection of Children and Women'.

³¹³ See CMES, *Adolescent Girls Power* (Dhaka: CMES, March 2000).

and, in so doing, are being taken seriously by adults. Although there is no known study, one believes that empowered and confident children who know their rights are less likely to be sexually abused and/or exploited. Moreover, it is also believed that those who have good support networks of other children may be able to resist such violations of their rights and/or seek the support of other children should such violations occur or should they be at risk.

Chapter 4. Recommendations

Over the course of writing this report, programme and project officers, officials and others from the government, NGOs, INGOs and UN agencies have been very candid about the gaps and challenges which exist in efforts to combat sexual abuse and exploitation of children in Bangladesh. A number have been particularly forthright about their own interventions' weaknesses and efforts to improve on them. One theme that appears to cut across most interventions is the need for more enhanced cooperation and coordination to ensure that a child rights/human rights approach is incorporated and maintained throughout all efforts to combat sexual abuse and exploitation. The following recommendations have been identified.

Research and documentation

The link between child sexual abuse and sexual exploitation needs to be further explored in Bangladesh for the design of strategies and interventions. Most studies have a small sample size and were carried out over a short duration: there is a need for more updated information, particularly on the prevalence and extent of child sexual abuse. Overall, most research lacks gender sensitivity and in many cases very little is known about the impact child sexual abuse and exploitation has on boys and its impact on girls. More focus on the construction of masculinity is also required and this should include a close examination of parenting practices, particularly those that are discriminatory and place children in a position of vulnerability or exposure to sexual abuse and exploitation. While some research has compiled information on the perpetrator of child sexual abuse and exploitation, more information is required which could influence interventions focusing on prevention.

The link between insecure working and living conditions and sexual abuse and exploitation also needs further exploration. Also noting that many interventions in the area of vocational training encourage girls to develop skills in gender stereotyped fields, the research should include a close examination of how the subordinate position of girls and women in both society (including the workplace) and in law and policy contributes to their abuse and exploitation.

With only a couple of exceptions, none of the reports look at the vulnerability of Bangladesh's ethnic and religious minorities (including displaced Biharis) to child sexual abuse and exploitation, including trafficking. The absence of information goes against the spirit of the CRC to ensure that the rights of all children are protected and promoted. Moreover, the researcher was unable to identify any efforts to make children of ethnic

and religious minorities aware of sexual abuse and exploitation. Just as the principle of non-discrimination must be applied in research and documentation, so too must it influence the design and implementation of interventions.

Use of Mapping and GIS technology

It may be useful to explore how mapping and GIS technology can help ensure that unnecessary duplication and overlap do not exist, or are reduced in efforts to secure the rights of children from sexual abuse and exploitation, and promote coordination and cooperation.

Promotion of Education and Alternative Livelihoods

More systemic and coordinated exploration is required to identify how good quality education can be linked to more innovative livelihoods training that builds children's knowledge and skills, but also their self-esteem, confidence and assertiveness. While recognising that children themselves must be able to choose for themselves which types of skills they would like to learn, they must first be given options that are not gender stereotyped. To do this requires more critical reflection on what children are being taught and how it can be made attractive and appealing to them. An exploration is required into the role of the private sector in contributing to children's development and the prevention and protection of children from sexual abuse and exploitation. Internship and apprenticeship programmes for adolescents in new areas, including computers and other kinds of electronics, journalism photography and fashion design (rather than strictly garment manufacture) could be explored. Ensuring that they are treated with respect and dignity in the workplace is also essential, particularly for children who have low self-esteem and who are at risk of returning to more exploitative forms of employment. Such efforts require sensitisation, training and capacity-building of employers to be respectful of children's rights and potential.

Awareness-building for working children

Working children need to be informed about sexual abuse and exploitation. From July 2001, Ain O Salish Kendra (ASK) has begun providing information about sexual harassment in the workplace to groups of 50 garment workers (15 years old and above) in Dhaka.³¹⁴ They learn about the law (including Section 10 of the *Nari O Shishu Nirjaton Domon Act, 2000*), how to prevent sexual abuse both in the workplace and to and from work, and legal referrals on where to go and who to contact if it does happen.³¹⁵

Child Sexual Abuse: Need for More Prevention and Awareness Activities

³¹⁴ Discussion with Khurshed Erfan Ahmed, Director, Child Rights and Training Unit; Saidur Rahman, Deputy Director, Training; Md. Moqsud Maleque, Coordinator, Child Rights Unit; Shilpi Choudhury, Researcher, Research Unit; Dilruba Haque Papia, Advocate, Legal Aid Unit, and; Selina Akhter, Advocate, Ain O Salish Kendra, 8 October 2001, Dhaka.

³¹⁵ Ibid.

