Legal Framework for Preventing Violence Against Women in Bangladesh: An Analytical Review

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Abstract: Violence against women is a widespread issue in Bangladesh and globally, cutting across economic, educational, and cultural lines. Laws such as the Prevention of Violence against Women and Children Act 2000, the Acid Control Act 2002, The Dowry prohibition Act2018 and, the Acid Crime Prevention Act 2002 provide strict punishments, special tribunals, and safeguards for victims, including children born of rape. Despite these measures, ambiguities in procedures, slow judicial processes, inadequate victim support, and occasional misuse limit their effectiveness. This article analyzes these laws' strengths and weaknesses, emphasizing the need for better enforcement, judicial training, and social awareness to ensure women's safety, dignity, and equality.

Keywords: Violence Against Women, Legal Framework, Bangladesh Law, Gender-Based Violence, Women's Rights Protection

INTRODUCTION

When discussing violence against women, many people first have a negative perception of our social system. We investigate the reasons behind this violence. Is it only due to lack of education, economic hardship, religious prejudice, physical differences or something else? Moreover, does this violence against women only occur in developing countries like Bangladesh? Then why does the police in England receive one call every minute for rescue from domestic violence, 81% of which are women being abused by men? Why is a woman raped every 23 seconds in Africa? Why is a woman abused by her male partner every 15 seconds in Australia? The economic status, education or religious prejudice of

these countries is not synonymous with this situation. However, like these countries, Bangladesh also has several laws and penal codes aimed at preventing violence against women. Starting from the Penal Code of 1980, several laws have been enacted at different times to prevent violence against women in Bangladesh. However, some of these laws are completely enacted to prevent atrocities against women. There are also some laws through which there are indirect measures to prevent atrocities against women. Although there are 47 laws to prevent violence against women, 3 laws amended in 2000, 2001 and 2002, namely the Prevention of Violence against Women and Children Act 2000, the Acid Control Act 2002 and the Prevention of Acid Crimes Act 2002, have been discussed. However, a brief discussion has also been given to the relevant Penal Code 1860.

RESEARCH METHODOLOGY

In order to investigate Bangladesh's unique legislation pertaining to violence against women, this study employs a qualitative, doctrinal research technique based on a descriptive, analytical, and evaluative approach. The Constitution, criminal laws, the *Nari-O-Shishu Nirjatan Domon Ain,* the Domestic Violence (Prevention and Protection) Act 2010, the Dowry Prohibition Act 2018, pertinent rules, policy documents, and court rulings are among the statutory materials on which it mainly depends. Secondary data is gathered from academic books, journal articles, NGO reports, government publications, and international documents like CEDAW. To evaluate the efficacy of the law, trends in enforcement, and socio-legal ramifications, data are collected through a methodical examination of the literature and examined utilizing statutory interpretation, case law analysis, and thematic content analysis. Without using human subjects, the study upholds ethical norms, correct citation, and academic integrity by using solely published materials.

Objectives of the Study

This study's main goal is to assess the efficacy of Bangladesh's unique legislation designed to combat violence against women in terms of protection, accountability, and justice. The study's specific objectives are to identify current legal mechanisms, evaluate their substantive and procedural safeguards, investigate judicial responses and enforcement practices, evaluate structural and socio cultural barriers affecting implementation, ascertain the degree of alignment with international human rights standards, and ultimately suggest institutional, legal, and policy reforms to improve women's access to justice, prevention, and protection.

LITERATURE REVIEW

Despite major legal improvements, research on violence against women (VAW) in Bangladesh continually shows that it is still a major human rights and public health concern. High prevalence rates of physical, sexual, and

