

Bangladesh



Population: 156,050,883 (July 2010 est)
Population Growth Rate: 1.292%
Birth Rate: 24.68 births/1,000 population (2010 est.)
Life Expectancy: *total population:* 60.25 years
male: 57.57 years
female: 63.03 years
Literacy Rate: *definition:* age 15 and over can read and write
total population: 43.1%
male: 53.9%
female: 31.8% (2003)
Net Migration Rate: -2.53 migrant(s)/1,000 population (2010 est.)
Unemployment Rate: 2.5% (includes underemployment)
Gross Domestic Product per Capita: \$1,500 (2009)
Religions: Muslim 89.5%, Hindu 9.6%, other 0.9% (2004)
Languages: Bangla (official, also known as Bengali), English
Ethnic Groups: Bengali 98%, other 2% (includes tribal groups, non-Bengali Muslims) (1998)
Capital: Dhaka¹

Trafficking Routes

Bangladesh is a country of origin for trafficking in men, women, and children. Human rights groups in Bangladesh estimate that between 10,000 and 20,000 women and girls are trafficked annually to India, Pakistan, Bahrain, Kuwait, and the United Arab Emirates.² In Bangladesh, it is not only women and girls that are trafficked, but a significant number of boys and men are also trafficked internally and internationally for sexual exploitation.³

Factors That Contribute to the Trafficking Infrastructure

Poverty, social exclusion or gender discrimination, widespread illiteracy, lack of awareness and poor governance are the main contributing factors to trafficking in persons in Bangladesh.⁴ Most people do not own land and 45% of the population live below the poverty line.⁵ Urban populations have increased significantly in the last two decades with more than 60%

¹ CIA, The World Factbook (2009), <https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html>.

² S. Huda, *Sex Trafficking in South Asia*, Int'l Journal of Gynecology and Obstetrics (2006), available at: <http://www.figo.org/files/figo-corp/docs/World%20Report%20Pages%20374-381.pdf>.

³ A.K.M. Masud Ali & Ratan Sarker, ECPAT International & INCIDIN Bangladesh, *The Boys and the Bullies: A Situational Analysis Report on Prostitution of Boys in Bangladesh* (2006), available at: http://www.humantrafficking.org/uploads/publications/Bangladesh_Part1.pdf.

⁴ UN.Gift, Interview with Prof. Md. Zakir Hossain, the Dean, Faculty of Law, at University of Chitagong and Member, Judicial Service Commission, People's Republic of Bangladesh, (June 9, 2009), http://www.ungift.org/ungift/en/humantrafficking/interview_-human-trafficking-in-bangladesh.html.

⁵ World Factbook *supra* note 1.

of the increase attributed to migration flows from rural areas.⁶ Uneven regional development and massive rural-urban migration have contributed to the growth of urban poverty. Poverty provides traffickers with people who have no alternatives for survival. Impoverished and desperate, they trust the offers of work or marriage abroad, which ultimately lead them to be exploited through trafficking.⁷ Women especially are treated as second class citizens and often do not receive any formal schooling. Men are considered dominant in society and violence against women is a widely accepted and used tactic for maintaining control.⁸ This mentality often encourages the view of women as material objects rather as human beings, a mentality that often leads to abuse and trafficking of women.⁹

Poor infrastructure does little to prevent trafficking. Less than 10% of children are registered at birth, making trafficking easier.¹⁰ Furthermore, official procedures for exiting and entering Bangladesh are rarely enforced and there is no specific legislation addressing cross-border trafficking. Bangladesh and India share a land border of over 4,000 kilometers.¹¹ The expansive and porous borders between these two countries are conducive to the external trafficking.¹² This, coupled with a lack of border controls and lax documentation requirements, allows traffickers to freely shuffle people across borders.¹³

Studies have found that only 57% of teenage girls have even heard of HIV/AIDS in Bangladesh revealing that there is a lot of unprotected sex.¹⁴ The practice of a dowry system is yet another mechanism of trafficking. When a dowry has not been paid upfront, the husband or other family members may abuse the girl to pressure the girl's family to speed along the dowry payment. In the process, the girl may flee to escape the abuse, thus becoming vulnerable to trafficking and prostitution.¹⁵