Creating awareness in future parents and new mothers and fathers when they go to government and NGO health facilities is one such strategy that must be taken to national scale for the prevention of child sexual abuse; the Ministry of Women and Children's Affairs 'early childhood development' programme may be another means to build parents' awareness about child sexual abuse and ensure they are vigilant with their children and act upon behavioural problems that may be the impact of sexual abuse. Information about child sexual abuse should also be in the school curriculum, as this is one means by which to make children aware.

Making children aware of their rights, body mapping exercises that enable children to learn about acceptable and not-acceptable touches and other such activities appropriate to the age and maturity of the children are urgently required. There are many creative and preventative efforts, however, they are limited in their scale and not mainstreamed in government and non-formal school curriculum.³¹⁶

The Government Servants (Discipline and Appeal) Rules, 1984 moderates the conduct of the civil servants, however, it is not specific with respect to sexual abuse, including harassment. Teachers need to be governed by a code of conduct and children must be aware of it and how to respond if it is not respected. Similarly, workplace guidelines regarding sexual abuse in the private sector must be drafted and made known to all staff, especially upon joining.

Television programming for Children

Children in Resource Bangladesh's drop-in centre said they enjoy television, especially cartoons and for those who do not have televisions, they watch the one at the centre. They said there is no Meena episode on sexual abuse or trafficking, but thought it would be good idea for one to be developed.³¹⁷ While many of the children interviewed said they themselves did not have televisions in their homes, they do have opportunities to watch television at NGO drop-in centres.

ETV's *Mukto Khobor* programme which is supported by Save the Children Sweden and UNICEF Bangladesh trains and builds up child journalists. It is a potential means by which children, using television as a medium, can inform other children about sexual abuse and exploitation, how they can protect themselves and to whom they should go if it happens to them.

Integrated approaches to combat child sexual abuse and exploitation

³¹⁶ Ain O Salish Kendra has designed a sex education manual for adolescents which includes information about puberty and reproductive health. While not specifically raising the issue of sexual abuse, teachers who will introduce the manual in piloted government and non-formal schools will raise the issue of 'acceptable' and 'not acceptable' touch to children. [Discussion with Khursheed Erfan Ahmed, Director, Child Rights and Training Unit, Ain O Salish Kendra, 8 October 2001, Dhaka].

³¹⁷ Discussion with children at Resource Bangladesh drop-in centre, 25 June 2001, Dhaka.

Creating more synergies between anti-trafficking efforts and interventions to improve the quality of children's education (particularly girls who are more vulnerable to sexual abuse and exploitation through trafficking) and skill training with links to non-exploitative forms of work that build self-esteem and confidence is another means by which to address the root causes of trafficking and migration.

Moreover, with regard to breaking the cycle of girls' entry into brothel-based prostitution, one cannot address the rights of children of prostitutes without also addressing the discrimination experienced by their mothers. More work is required in this area to overcome the discrimination, including lack of burial plots, and inability to practice mainstream religion with other community members.

Promoting Adolescent Boys' Groups

Many children, especially those from socially and economically disadvantaged backgrounds have little, if any privacy and being provided with opportunities to meet and talk at their own leisure with friends should have more value. Noting that there are more adolescent girls' groups than boys', it is worthwhile to explore how boys can also be provided with space to discuss issues freely with other boys their age, develop their communication and leadership skills and self-esteem. Just as girls learn about issues not taught in school or from their parents, so too can boys improve their knowledge about health, including reproductive health and sexuality, gender discrimination and how it affects them, and other issues. Moreover, as potential abusers and/or exploiters of girls, adolescent boys should also learn about their rights, the dangers of unsafe sex, laws, girls' and women's rights. CARE's drop-in centre for men and boys in Jessore, the Dhaka Shishu Hospital's work with boys aged 16-18 years old in a nearby bustee (slum colony), CMES' Adolescent Girls Programme which now includes boys as members and ACD's adolescent and young men clubs' are a few examples.

Coordination, cooperation and collaboration

In her concluding remarks to the Commission on Human Rights in April 2001, Ms Calcetas-Santos, UN Special Rapporteur on Child Prostitution, Sale of Children and Child Pornography urged improvements in the system of networking amongst themselves and between UN departments, agencies, NGOs and States to avoid overlap in mandates of various agencies and human rights experts.³¹⁸ She also urged NGOs to develop expertise in particular areas, rather than try to address all the rights of children and noted that donors have an important role to play in this regard.³¹⁹

Observations and discussions with various project personnel and officials in Bangladesh also bear this out. The researcher has noted that there are many interventions with overlapping purposes and functions. Moreover, INCIDIN Bangladesh acknowledges the importance of establishing personal contacts with the senior officials of other

³¹⁸ Statement of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, Item 13, Rights of the Child, Ms Ofelia Calcetas-Santos, 10 April 2001, and report E/CN.4/2001/78

³¹⁹ Ibid.

organisations to whom it refers some of the children. In its annual report it explained that for medical services in particular, in order for children to receive services from other government and NGO facilities, direct contacts had to be established and in some cases fees paid.³²⁰ Lawyers with Ain O Salish Kendra (ASK) similarly mention how its relationship with police has been improving: now, when children are picked up by the police in those stations where they have established contact, the police are more likely to contact one of the lawyers at ASK for assistance, including legal aid or placement in the NGO's shelter home rather than alternatives which could, in the past, have involved placement in safe custody in prison and/or being sent to the Vagrant's Home.³²¹

While with optimism one notes that the rights of a previously under-valued and profoundly discriminated group of children are receiving attention and action that is overdue, conversely one notes the potential for overlap, duplication, and undermining of other efforts. At best this is a waste of resources, at worse, however, it can undermine the work of all NGOs and their own 'good practices'. At times, such overlap and differences in working methods can also undermine the relationships and trust built up by the other NGO and its client(s).