psychological violence against women are reported in national and international surveys; this indicates a persistent disconnect between legal protections and actual experiences (Bangladesh Bureau of Statistics [BBS], 2016; UN Women, 2020). In both rural and urban settings, civil society documentation also shows an increase in domestic abuse, rape, violence related to dowries, and harassment (*Ain o Salish Kendra* [ASK], 2024). Bangladesh's unique legislation, such as the *Nari-O-Shishu Nirjatan Daman Ain* of 2000, the Domestic Violence (Prevention and Protection) Act of 2010, and the Dowry Prohibition Act of 2018, have been studied by doctrinal legal literature, with an emphasis on their extensive substantive and procedural protections for women. (Hossain & Siddiqi, 2018). However, academics contend that obstacles like procedural restrictions, evidential hurdles, and definitional ambiguities still prevent successful implementation (Hossain & Siddiqi, 2018). Similar inconsistent enforcement and drawn-out trial procedures that impede access to justice are reflected in judicial rulings (State v. Md. Rasel, 2019). These worries are supported by empirical research conducted by rights organizations, which identifies institutional barriers such as low conviction rates, insufficient victim support services, and police unwillingness to register complaints (Bangladesh National Women Lawyers' Association [BNWLA], 2022; BRAC, 2022). According to socio-legal studies, reporting is frequently discouraged and legislative protections are undermined by stigma, informal community dispute resolution procedures, and patriarchal norms (Kabeer & Mahmud, 2020).Stronger alignment between national and international human-rights standards is advocated by international legal analyses of Bangladesh's adherence to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (Committee on the Elimination of Discrimination Against Women, 2022). In order to guarantee meaningful justice, recent policy evaluations also warn that legal reforms must continue to be evidence-based and survivor-centered (Kabir, 2023). The literature as a whole concludes that while Bangladesh has implemented a thorough legal framework to prevent VAW, coordinated institutional reform, gender-responsive enforcement, social awareness, and multi-sector collaboration are necessary for actual progress (United Nations Population Fund [UNFPA], 2021).

DISCUSSION

Prevention of Violence against Women and Children Act 2000

Although there are various provisions in the Penal Code or other laws to prevent violence against women, either directly or indirectly, organized or unorganized, in 1983, a law specifically titled Violence against Women was passed for the first time. The law is considered a milestone in this regard as it introduced a different section. This law, consisting of 10 sections, had the maximum penalty of death, so it created a response at that time. But in the context of time, when the adequacy and self-sufficiency of the law gradually weakened, its amendment became necessary. This law was repealed and the Women and Children Abuse Act was enacted in 1995. Comparatively, it is more

practical and self-contained. It had 29 sections. Moreover, this is the first time that the need for a new law was felt again in the context of the increasing demand for serious and sensitive crimes related to children. The last time, on February 14, 2000, the groundbreaking Women and Children Abuse Prevention Act, 2000, was promulgated as Act No. 8 of that period. This is a new law which is not an amendment to the Women and Children Abuse (Special Provisions) Act of 1995 but rather it was promulgated by repealing the Act. The Act has a total of 34 sections.

Positive Features of the Law

Some of the notable features of this law include imposing a life sentence in addition to the imprisonment/death sentence of the offender, payment of the fine to the victim or his heirs as compensation, recovery of the fine from the future assets if the offender does not have current assets, not publishing the victim's photo or identity in the news or mass media, arranging for trials in a closed room, conducting trials continuously on every working day without interruption, completing the trials in the shortest possible time, taking special measures for children born as a result of rape, provision of jail time against the police in cases of rape in police custody, accountability of the investigating officer, medical officer or tribunal, etc.

Regarding the positive aspects of the law, it can also be said that the maximum penalty, i.e. death penalty, has been provided for 10 crimes included in the law. Life imprisonment has been provided for many crimes. Even for disfiguring or destroying 3 sensitive and important parts of the female body (face, breast, genitals) by throwing flammable, poisonous, explosive substances, a separate provision has been made for a relatively harsh punishment, i.e. death penalty. In order to prevent the prevalence of violence against women and in view of its socio-economic and cultural importance, stricter restrictions have been imposed on granting bail to the accused under the law in the context of the responsibility and demand of the government and society.

In the light of the practical experience of judicial activities or the performance of magisterial duties under criminal law, the bail system is used as a primary and effective measure in the suppression of evil, the maintenance of morality, or the maintenance of peace and order, the reduction of crime, etc. In that context, the provision of strict bail or extreme caution regarding the granting of bail can be applauded. Although its practical reality has already created negative perceptions in the public mind.

Amendment of the Penal Code

Section 3 of the Act gives precedence to this Act in cases of inconsistency or disagreement with other Acts as per the normal rules. As a result, in cases of crimes such as kidnapping, rape, molestation, etc. mentioned in Sections 354, 359-369, 372-373, 375-376 of the Penal Code or other sections, the Prevention

of Torture of Women and Children Act 2000, specifically Sections 7, 8 and, 9 of this Act, will be applicable. Although the sections mentioned in the Penal Code have not been repealed or made ineffective till date, their effectiveness has been abolished in practice. In this case, necessary amendments to the Penal Code are essential to eliminate the possibility of differences of opinion, misunderstandings, or careless application. Needless to say, in many cases of crimes included in the Penal Code, such special laws have been made completely or partially ineffective due to the need of the time, but the Penal Code has not been amended accordingly.

