



Date: 16 August 2016

Press Release

**The High Court accepts expert opinion on the validity of the medical examination “Two Finger Test” on women and children who are victims of rape**

Today, on 16 August 2016, the High Court bench constituted by Justice Gobinda Chandra Thakur and Justice Abu Taher, Md. Shamsur Rahman accepted expert evidence on the medical examination “**Two Finger Test**” conducted on women and children who have been subjected to rape, and has directed the opinions given by the experts to be submitted to the High Court in a written form within the next three months.

Today, the Court received opinion regarding various aspects of the Two Finger Test from the former Head of the Department of Forensics, Dhaka Medical College Hospital, Dr. Habibuzzaman Chowdhury; the Head of Department National Forensics DNA Profile Laboratory, Dhaka Medical College Hospital, Dr. Sharif Akhteruzzaman; Principal, Delta Medical College, Mirpur, Dr. Zahidul Karim Ahmed; Dr. Gulshan Ara, Professor of Forensic Medicine and Professor Muzaherul Huq, Medico-Legal Expert, Vice President, Indo-Pacific Association of Law, Medicine and Science.

On 7 August 2016, the Court, through an order, requested their presence and expressed the importance of receiving their valuable opinion on the matter.

It is important to mention that, on 8 August 2013, five human rights organisations, Bangladesh Legal Aid and Services Trust (BLAST), Ain o Salish Kendra (ASK), Bangladesh Mahila Parishad (BMP), BRAC, Manusher Jonno Foundation, Naripokkho and two researchers filed a writ (writ petition no. 10663/2013) challenging the legality of the ‘**two finger test**’ conducted on women and children who are victims of rape. In this context, on 10 October 2013, at the primary hearing of this case, the High Court bench constituting Justice Mirza Hasan Haidar and Justice Khurshid Alam Sarkar issued a Rule upon the respondents to show cause as to why the ‘two-finger test’ should not be declared to be without lawful authority and of no legal effect, and issued an interim order upon the Secretary, Ministry of Health and Family Welfare to set up an Expert Committee in order to develop a comprehensive guideline on the examination and treatment of women and girls who are victims of rape.

The Petitioners were represented by Advocate Sara Hossain, Advocate Masuda Rehana, and Advocate Sharmin Akhter. The State was represented by Deputy Attorney General A. S. M. Najmul Huq.

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