Just as the 'Core Group' of NGOs, INGOs, UN agencies and the Ministry of Social Welfare have been working under the leadership of the Ministry of Women and Children Affairs to create a *National Plan of Action against Child Sexual Abuse and Exploitation, including Trafficking* it would be worthwhile to explore how such a group, and/or subsidiary working groups of the key donor and implementing organisations could maintain this link for sustained coordination and collaboration. Moreover, to ensure that the forthcoming National Plan of Action is not simply shelved, a working group of members representing the government, NGOs, INGOs and UN agencies should be constituted to regularly review progress, lessons learned, challenges and obstacles to implementation. Resource allocation and priority areas should be decided upon in consultation with all stakeholders, particularly the Core Group members.³²²

The establishment of the National Task Force to combat child trafficking to be established in the Ministry of Home Affairs could be provided with the scope to approve all new multilateral anti-trafficking efforts initiated within the country to ensure that they are in accord with the project and strengthen already existing efforts.

Ideally, key donors and organisations working to combat child sexual abuse and exploitation should agree, in principle, that before undertaking new initiatives and entering into new partnerships, they will share their plans and be willing to receive critical feedback from the group members. Matrices such as the one developed by the ILO for anti-trafficking efforts can be a useful starting point. Sharing and coming to a consensus on what is meant by various intervention strategies, including; 'counselling,' 'psycho-social care and services', 'peer education', 'life skills' and 'livelihoods' is another

³²⁰ INCIDIN Bangladesh, 'Project Annual Progress Report' (January 2001) p.7.

³²¹ Discussion with Dilruba Haque Papia, Advocate and Selina Akhter, Advocate, Ain O Salish Kendra, 8 October 2001, Dhaka.

³²² Discussion with Tine Staermose, Chief Technical Advisor, ILO-IPEC, 8 November 2001.

means by which organisations can truly understand what each other are doing, the gaps and how to improve on them. An initiative of IOM to invite key implementing organisations and donors to discuss various conceptual and definitional aspects of 'counter-trafficking' is one such example.³²³

Monitoring and Evaluation

Monitoring and evaluation is required to determine to what extent existing programmes are working to combat child sexual abuse and exploitation. For example, how successful are current efforts to discourage female children of sex workers from entering their mothers' profession? While many NGO and government efforts are creating adolescent girls and boys' groups as forums for them to exchange information and develop their communication and leadership skills (indeed it is one of this reports' recommendations), research and monitoring to assess how elevating a child's self-esteem and confidence can be a protective factor in preventing child sexual abuse and exploitation is needed.

It also does not appear that there is any monitoring taking place to ensure that children's rights are being protected and promoted while in institutional custody, including Shelter Homes, Vagrants' Homes and other government and NGO institutions. Despite the existence of rules to monitor the conduct of government servants, it is not evident that protective measures are in place to ensure the accountability of staff should evidence of abuse and/or exploitation be suspected or discovered. It is also not evident that children are aware that they have the right not to be abused and/or exploited while in institutional care and this situation should be remedied.

Anti-Trafficking Efforts at the Regional Level

As recommended by the UN Special Rapporteur on Violence Against Women, Ms Radhika Coomaraswamy, the definition of trafficking contained in the Draft *SAARC Convention for Preventing and Combating Trafficking in Women and Children for Prostitution* should be brought into accord with the definition contained in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, ideally before the former Convention is signed.

However, if the definition cannot be changed before the SAARC Convention is signed which appears more likely, to ensure that the rights of women and children are not further undermined, advocacy and pressure must be put on States Parties to ensure that the definition is amended to be in accord with the above protocol.

Many of the Bangladeshi girls who have been rescued from sexual exploitation do not have any documentation, such as identity cards and passports to prove their identity, including citizenship. This makes it difficult for embassies to facilitate their repatriation. Intensified diplomatic-level efforts are required amongst the SAARC countries to meet with local police, coordinate investigations and facilitate with recovery and repatriation procedures that are not further violative of the victims' rights.

³²³ Meeting held at IOM on 8 October 2001, Dhaka.