Criminal Procedure Code

According to Section 25 of the Prevention of Violence against Women and Children Act, the provisions of the Code of Criminal Procedure shall be followed in the filing of complaints, investigation, trial and disposal of cases, except to the extent that they are different from this Act. Although the jurisdiction to take cognizance of criminal cases under the Code of Criminal Procedure lies with the Magistrate Court, in this case, the jurisdiction to take cognizance of crimes lies directly with the Women and Child Violence Prevention Tribunal, whose judges are appointed from among the district and sessions judges, i.e. judicial officers. In this case, the administrative court is the direct tribunal. It is not clear whether the investigating officer will send the complaint letter/final report to the administrative magistrate court as per Section 173 of the Code of Criminal Procedure or directly to the administrative tribunal. Moreover, as per Section 173 of the Code of Criminal Procedure, the Magistrate Court has no jurisdiction to accept or reject the charge sheet or order further investigation/re-investigation, so it is not clear what the Magistrate Court should do. Similarly, whether the police should send the accused, who is a suspect or has been arrested on a warrant, to the Magistrate Court and if sent, what the Magistrate, who is not competent to hear bail applications under this Act, should do, is not mentioned in this Act, thus creating ambiguity/complexity.

News Media

According to Section 14 of the Act, the media is allowed to publish news without disclosing the identity of the victimized woman and child. It is noteworthy that the punishment for violators of this provision is imprisonment or fine or both, which is inconsistent with other sections. More noteworthy, in this case, the maximum period of imprisonment is 2 years and the maximum amount of fine is 1 lakh taka. Judging from the nature and amount of punishment, on the one hand, it is inconsistent with other sections, on the other hand, provision has been made to exempt the media that destroys the future social values and rights of the victimized woman and child. This provision was not in the Women and Child Abuse Special Provisions Act of 1995. Even if this section is considered to have made a positive addition in terms of incorporating the new concept of keeping the identity of the victim confidential, the provision of punishment is not appropriate and therefore its full benefit is not being obtained.

Children Born of Rape

Section 13 of the Women and Children (Prevention of Violence against Women and Children) Act, 2000, has made appropriate provisions regarding children born as a result of rape, as mentioned earlier. Before the amendment of 2003, the provision was such that if the child is not disabled, the rapist will bear the maintenance of the son born as a result of rape until the age of 21 and in the case of the daughter until her marriage. For practical reasons, this provision was not appropriate. Considering the sufficient time required for filing a case after the rape, submitting the investigation report by the investigating officer, completing the trial of the case and recovering it from the present or future proceeds of rape, etc., it can be easily assumed that it was not realistic. Through the amendment of 2003, a provision has been made to bear the cost of the said maintenance for the time being and to recover it from the rapist in an appropriate manner after he is proven to be the rapist - which is more realistic. Through the said amendment, the identity of the child has been confirmed, thus the child will get the right to be known by the identity of his mother or father or both. This will ensure the right to identity as enshrined in Article 5 of the UN Convention on the Rights of the Child. The issue that should be reconsidered in this regard is the right of the child born as a result of rape to inherit the present or future assets of the rapist. Once the identity of the rapist is confirmed, the tribunal issuing the judgment or order can issue a decree to this effect. However, in this case, steps can be taken to harmonize it with the existing inheritance law by making appropriate amendments.

At this stage, it would not be irrelevant to say that for the maintenance of children born as a result of rape, appropriate allocation of funds is required in favor of the concerned government department and district administration, which has not been done till date. It is hoped that at least the necessary guidelines will be provided in this regard through rules.

Criminal Investigation Timeline

In the case of criminal investigation, the provision was made in Section 18 of the original Act of 2000, but in 2003, it was changed to make the investigation period exception based on whether the accused was caught red-handed while committing the crime or not. That is, if the accused was caught red-handed while committing the crime, the investigation period has been initially fixed at 15 days and otherwise at 60 days. This special arrangement is considered reasonable in the overall judgment. But it is necessary to mention Sub-section 2 of the said Section here, where if it is not possible to complete the investigation of the case within the stipulated time, the investigating officer himself shall extend the time for an additional 30 days and inform the tribunal or controlling officer. This amendment has undermined the effectiveness of the investigation period initially fixed for the investigating officer. In this case, the provision of extending the time subject to the permission of the tribunal is more reasonable if additional time is required after the stipulated time for the investigation. Another thing to

note is that this Act does not clearly state where the investigation report should be submitted by the investigating officer.