Forms of Trafficking

Trafficking in Bangladesh exists for commercial sexual exploitation and force labor.¹⁶ Prostitution is the major impetus in trafficking. A 2006 study on the commercial sexual

⁶ Charu Lata Hogg, Coalition to Stop the Use of Child Soldiers, *Child Recruitment in South Asian Conflicts: A Comparative Analysis of Sri Lanka, Nepal and Bangladesh* (2007), available at: www.child-soldiers.org/document/get?id=1168.

⁷ *Human Trafficking in Bangladesh: Over one million trafficked out of country in the last 30 years*, THE BANGLADESH OBSERVER, Feb. 12, 2005, available at: http://bmsf-bd.org/Human_Trafficking_30_years.pdf.

⁸ United Nations Children's Fund (UNICEF), *Women and Girls in Bangladesh*, (2007), available at: http://www.unicef.org/bangladesh/Women_Girls.pdf.

⁹ *Id.*

¹⁰ Press Release, UNICEF, *A Call to Action on Birth Registration*, (Nov. 3, 2007), available at: http://www.unicef.org/bangladesh/media_977.htm.

¹¹ INDIA SERVER, *India-Bangladesh Border Fencing to Be Completed by March 2010, Says BSF Director General*, available at: <http://www.india-server.com/news/india-bangladesh-border-fencing-to-be-16663.html>.

¹² INTERNATIONAL LABOR ORGANIZATION *supra* note 35.

¹³ Groupe Development, *Lives in Motion: Mobility, Smuggling, and Trafficking Along the Indo-Bangladesh Border* (2006), available at: http://www.childtrafficking.com/Docs/lives_in_motion_bangladesh.pdf.

¹⁴ UNICEF *supra* note 11.

¹⁵ ECPAT INTERNATIONAL, *GLOBAL MONITORING: REPORT ON THE STATUS OF ACTION AGAINST COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN: BANGLADESH* (2006), available at: http://www.ecpat.net/A4A_2005/PDF/South_Asia/Global_Monitoring_Report-BANGLADESH.pdf.

¹⁶ U.S. DEPARTMENT OF STATE, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, 2008 HUMAN RIGHTS REPORT: BANGLADESH (2009), available at: <http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119132.htm>.

exploitation of children (CSEC) found that nearly 27,000 Bangladeshi women and children have been forced into prostitution in India, and around 40,000 children from Bangladesh are involved in prostitution in Pakistan.¹⁷ It is estimated that Bangladeshi women sold into brothels serve approximately 19 clients per week, few of which use protection.¹⁸

Forced labor is the other reason that Bangladeshi people are trafficked. As demand for cheap labor is so high, people are trafficked into domestic work, farm work, organized begging, and factory work.¹⁹

Furthermore, men seeking work abroad as expatriate labor in countries, such as in Malaysia and other Middle East countries, occasionally find themselves in exploitative situations of forced labor, with conditions including restrictions on movement, threats, and physical assault.²⁰

Government Responses

Bangladesh does not have a comprehensive anti-trafficking legislation but prostitution, trafficking for the purpose of prostitution, or other immoral acts are covered in the Penal Code of 1860,²¹ the Suppression of Immoral Trafficking Act of 1933, the Children Act of 1974 and the Prevention of Repression against Women and Children Act of 2000 (as amended in 2003).²² Complementary laws that tend to create a preventive environment and mechanism against human trafficking also exist, in particular, the Child Marriage Restraint Act, 1929, the Dowry Prohibition Act, 1980, the Primary Education Act, 1990, and the Labour Act, 2006.²³

The Penal Code prohibits procurement of a girl under the age of 18 to illicit intercourse with another person.²⁴ The Code also prohibits the selling, letting, hiring, or disposing of minors under the age of 18 for the purpose of prostitution,²⁵ along with buying minors for the same purpose.²⁶ In addition, the code prohibits abduction.²⁷ The Bangladesh Constitution also prohibits forms of forced labor.²⁸ The Factories Act of 1965, prohibits forced and underage labor and establishes an inspection system to enforce this.²⁹

The Suppression of Immoral Traffic Act prohibits keeping a brothel or allowing premises to be used as brothels,³⁰ soliciting for the purposes of prostitution,³¹ living on the money transacted in prostitution,³² procuring individuals for the purpose of prostitution,³³ importing a

¹⁷ ECPAT *supra* note 14.