Law enforcement

While the syllabus of all police and prison officials includes information about children's rights, more could be done to create child-friendly police officers. Mr Ashiqul Huq Chowdhury, Joint Secretary, Administration, Ministry of Home Affairs mentioned that children and women victims of sexual abuse and exploitation may be more comfortable speaking with female police officers, and/or in the presence of females than males alone.³²⁴ He contemplated training officers in sensitivity to victims of sexual abuse and exploitation and also mentioned that the Ministry of Home Affairs is trying to increase the number of women, to reach a minimum of 15% of female police officers in the force.

With respect to the issue of trafficking, more efforts appear concentrated on advocacy and awareness-raising, rather than law enforcement. While recognising that the new project of the Ministry of Women and Children Affairs, in collaboration with the Ministry of Home Affairs and NGOs does aim, in part, to address this weakness it is too early to determine its effectiveness. The following is intended to remind those implementing anti-trafficking initiatives of the need to ensure that impunity is addressed.

As pointed out by the South Asia Human Rights Documentation Centre (SAHRDC) in a recent review of anti-trafficking efforts,

[u]nder the status quo, trafficking is a low risk, highly lucrative venture for those in control. Unless the stakes are seriously raised, not only in countries into which people are trafficked but also in countries in origin and transit, there is no real disincentive for those profiting now or potentially profiting in the future. **No matter how vigorous the efforts to change community norms and empower potential victims, without a real fear of capture, prosecution and conviction these traffickers will continue on with business as usual. It is only once the climate of impunity is destroyed that social support and mobilisation programs will really be able to make an impact [my emphasis].** All of the root causes of trafficking must be addressed, but with finite resources available, countries need to act strategically in approaching the problem.³²⁵

The establishment of the National Task Force to combat child trafficking to be established in the Ministry of Home Affairs could be provided with the scope to approve all new multilateral anti-trafficking efforts initiated within the country to ensure that they are in accord with the project and strengthen already existing efforts.

To address the problem of frequent transfers of law enforcement officials which makes it difficult to sustain capacity-building efforts, as recommended for anti-trafficking efforts

³²⁴ Discussion with Mr Ashiqul Huq Chowdhury, Joint Secretary, Administration, Ministry of Home Affairs, 27 June 2001.

³²⁵ South Asia Human Rights Documentation Centre, *Combatting Trafficking The US Initiative Well Intentioned Bad Design* [New Delhi], HRF/24/00, 4 August 2000.

in Nepal, the possibility of choosing officers for an anti-trafficking assignment for a specific period of time may help to ensure continuity and stability within the programme.³²⁶

Combating the entry of girls into brothel and street-based prostitution

What is striking in most efforts to stop the entry of girls into brothel-based and street-based prostitution is the absence of a link to the role of police and other law enforcement officials, *sardanis* and *dalals*, and Notary Public in maintaining the status quo. As is known from documents of brothel-based sex workers, many of the ‘women’ possessing affidavits certifying that they are above 18 years and have entered prostitution willingly are in fact girls who were sold and/or brought to the brothel and not permitted to leave. This is strictly against the law, however, with few exceptions, the practice continues with impunity.

Given that there are now a number of membership organisations of sex workers, including; Ulka; Durjoy (including street-based prostitutes in Dhaka); Nari Mukti Sangho (in Tangail), Mukti Mohila Samita (MMS in Daulotdia); Akshoy (consisting of evicted Tanbazar and Nimtoli prostitutes), and; Shonghoti (consisting of 86 human rights NGOs, including 4 sex workers’ organisations), it may be worth exploring how they can help stop children from being sexually exploited and/or help increase the age of girls becoming involved in brothel and street-based exploitation.

As noted by Therese Blanchet, it is in the interest of the older prostitutes to stop the entry of young girls into the profession as it increases competition for them.³²⁷ She adds it is not, however, in the interest in the *sardani* (madam) or *bariwalli* (woman who owns/rents rooms/houses to the girls and women engaged in prostitution) whose earnings would drop significantly as a result.³²⁸ Therese Blanchet mentioned that there is some evidence that at Daulotdia it is increasingly risky to bring young girls into the brothel as those involved (the trafficker, *dalals* and *sardanis*) may be arrested. Moreover, she explains that in Sonagachi brothel in Calcutta, girls aged 12-13 years are now seen as too young and not bought as *chukris*, but girls 14 years and older –who are by that age still socially and culturally accepted as women –are still bought.³²⁹

Recovery and reintegration

According to the Stockholm Agenda for Action, non-punitive approaches to child victims of sexual exploitation, including an assurance that judicial procedures do not further aggravate the trauma already experienced are prioritised for recovery and reintegration.

³²⁶ Correspondence with Ravi Nair, Executive Director, South Asia Human Rights Documentation Centre, New Delhi, India, June 2001.

³²⁷ Discussion with Therese Blanchet, 24 September 2001, Dhaka.

³²⁸ Ibid.

³²⁹ Ibid.