Trial Process

According to Section 20 of the Act, the Tribunal shall complete the trial of the case within 180 consecutive working days. However, if the Tribunal fails to complete the trial within 180 days and dispose of the case, it shall submit a report to the Supreme Court within 30 days, stating the reasons for the failure, as per the provisions of Section 31A. After receiving this report, the authorities shall take action against the person responsible for the non-disposal of the case. In this regard, two issues are noteworthy, firstly, the provision of thirty days for submitting a report after the end of the time for disposal of the case is more than necessary. Secondly, although there is a provision for taking appropriate action against the responsible persons after reviewing the submitted report, there is no specific mention of the outcome of the case. In this regard, there is no direction in this Act regarding the accused in the case.

Rule of Law

Although the provisions of this Act that are inconsistent with the provisions of the Code of Criminal Procedure have been given precedence in Section 3 of this Act, the provisions of many sections of this Act are not self-contained. Although almost seven years have passed since the promulgation of the Act and even after the amendment of the original Act in 2003, the fact that rules have not been made under Section 33 of the Act is creating misunderstandings on the one hand and complications in implementation are arising on the other hand.

Some More Crimes

Some important things that happen frequently in our society are not mentioned in this law. That is, all these crimes or their punishments are not included in this law. The law would have been more comprehensive and effective if the provisions of the crimes or their punishments such as harassment of women, especially teenage girls, blackmailing women, making blue-films or obscene pictures of women by intimidation/seduction or false assurances/promises, forcibly feeding or trying to feed women drugs, forcibly using them in transporting, storing or selling drugs, or domestic violence etc. were included.

Misapplication of the Law

The necessity, appropriateness and effective role of this law are undoubtedly groundbreaking. And the use or application of this law is considerable. The Birth and Death Registration Act of 1873 was amended in 2004. But this law of 2000 was amended in 2003 itself, which in a way indicates the widespread application of the law. Moreover, it is estimated that only the Dowry Prohibition Act of 1980 has the highest practical density of this law. In this regard, the law can be said to be a proper step to prevent violence against women. However, the issue that is more discussed today is its misuse. There have

been allegations of its misuse since the beginning. A study by the Bangladesh National Women's Lawyers' Association shows that from July 1, 2001 to June 30, 2002, 7,362 cases were tried by the Women and Child Abuse Prevention Tribunal in the country. Out of these, 678 defendants were punished in 331 cases. There were 22,173 defendants in the cases. The charges against more than 21,000 defendants could not be proven. The level of misuse is also increasing due to relatively harsh sentences, provision of additional judicial consideration in granting bail, jurisdiction of the tribunal to take cognizance of the crime or conduct bail hearings instead of the magistrate's court, or lack of legal ambiguity and procedural guidelines due to the lack of rules made under the law. On the other hand, as per Section 211 of the Code of Criminal Procedure, the maximum punishment for filing a false case is 7 years imprisonment and fine, similar punishment has been provided for filing a false case in Section 17 of this Act, however, it is believed that if the period of punishment was increased in this case, the misuse of the law would have been reduced.

But in general, considering the importance of this law, the density of cases filed, the conditions of bail, etc., in order to prevent its misuse and to reduce the harassment of the accused, the issue of increasing the sentence of the complainant in false cases, relaxing the conditions of bail, and transferring the jurisdiction of hearing bail and taking cognizance of the crime to the magistrate's court can be considered. It is worth noting that in order to prevent the misuse of this law, that is, to prevent the tendency to harass the accused or undermine his dignity out of anger or revenge, the executive order has directed the opinion or advice of the concerned Superintendent of Police before arresting the accused.

The need for the law is essential and the epoch-making steps or provisions contained in it are playing an effective role in preventing violence against women in our society. However, if the tendency of misuse of the law cannot be reduced, its appeal, usefulness and popularity may gradually decrease.