¹⁸ UNICEF *supra* note 10.

¹⁹ IOM, THE DEMAND SIDE OF HUMAN TRAFFICKING IN ASIA: EMPIRICAL FINDINGS (2006), available at: http://www.humantrafficking.org/uploads/publications/ilo06_demand_side_of_human_tiaef.pdf.

²⁰ U.S. State Department *supra* note 16.

²¹ Interview with Prof. Md. Zakir Hossain *supra* note 5.

²² Interview with Prof. Md. Zakir Hossain *supra* note 5.

²³ Interview with Prof. Md. Zakir Hossain *supra* note 5.

²⁴ Penal Code No. 45 (1860) (Bangladesh), § 366A, available at: http://supremecourt.gov.bd/act_files/act_11.html

²⁵ *Id.* at 32, § 372.

²⁶ *Id.* at 32, § 373.

²⁷ *Id.* at 32, § 362.

²⁸ Bangladeshi Constitution (1972), art. 34(1), available at: <http://www.law.emory.edu/ifl/legal/bangladesh.htm>

²⁹ The Factories Act of 1965 No. 4 (1965) (Bangladesh), § 66.

³⁰ The Suppression of Immoral Traffic in Women and Girls Act No. 104 (1956) (Bangladesh), § 3, available at: http://indianchristians.in/news/images/resources/pdf/suppression_of_immoral_traffic_in_women_and_girls_act_1956.pdf.

³¹ *Id.* at 25, § 9.

³² *Id.* at 25, § 4.

female for the purpose of prostitution,³⁴ and detaining a woman for the purpose of prostitution.³⁵ The act also prohibits encouraging a girl under 18 to engage in prostitution.³⁶

As a part of the National Plan of Action against the Sexual Abuse and Exploitation of Children including Trafficking (NPA SAECT), the government established mechanisms to regularly review the situation of trafficking in people and of programs to prevent child trafficking and punish the perpetrators.³⁷

The Bangladeshi government, consulted by the International Organization for Migration (IOM), is currently working to develop a National Anti Trafficking Strategic Plan for Action.³⁸ In recent years, NGOs have recognized the importance of Muslim leaders in Bangladesh and have turned to religious leaders for help. Bangladesh has begun to encourage local Imams to speak out against trafficking in local gatherings and religious ceremonies in hopes of raising awareness on the issue.³⁹ Local imams have begun to organize community advocacy groups as well as ‘watchdog’ organizations to try to prevent future instances of trafficking.⁴⁰

Nongovernmental and International Organization Responses

There are a number of NGO’s in Bangladesh working to combat human trafficking. Among them are: Bangladesh National Women Lawyers Association (BNWLA), Ain o Salish Kendro of Dhaka, UNICEF, and International Organization for Migration (IOM). Bangladesh National Women Lawyers Association (BNWLA) provides information for female victims of violence, contact with law enforcement organizations, phone counseling through their various hotline numbers.⁴¹ Their main mission is to improve the social, economic, and legal status of women.⁴²

Ain o Salish Kendro of Dhaka, founded in 1986, is a human rights and legal aid organization consisting of 25 member organizations. Its Activities include awareness raising on human rights and legal issues, advocacy, and legal aid.⁴³ UNICEF Bangladesh advocates progress aimed at empowering children through life skills programs, reintegration programs, birth registration drives, and research and advocacy campaigns.⁴⁴

³³ *Id.* at 25, § 5.

³⁴ *Id.* at 25, § 5.

³⁵ *Id.* at 25, § 6.