Regrettably, there are very few best practices in recovery, rehabilitation and reintegration of child victims of trafficking and former child sex workers and others. The high likelihood that they will not be accepted by the community discourages them from returning. As Therese Blanchet found from her on-going trafficking research, one girl who was trafficked for prostitution in the Middle East returned to her community, but did not reveal what had happened to her because she knew the consequences of her speaking out would be worse than keeping the information a secret.³³⁰

With respect to child victims of trafficking, not all repatriation efforts are voluntary. Moreover, the challenge of reintegration is that the child is frequently not accepted back by the family. The child's past is easily discovered and one is stigmatised for life.

Of interest, under the ILO-IPEC TICSAs project, a rights-based rehabilitation component will be incorporated in all stages of rescue, recovery and reintegration. ILO-IPEC is working with its partner NGOs, for example, BNWLA, to establish guidelines so that rescue efforts are rights-based. Funds are also provided to partner NGOs for the provision of legal aid. The position of ILO-IPEC is that until such rights-based guidelines are created, neither rescue nor reintegration of child victims of trafficking can take place safely.³³¹

Advocacy for behaviour change and capacity-building in counselling skills and psycho-social care and services in front-line staff working with children who have been traumatised, abused and/or exploited is required. Moreover, a comprehensive legislative review, identifying weaknesses and gaps in existing legislation and policies which inadvertently lead to a penalisation of the victim is required with commitment from the government that the key gaps will be addressed through reforms consistent with the CRC and Agenda for Action.

Institutional and Legislative Reform

The Vagrancy Act is incompatible with both the Stockholm Agenda for Action and the CRC. Rather than amending the Act, its very existence must seriously be questioned and advocacy efforts should be directed at its repeal. As mentioned earlier, many children who are arrested do not fit the definition of a 'vagrant.' Many have parents, but police rarely help children find their parent(s) before arresting them.

The Vagrancy Act, 1943 has no provision for legal representation and reportedly, the Magistrate rarely asks the children who have been arrested any questions before determining them to be 'vagrants' and sending them to a Vagrants' Home. While in the Vagrants' Home, they are provided with education and skill training, however, there are no provisions for psychological care for those in need. While NGO social workers in the Vagrants' Homes try to locate children's parents (one of the two conditions required for their release), it is noteworthy that this is rarely done immediately after the child is picked

³³⁰ Ibid.

³³¹ Discussion with Tine Staermose, Chief Technical Adviser, TICSAs, ILO – IPEC, 8 November 2001, Dhaka.

up and more likely to remember where he/she lives. While in custody, especially those who are living with older children and adults, there is risk of further sexual abuse and exploitation, not to mention corporal punishment.

Short-term provisions for sensitising the staff of Vagrants' Homes in children's rights, and the provision of psychosocial care and services for residents, and stepped up efforts at family reunification are required, and have already been recommended in a report commissioned by the Ministry of Law, Justice and Parliamentary Affairs.

Moreover, Section V of the Children's Act, 1974, and the *Nari O Shishu Nirjaton Doman Act*, which provide for certified institutes or approved homes for children found homeless, destitute, requiring 'safe custody' and others must be reviewed.

Finally, while recognising that the Shelter Homes are often safer alternatives than jails and that many NGO Shelter Homes offer residents multiple options for continuing their education, learning a skill, engaging in cultural activities, access to counselling, nutritious food and good health care, it is also to be noted that children are not given a choice about being placed in them. While admittedly, the officials of the Shelter Homes are limited by law from allowing the children to leave the premises, albeit for their own safety and protection, alternatives to this system, which are not further violative of children's rights must be explored.

5. Concluding Remarks: A child rights-based approach

In conclusion, according to the Committee on the Rights of the Child (the Treaty Monitoring Body for the CRC), there is a dearth of awareness about the concept of child rights in Bangladesh and this extends throughout society.³³² While commendable efforts have been underway to put the Committee's recommendations into action through advocacy, training and technical support to Government, NGOs and others, much remains to be done.

Children are not widely viewed as being 'holders' of rights, in particular, socially and economically disadvantaged children who are more at risk of sexual abuse and commercial sexual exploitation are often viewed by the community (including children), government, even NGOs, as objects of charity rather than as holders of rights.³³³ This inevitably undermines their rights. For example, economically and/or socially disadvantaged children may be provided with opportunities to learn a skill/trade without first ensuring that their right to an education is met. Many children may therefore not know even the basics of reading, writing and numeracy, let alone the other valuable lessons a child acquires through schooling.³³⁴

³³² CRC/C/15/Add.74 par.13.

³³³ Refer to reports of Shishu Adhikar Sangjog (2001) and Blanchet (1996) among others.

³³⁴ Refer to Annual Report of Special Rapporteur on the right to education, Katarina Tomasevski, to the UN Commission on Human Rights, E/CN.4/2001/52, 11 January 2001.

Much more must be done to address the root causes of gender discrimination, which puts girls at greater risk of sexual abuse and exploitation, early marriage and other forms of violence. This requires advocacy for behaviour change and capacity-building of law enforcement officials for improved implementation of the laws. Lack of law enforcement, including impunity, contributes to the persistence of such violations of girls' rights.

