

29 October 2020

## Rape Law Reform Coalition

### Press Release

### **Rape Law Reform Coalition calls for immediate investigation into the death of a child bride in Tangail, and the repeal of the discriminatory marital rape exception clause**

The Rape Law Reform Coalition is deeply concerned by the recent reports of the death on 25.10.2020 of a 14 year old girl following excessive genital bleeding in the Dhaka Medical College Hospital just one month after her marriage on 20.9.2020 to a man aged about 34/35 years.<sup>1</sup>

#### **Background:**

According to her family, the girl had been bleeding from the day after she was married, as her husband had repeated forced intercourse with her. According to medical experts, panic and fear is a natural reaction for girls during their first sexual encounter and genital bleeding often occurs with those who get married. Her family have filed a complaint with the police and are awaiting the results of an autopsy.

The Coalition is concerned that this is not an isolated incident and that many women and girls experience rape in marriage. Most such women are unable to seek redress due to the continued prevalence of gender discriminatory laws – in particular section 375 of the Bangladesh Penal Code 1860 - that create an exception to the definition of rape, in cases of marriage, where the wife is aged below 13.

According to the National Violence Against Women Survey (2015) by Bangladesh Bureau of Statistics, 27.3% of ever married women have experienced sexual violence perpetrated by their husband during their lifetime.<sup>2</sup> The most common form of sexual violence faced by ever married women was being physically forced to have sexual intercourse by their husbands.<sup>3</sup>

#### **Demands**

The Coalition calls for urgent investigation into the causes of this death and for action against those responsible. It also calls for immediate repeal of the exception to Section 375 of the Bangladesh Penal Code which clearly deprives married women of their fundamental rights under Articles 28, 31, 32 and 35(5) of the Constitution.

The marital rape exception effectively discriminates against married women as distinct from unmarried women by denying them legal protection against forced sexual intercourse simply because they are married. The exception also violates the constitutional prohibition on cruel, degrading and inhuman treatment.

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<sup>1</sup> Abdullah Al Mamun, 'How a child bride died 34 days after marriage', Dhaka Tribune (27 October 2020), available at: <https://www.dhakatribune.com/bangladesh/crime/2020/10/27/how-a-child-bride-died-34-days-after-marriage>

<sup>2</sup> Report on Violence Against Women (VAW) Survey 2015, Bangladesh Bureau of Statistics (2016), p. 19, available at: <https://evaw-global-database.unwomen.org/en/countries/asia/bangladesh/2015/report-on-violence-against-women-vaw-survey-2015>

<sup>3</sup> Ibid at p. 21.

**Rape Law Reform Coalition** comprises of seventeen (17) member organisations including - Acid Survivors Foundation, Action Aid, Ain O Salish Kendra, Bangladesh Mahila Parishad, Bangladesh Legal Aid and Services Trust (BLAST), Bangladesh Women Lawyers Association, Bondhu Social Welfare Society, BRAC, Care Bangladesh, Justice for All Now (JANO), Bangladesh, ICDDR,B, Manusher Jonno Foundation, Naripokkho, Women with Disabilities Development Foundation, We Can, Women for Women, Young Women's Christian Association, with BLAST acting as the Secretariat of the Coalition.