Acid Act 2002

The Penal Code provides for punishment for causing harm to human life by poisonous substances. Other laws, especially the 2000 Prevention of Violence against Women and Children Act, provide for punishment for hitting a woman or child with corrosive, incendiary or poisonous substances. Nevertheless, the number of acid attacks was increasing. A report by the Acid Survivors Foundation mentioned that the first reports of women being attacked by acid were received in 1960 and since then the trend of acid attacks has been increasing gradually. According to that source, the number of acid attacks in the country from 1990-2000 was 867, that is, an average of about 79 people per year. In 2001, it increased to 334 people, and in 2002 it increased further to 448 people. When the trend of acid-related crimes could not be prevented under the existing law, two related laws were issued simultaneously on March 17, 2002: a. Acid Crime Control Act 2002 and b. Acid Crime Control Act 2002. Although both laws are

related to acid, their purpose, scope, scope, punishment and method differ. It is worth noting that in the following years, the number of acid attack cases gradually decreased and stood at 410 in 2003, 322 in 2004 and 269 in 2005.

However, one thing to note is that both the Acid Control Act 2002 and the Acid Crime Control Act 2002 were not literally enacted and promulgated to prevent violence against women. The word 'person' has been used throughout the law, regardless of gender. As a result, the scope and reach of both laws have undoubtedly increased. However, in view of our social reality, it can be said that these two laws have been enacted keeping in mind the need to prevent violence against women. On the other hand, it can also be easily commented that women, not men, are mainly protected by this law.

Acid Control Act 2002

To prevent acid-related crimes, it is naturally necessary to control the availability, accessibility, etc. of acid. This law has been enacted mainly as a preventive measure. The Acid Control Act 2002 has been enacted to control the import, production, transportation, storage, sale and use of acid, prevent the misuse of acid as a corrosive flammable substance and provide treatment, rehabilitation and legal assistance to people affected by acid.

Council and Committee

The Minister in charge of the Ministry of Home Affairs is the Chairman. The Minister in charge of the Ministry of Women and Child Affairs is the Co-Chairman and the Secretary of the Ministry of Home Affairs is the Member Secretary. A 16-member National Acid Control Council has been formed, one of the responsibilities of which is to formulate recommendations on policies related to the control of acid import, production, transportation, stock, sale and use. Moreover, a 7-member District Committee of the National Acid Control Council has been formed at the district level with the Deputy Commissioner as the Chairman. Among other things, the implementation of the policies set by the Council regarding the control of acid production, transportation, stock, sale and use is one of the responsibilities of the District Committee. Moreover, the Deputy Commissioner is working as the licensing authority for the concerned district for the purpose of controlling import and production.

Positive Aspects of the Law

This law has several positive features, most of which are regulatory, management-related and supportive or welfare-related. For example, this law provides for the establishment of rehabilitation centers for acid attack victims. It also provides for legal aid, medical assistance. It also provides for the provision of legal aid, medical assistance, awareness raising about the ill effects and dangers of acid, and the management of a welfare fund. It also provides for the provision of compensation to the victim or his heirs from the amount of the fine.

Considering that the crime committed by acid is inhuman and serious, this law has given importance to the crimes and on the one hand, to highlight its horror in the public mind and on the other hand, to ensure the protection of the people, especially women, the crimes committed under this law have been identified as cognizable, non-compromising and non-bailable.

Differences are observed in the punishment of crimes committed under this law. For example, in most cases, imprisonment and fine are applicable simultaneously, but in cases of violation of the conditions of a license, such as allowing the use of a house or vehicle in the commission of a crime, imprisonment or fine or both have been provided. In this case, a provision can be made to provide either one of the punishments and provide both punishments. However, the provision of double punishment for the same crime committed again according to Section 42 is appropriate. The scope of this law is so wide that the responsibility of providing necessary advice to the person affected by acid about the purpose of treatment or information about obtaining treatment has been entrusted to the relatives or doctors of the affected person.

Rulemaking

Section 51 of this Act empowers the government to make rules and several matters that can be included in the said rules have been mentioned. That is, a guideline has been provided exceptionally, but since the rules have not been made even after almost four years of the promulgation of the Act, complications are being created in its implementation. It is to be noted that in this Act, it is necessary to formulate rules to settle the issues such as the formation of various committees, establishment of committee funds, establishment of rehabilitation centers for affected persons, licensing system for controlling acid import and production, acid confiscation system, preservation of lists of acid affected persons, etc. Section 16 of the said Act mentions that all activities of the licensing authority regarding issuance of licenses and supervision shall be regulated and conducted in the manner prescribed by the rules.