Less is known about the situation of sexually abused and exploited boys and the impact of their psychological well-being. Not only may they be reluctant to speak about such abuse, especially when the abuser is a man or older boy, but for those who are questioning their sexuality, there are few people and/or organisations with whom they can speak freely and without judgement. Gender disaggregated research is required.

While some studies have demonstrated the vulnerability of Rohingya refugees to trafficking and especially those living outside the camps, there is no information about ethnic and religious minorities living in different parts of Bangladesh, including the Chittagong Hill Tracts (CHT). Moreover, no information on the situation and vulnerability of the Biharis to child sexual abuse and exploitation was found. As the Special Rapporteur on Violence Against Women has noted, a common feature of armed conflict is the sexual and physical abuse of girls and women by members of both state and non-state forces.³³⁵ Reports have shown that during the 25-year insurgency in the Chittagong Hill Tracts (CHT), girls and women were sexually abused, including rape, by members of the armed forces, however, little is known about the current situation and vulnerabilities of girls post-Peace Accord and information is required³³⁶

The tendency to blame the victim of sexual abuse and exploitation, particularly girls, rather than the abuser, also creates an unwelcoming environment for the victim: once the incident is known in the community, the sexually abused girl is at risk to be cast out of her family and it might only be a matter of time before she is again abused or exploited.

Unless coordinated efforts are put in place to address the discrimination and stigma experienced by sexually abused and exploited children and children of sex workers, it will be difficult for them to ever enjoy the rights to which they are entitled.

Finally, while noting that many NGO, INGO, UN and government interventions are adopting rights-based approaches, at the implementation level, many remain charity and welfare-based. Many interventions or parts thereof fail to reach their full potential as a 'best practice' because children who are sexually abused and exploited and/or who are vulnerable to such abuses are not treated with the respect and dignity as is their right.

³³⁵ Statement of Ms Radhika Coomaraswamy, Special Rapporteur on Violence Against Women, 57th Commission on Human Rights, 9 April 2001.

³³⁶ See par. 27, 'Principal subjects of concern' in the Concluding Observations, Child Rights Committee CRC/C/15/Add.74, 6 June 1997. With regard to recent cases of sexual abuse, see Amnesty International, *Bangladesh: Human Rights in the CHT AI Index: ASA 13/01/00* (London: Amnesty International, 2000) p.14. which documents the Babu Chara Bazar killings of 3 people, sparked after an incident whereby a Bangladeshi army personnel allegedly molested a Jumma Woman. The Government is reported to have set up an inquiry, but no news about its progress or outcome was found by Amnesty International.

Whether it is the project staff who views the child with pity, or the employer who does not have high expectations for ‘*noshto meye*’ (‘spoiled’ girls), this has a direct and lasting impact on the child’s ability to recover from the abuse and exploitation and reintegrate into society.

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Annex 1:

National and International Commitments

The attached laws and relevant sections of the Penal Code of 1860 pertain to the protection of children from sexual abuse and exploitation and the punishments for those who violate the laws. The Bangladesh Passport Order, 1973 and Emigration Ordinance, 1982 are related to migration, including illegal migration and are therefore also relevant.

- 1) The Suppression of Immoral Traffic Act, 1933
- 2) The Bengal Vagrancy Act, 1943
- 3) The Children Act, 1974
- 4) The Emigration Ordinance, 1982
- 5) Unofficial English translation of the *Nari O Shishu Nirjaton Domon Act, 2000* (Suppression of Violence Against Women and Children Act, 2000)
- 6) The Bangladesh Passport Order, 1973
- 7) Sections 292, 293, 360, 361, 364, 366, 367, and 372 of the Penal Code of 1860
- 8) Government Servants (Discipline and Appeal) Rules, 1984

However, as a close reading will demonstrate, many are not all in accord with the State's international obligations. Much needs to be done to transfer these commitments into reality, however, progress is being made.

Bangladesh was among the first countries to sign and ratify the United Nations *Convention on the Rights of the Child* (CRC). In addition, Bangladesh has signed and ratified the *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*, which was adopted by the UN General Assembly on 25 May 2000. It is awaiting the requisite 10 ratifications before it can come into force. Bangladesh has also ratified ILO Convention No. 182 and its Recommendation No. 190 on the Worst Forms of Child Labour. Bangladesh participated in the First World Congress Against Commercial Sexual Exploitation of Children in Stockholm in 1996.