³⁶ *Id.* at 25, § 4.

³⁷ INTERNATIONAL LABOR ORGANIZATION (ILO), Radhika Coomaraswamy & Ambika Sathunanathan, *International Labour Organization (ILO), Anti-Child Trafficking Legislation in Asia: A Six Country Review* (2006), available at: <http://www.humantrafficking.org/uploads/publications/ilo2006.pdf>.

³⁸ International Organization for Migration (IOM), *Bangladesh: Facts and Figures*, n.d., available at: <http://www.iom.int/jahia/Jahia/cache/offonce/pid/491> (last visited on March 19, 2008)

³⁹ *Bangladesh Imams Engage Communities To Fight Human Trafficking: Partnership for a Better Life*, AMERICA.GOV, Feb. 23, 2007, available at: <http://www.america.gov/st/washfile-english/2007/February/20070223080625AKlllennoCcM0.1500208.html>.

⁴⁰ *Id.*

⁴¹ Bangladesh National Women Lawyers Association (BNWLA), About Us, Dec. 1, 2008, <http://www.bnwla.org.bd/content/blogsection/4/47/lang,en/>.

⁴² *Id.*

⁴³ Ain o Salish Kendro (ASK), *About ASK*, n.d., http://www.askbd.org/web/index.php?page_id=420 (last visited Oct. 27, 2010).

⁴⁴ United Nations International Children’s Fund (UNICEF), *Child Rights*, available at: http://www.unicef.org/bangladesh/children_4878.htm.

The United Nations Development Project has also become involved in the trafficking problem in Bangladesh and has launched various initiatives to help train and aid anti-trafficking programs.⁴⁵ In 2007, the UN organized the UN Convention on Rights of the Child (CRC). The convention analyzed the human rights reports submitted by Bangladeshi officials as well as serving as a forum for consultation. The convention sought to both gain more information as well as provide analytical feedback on the issues at hand.⁴⁶

Multilateral Initiatives

The SAARC forum is an organization of South Asian Nations dedicated to the economic, technological, social and cultural development with an emphasis on cooperative development since 1985.⁴⁷ Its member states Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka.⁴⁸ In January 2002, the Bangladeshi government signed the SAARC Convention on Prevention and Combating Trafficking in Women and Children for Prostitution. Resolutions were adopted to step up cooperation among law enforcement authorities to fight trafficking in women and children, terrorism, and drug trafficking. The 13th SAARC Summit, which took place in Dhaka in November 2005, reiterated the pledge made at the 11th conference to continue to work towards addressing the challenges faced by women and children in SAARC countries.⁴⁹

Moreover, USAID has been working to form coalitions with local organizations as well as providing a number of forums on trafficking in the U.S..⁵⁰

⁴⁵ United Nations Development Programme, *Bangladesh*, (March 24, 2010), available at: <http://www.undp.org.bd/aboutus.php>.

⁴⁶ UN Committee on Rights of the Child, *UN Committee on the Rights of the Child: Concluding Observations: Bangladesh*, CRC/C/OPSC/BGD/CO/1, (July 5, 2007), available at: <http://www.unhcr.org/refworld/publisher/CRC.,BGD.,0.html>.

⁴⁷ SOUTH ASIA ASSOCIATION FOR REGIONAL COOPERATION (SAARC), n.d., available at: <http://www.saarc-sec.org> (last visited Oct. 27, 2010).

⁴⁸ *Id.*

⁴⁹ SAARC, *Dhaka Declaration*, Nov. 13, 2005, available at: <http://www.saarc-sec.org/userfiles/Summit%20Declarations/13%20-%20Dhaka%20-%2013th%20Summit%2012-13%20Nov%202005.pdf>

⁵⁰ Press Release, US Mission to the UN in New York, Statement by Ambassador Patricia P. Brister, United States Representative to the Commission on the Status of Women, at the 52nd Session of the Commission on the Status of Women, (Feb. 27, 2008) available at: http://www.un.org/womenwatch/daw/csw/csw52/statements_missions/USA.pdf