Acid Crime Prevention Act 2002

This law was enacted with the aim of strictly suppressing crimes committed by acid. The Women and Children Atrocities Prevention Act 2000 has provisions to suppress crimes committed by flammable, corrosive or toxic substances. From that perspective, many people question whether the promulgation of this law was necessary or not. However, as the trend of organizing crimes by acid has gradually increased, the necessity and acceptability of this law has become unquestionable. Another thing to remember is that the Women and Children Atrocities Prevention Act was enacted only to prevent atrocities against women and children. On the other hand, the Acid Crimes Prevention Act 2000 was enacted to protect everyone, regardless of gender, from the torture and harm caused by acid. According to information from various sources, the increasing

rate of acid attacks has been gradually decreasing since 2003, which highlights the appropriateness of the promulgation of this law along with other measures.

Positive Aspects of the Law

This Act has been issued as an Act. Since the crime committed by acid is an important, horrific and sensitive matter, several positive provisions have been included in this Act. Notable provisions are, provision of relatively harsh punishment, provision of concurrent imprisonment and fine, provision of payment of fine to the victim, recovery of fine from the property of the convicted person or the property left in case of his death, giving short time to the investigating officer for investigation, conducting continuous trial on every working day, completion of trial within ninety days, provision of taking statement by the judge, taking action against the negligence of the police officer in executing the summons or warrant, taking action against the medical officer if he neglects his duty, etc.

Ambiguity

However, some aspects of the law are not clear. For example, the role of the magistrate in taking cognizance of the crime or granting bail, what the magistrate should do when the police present the accused before the magistrate, what the magistrate should do on the preliminary charge sheet or final report sent by the investigating officer, what the magistrate should do if the trial is not completed within ninety days as per Section 16, the provisions related to the case or the accused, etc. There is a need for clear guidelines regarding this. If the victim is a woman, then in this case, since there is no restriction on the publication of the victim's photo and identity in the media, the social status and respect of the female and child victims may be lost and they may be discouraged from seeking justice. Similar to Section 18 of the Prevention of Violence against Women and Children Act, the provision of the accused as a criminal can be made by making necessary amendments in Section 11 of this Act.

Since the rules were not made in accordance with Section 30 of the Act after the promulgation of this Act, there is scope for ambiguity, ambiguity and misunderstanding in the implementation of the Act. The role of the Magistrate under this Act is unclear in some places. There is no mention of what a Magistrate who does not have the jurisdiction to conduct a hearing under Section 167 of the Code of Criminal Procedure will do. Nor is there any direction in the Act to send the arrested person directly to the concerned Tribunal. Similarly, there is no mention of what the Magistrate should do if the investigating officer sends the charge sheet or final report to the Magistrate under Section 173 of the Code of Procedure. Since matters such as taking cognizance of the case, hearing of bail etc. are within the jurisdiction of the Tribunal and due to the additional strictness in granting bail, this Act too has the scope for misuse like the Prevention of Violence against Women and Children Act.

Dowry Prohibition Act 2018

A new law has been passed in Bangladesh to outlaw the long-standing societal ill known as "Dowry" in this subcontinent. The Dowry Prohibition Act of 1980 was repealed by the new law. The revised Dowry Prohibition Act of 2018's official title. To take a strong stand against the dowry system, the new provisions were passed. The dowry system is a long-standing means of oppressing women in our culture. The dowry system, which has its roots in ancient Hindu culture, has been a fundamental the reason behind domestic abuse. The law works in tandem with other pertinent laws and seeks to end the corrupt dowry system. It offers protection to Bangladeshi women. According to *Joutuk Nirodh Ain,* 2018 (hence forth referred to as "the Act"), its goal is to address the needs of evolving situations while taking the prior law's provisions into account. The Act's goal is to make it illegal to give or accept dowries during a marriage, either before or after the marriage is consummated. On October 1, 2018, the Act was published in the official gazette after receiving the president's approval.

Even though Bangladesh is a party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), a global agreement accepted by the UN in 1979, the problem is being identified as a dangerous national issue. In response to the need for changes in circumstances, the Dowry Prohibition Act, 2018 (Act No. 39 of 2018) was passed, taking into consideration the previous law's provisions. This Act forbade the giving or receiving of dowries during a marriage, before to solemnization, or throughout the duration of the marriage. The Act has changed the definition clause and added seven key features, including: (i) agreeing dowry is also a crime; (ii) filing false cases is an offense; (iii) the CrPC is applicable during trial; (iv) the statute of limitations has been lifted; (v) making the offense cognizable while maintaining options for compounding. The Act's goal is to penalize offenders more severely. Although section 9 of the Act provides for the creation of rules, no such rule has been developed as of yet.