The following international conventions are attached:

- 1) United Nations Convention on the Rights of the Child
- 2) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

- 3) Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organised Crime
- 4) ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182)
- 5) Draft SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution

Although not attached, the following international instruments are also related to the prevention of sexual abuse and exploitation³³⁷:

- 1) United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- 2) United Nations Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Practices Similar to Slavery (1956)
- 3) United Nations Convention on the Suppression of Traffic in Persons and the Exploitation of the Prostitution of Others (1949)
- 4) International Covenant on Civil and Political Rights (1966)
- 5) United Nations Convention on the Elimination of all Forms of Discrimination Against Women (1981)
- 6) ILO Convention No. 29 and 106 pertaining to forced labour and the abolition of forced labour
- 7) ILO Convention No. 79 and 90 pertaining the night work of young persons

In early 2001, Bangladesh submitted its First Periodic Report to the Committee on the Rights of the Child (its Initial Report was considered in May 1997). Many of its Concluding Observations are still valid today.

Nationally, the Government of Bangladesh has developed a National Plan of Action 1997-2002 which recognises both sexual abuse and exploitation of children as a problem that must be addressed.

The Stockholm Declaration and Agenda for Action specifically focuses on the commercial sexual exploitation of children and calls upon all government signatories to put in place National Plans of Action to combat it. The Government of Bangladesh,

³³⁷ Referenced from NGO Group for the Convention on the Rights of the Child Focal Point on Sexual Exploitation of Children <http://www.focalpointngo.org>.

however, has taken the decision to create a *National Plan of Action against Sexual Abuse and Exploitation of Children, including Trafficking*. This is a significant decision as evidence in the following report shows that many children who have been sexually abused are later commercially sexually exploited.

The Government of Bangladesh, having made these international commitments, is now obligated to transfer them into domestic reality: through policy, legislative reform and services.

Annex 2:

List of Persons/organisations met/visited

1. Ain O Salish Kendra (ASK): Discussion with Khursheed Erfan Ahmed, Director, Child Rights and Training Unit; Saidur Rahman, Deputy Director, Training; Md. Moqsud Maleque, Coordinator, Child Rights Unit; Shilpi Choudhury, Researcher, Research Unit; Dilruba Haque Papia, Advocate, Legal Aid Unit, and; Selina Akhter, Advocate, 8 October 2001, Dhaka.
2. Aparajeyo Bangladesh: Discussion with Eric Thipthorpe, Information and Publication Officer, and Jahan Ara, Manager, Girls' Hostel and visit to Adolescent Girls' Hostel, 14 June 2001, Dhaka.
3. ARISE Project: Met with Valerie Jaques, International Expert in Child Counselling, and Amina Chowdhury, Gender Specialist, 12 June 2001, Department of Social Services, Dhaka.
4. ATSEC: Discussion with Mizanur Rahman, Project Director, 8 October 2001, Dhaka.
5. Bandhu Social Welfare Society: Discussion with Shale Ahmed, Executive Director and Anisul Islam Hero, Chairperson, 17 June 2001, Dhaka.
6. Bangladesh National Women Lawyers Association (BNWLA): visit to Shelter Home, Agargaon) and discussion with Shirin Naher, Communication Officer, Muminun Nessa Shikha, Counsellor, and Badrunnessa Ahmed, Superintendent, 13 June 2001, and on other occasions, Salma Ali, Executive Director, Dhaka.
7. Bangladesh Shishu Adhikar Forum (BSAF): Discussion with Muhammad Asgar Ali, Director, 7 October 2001, Dhaka.
8. Bangladesh Society for Enforcement of Human Rights: Discussion with Advocate Sigma Huda, 3 October 2001, Dhaka.
9. Therese Blanchet, Anthropologist, Discussion on 12 and 24 September 2001, Dhaka.
10. Breaking the Silence: Discussion with Afsan Chowdhury, member Breaking the Silence on 7 June 2001, Dhaka.
11. Breaking the Silence: Discussion with Roxana Sultana, Sadeka Islam, social counsellor and Md Abul Khaer on 14 June 2001, Dhaka.
12. British Council: Discussion with Farah Kabir, Assistant Director for Gender and Governance, 3 October 2001, Dhaka.
13. CARE Bangladesh: Discussion with Dr Janna, HIV Programme Coordinator, 20 June 2001, Dhaka.
14. Centre for Women and Children Studies: Discussion with Professor Ishrat Shamim, 3 October 2001, Dhaka.
15. Child Development Centre, Shishu Hospital: Discussion with Monwara Parveen, Child Psychologist, 24 June 2001, Dhaka.
16. Concern Bangladesh: Met with Hossain Shahid Sumon, Team Leader, Advocacy, Socially Disadvantaged People's Programme (SDPP), and visit to Vagrants' Homes in Manikganj and Narayanganj, 18 June 2001.
17. Family Health International: Discussion with Pam Baatsen, Country Director, and Habibur Rahman, Programme Coordinator, 2 October 2001, Dhaka.
18. ILO-IPEC: Correspondence and Discussion with Tine Staermose, Chief Technical Adviser, TICSA, ILO – IPEC, August 2001 and 8 November 2001, Dhaka.

19. International Organisation for Migration (IOM): Discussion with Ruben Korevaar, Programme Officer and Rina Sen Gupta, Project Officer, 17 June 2001, Dhaka.
20. INCIDIN Bangladesh: visit to Misplaced Childhood Drop-in Centre and Discussion with Mustaque Ali, Executive Director, 17 May 2001, Dhaka.
21. Institutional Development of Human Rights in Bangladesh (IDHRB) Ministry of Law, Justice and Parliamentary Affairs: Discussion with K.M. Haque (Kaiser), Project Director, and; Shaila Parveen Luna, Research Fellow, 4 September 2001, Dhaka.
22. Rachel Kabir, Researcher, Development and Child Rights Issues, Discussion on 23 September 2001.
23. Mapping Exercise on HIV/AIDS Law Ethics and Human Rights Project, Ministry of Law, Justice and Parliamentary Affairs: Discussion with Tahnia Shahid, Research Associate, 4 September 2001, Dhaka.
24. Ministry of Home Affairs, Mr Ashiqul Huq Chowdhury, Joint Secretary, Administration, 27 June 2001, Dhaka.
25. Ministry of Social Welfare: Discussion with Mr Dewan Zakir Hussain, Deputy Secretary, National Project Director, ARISE Project, Department of Social Services, 5 September 2001, Dhaka.
26. Ministry of Women and Children Affairs, Mr Abdur Rab, Deputy Secretary and Mr Shamsul Arefin, Senior Assistant Secretary, 25 June 2001, Dhaka.
27. Medecins Sans Frontieres (MSF)-Holland: Discussion with Caroline Taylor, Country Manager, 19 June 2001, Dhaka.
28. Nari Maitree: Discussion with Shaheen Akter Dolly, Executive Director and visit to UNDP and UNICEF-supported programmes at Kamalpur Railway Station, 13 June 2001, Dhaka.
29. Resource Bangladesh: Discussion with Resource Bangladesh's Children's Congress members, Child Leaders, Child Facilitators, and Editorial Team. Met with Sufia Khatun, Trainer; Kamrul Islam Chowdhury, Executive, Joyabrata Das Gupta, Coordinator and Mizanur Rahman, 25 June 2001, North Adabor, Shamoly, Dhaka.
30. Royal Norwegian Embassy: Discussion with Zakia Hassan, Advisor, Development Affairs; Tom Hunstad, Second Secretary, and; Ahmad S. Abbasi, Advisor (Development Affairs), 11 June 2001, Dhaka.
31. Save the Children Australia: Discussion with Sultan Mahmud, Country Director, 11 June 2001, Dhaka.
32. Sristi: Discussion with Mahbubul Alam, Executive Director, 2 October 2001, Dhaka.
33. Terre des Hommes Foundation Italy: Discussion with Alexander von Braunmuhl, Country Representative, 7 June 2001, Dhaka.
34. UNDP: Discussion with Ayaka Matsuno, Project Officer, Appropriate Resources for Improving Street Children's Environment (ARISE) and Capacity-Building, Poverty Alleviation and Sustainable Livelihood of the Socially Disadvantaged Women (DSW) and their Children projects, 12 June 2001, Dhaka.
35. UNDP Assisted Capacity Building Project: Discussion with Md. Fazlul Haque Fakir, Deputy Coordinator, 6 September 2001, Dhaka.
36. USAID: Discussion with Matthew Friedman, Technical Advisor, Population, Health and Nutrition Office, 24 September 2001, Dhaka.

37. UTSHO Bangladesh, Naripokkho and Ulka: Discussion with Mahbooba Mahmood (Leena), Project Coordinator Network Project, Naripokkho and Chief, Executive Director, UTSHO Bangladesh, and; Momtaz, President, Ulka, 24 June 2001, Dhaka.

Outside Dhaka:

38. Rajshahi: Visit to Association for Community Development (ACD) and discussion with Salima Sarwar, Executive Director and consultation with adolescent girls and women in Charghat Thana, and; adolescent girls, and boys and men in Shibganj Sadar Thana, 10 and 11 June 2001.
39. Chittagong: Discussion with Sisir Dutta, Executive Director, Bangladesh Institute of Theatre Arts (BITA) and visited Lalkhan Bazaar, Pora Colony Slum to watch performance of BITA's children theatre group, 26 May 2001.
40. Khulna and Mongla Port: Discussion with Mr. A T M Zakir Hossain, Executive Director and Ms Kaniz Fatima, Director, Planning, Jagrata Juba Shangha (JJS), Khulna and visited Baniashanta Brothel with JJS staff member on 3 June 2001. Khulna: Visited Fultala Brothel, Khulna with Debi Roy, Clinic Manager, Marie Stopes Clinic, 4 June 2001.
41. Jessore: Met with Dr K.F. Mahmud, Project Manager HIV/AIDS Prevention Project, 3 June 2001 and met with ACLAB
42. Manikganj and Narayanganj: Visit to Department of Social Services' Betila and Godnail Vagrants' Homes supported by Concern Bangladesh with Hossain Shahid Sumon, Coordinator, Advocacy, Socially Disadvantaged People's Programme, 18 June 2001.