Role Of Government to Stop Dowry Practice

The government of the Peoples Republic of Bangladesh enacted the Dowry Prohibition Act 1980 in response to the widespread practice of dowries in all levels of families and throughout the nation. The act imposed a five-year prison sentence, a fine of at least one year, or both. The Act was also modified in 1984 and, most recently, in 2018, with a fine increase of 50,000.00 (taka fifty thousand). Despite the government of Bangladesh's best efforts, the practice of dowries is growing daily due to bureaucratic obstacles, and there is little indication that it will soon cease.

However, procedural drawbacks, ordinance silences, substantive law flaws, and the overlapping character of the courts are impeding the smooth trial process. One of the most important factors that could extend the trial is the overlapping nature of its jurisdiction. Due to the length of time it takes to resolve

cases, victim women and their families are typically not interested in filing a lawsuit against their husbands.

RECOMMENDATIONS

Strengthen Legal Enforcement and Clarity: Ensure effective implementation of existing laws (Prevention of Violence against Women and Children Act 2000, Acid Control Act 2002, Acid Crime Prevention Act 2002) through strict monitoring, accountability, and clear procedural guidelines for investigation, bail, and trial processes.

Judicial and Law Enforcement Training: Provide regular gender-sensitivity and legal training for judges, magistrates, and law enforcement officials to handle cases of violence against women efficiently and fairly.

Enhance Victim Support: Develop and strengthen infrastructure for victims, including legal aid, counseling, rehabilitation centers, and financial support for children born of rape and acid attack survivors.

Raise Public Awareness and Address New Forms of Violence: Conduct educational campaigns on women's rights and gender equality, and update laws to cover emerging forms of violence such as psychological abuse, domestic violence, cyber harassment, and blackmail.

Promote Women's Empowerment and Institutional Coordination: Foster women's education, economic independence, and social participation, while improving collaboration among government agencies, judiciary, police, and civil society to ensure comprehensive protection and justice.

CONCLUSION

In conclusion, Bangladesh has made remarkable legislative progress in its efforts to prevent and combat violence against women, yet significant challenges remain in translating legal provisions into effective protection and justice. The *Prevention of Violence against Women and Children Act 2000*, the *Acid Control Act 2002*, and the *Acid Crime Prevention Act 2002* stand as landmark achievements, embodying the state's recognition of gender-based violence as a serious social and criminal concern. These laws introduced strict punishments, special tribunals, and procedural safeguards to ensure justice, including death or life imprisonment for heinous crimes such as rape, trafficking, or acid attacks, while also emphasizing victim compensation, confidentiality, and speedy trial mechanisms. Moreover, the inclusion of provisions to protect children born of rape and the establishment of welfare and rehabilitation funds for acid survivors reflect a humane approach to justice. However, the lack of comprehensive procedural rules, administrative clarity, and institutional coordination has often undermined their full effectiveness. Ambiguities in the relationship between these special laws and the *Penal Code* or *Criminal Procedure Code* have created confusion regarding investigation, bail, and trial procedures. In addition, despite their noble intent, these laws have occasionally been misused, leading to false

accusations and harassment, which in turn diminishes public trust in the legal system. The absence of timely rulemaking, inadequate victim support infrastructure, and the slow judicial process further weaken implementation. Furthermore, certain forms of violence such as psychological abuse, blackmail, domestic violence, and online sexual harassment remain inadequately addressed, indicating the need for further legal reform to reflect evolving social realities. Effective enforcement therefore demands not only stricter legal amendments but also administrative efficiency, police accountability, judicial training, and social awareness. Public education campaigns, gender-sensitivity training for law enforcers, and the empowerment of women through education and economic independence are essential to ensure that these laws achieve their ultimate purpose. Bangladesh's progress in combating violence against women lies not merely in enacting laws but in ensuring their fair, consistent, and humane application. Hence, a concerted effort involving government, judiciary, law enforcement, and civil society is indispensable to build a justice system that not only punishes offenders but also protects and uplifts victims, ensuring that women in Bangladesh can live with dignity, equality, and security in every sphere of life.

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