



Child abuse in Bangladesh: A socio- Legal analysis

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Abstract

Children are the future of the world. They will lead us tomorrow. It is not enough just to have a happy child, rather a child also needs to be physically, psychologically and emotionally healthy. It is the responsibility of its citizens to confer a beautiful childhood and a secure future to our children. Since children are very vulnerable, they totally depend on others for their livelihood. But the harsh reality is that sometimes people are taking advantage of their innocence. Nowadays it has become a social problem. Children are being exploited by different types of maltreatment. At this moment in time it has become a matter of concern in Bangladesh too. In Bangladesh the scenery of child abuse is distressing. Instead of having statutory laws, the Children are not safe anywhere anymore. There are a great number of child abusers today. Children are being abused in their home, workplace, school, street by their known or unknown people. The necessity of protecting children from abuse has been taken up in the community of Bangladesh. It is very important to talk and inform about child abuse wherefore it may have stopped faster. So, this research is aimed to figure out the reasoning behind increasing this offense in Bangladesh. The present study focuses on the role of existing laws, applicability and sufficiency of laws regarding child abuse. Moreover, this research focused on redressing the emotional, physical and psychological effect on child due to child abuse and the impact of child abuse on society. This study also recommended some new propositions on the issue to make prevention measures more effective.

Keywords: Child abuse, maltreatment, statutory law

Introduction

Child abuse, a deeply entrenched and multifaceted issue, has been a persistent challenge for societies worldwide. Its impact reverberates not only through the immediate suffering of the victims but also in the long-term psychological, social, and economic ramifications it begets. In Bangladesh, a nation marked by its rich cultural tapestry and dynamic socio-political landscape, child abuse emerges as a pressing concern demanding urgent attention. This research is anchored in the pressing need to understand the socio-legal dimensions of child abuse within the context of Bangladesh. At its core, the study endeavors to critically evaluate the status of child abuse in the country. Such exploration is particularly pertinent given the complex interplay of cultural, economic, and legal factors that often converge, perpetuating cycles of abuse. Specific objectives include gauging the magnitude of child abuse during the tumultuous times of the COVID-19 pandemic—a period that has not only strained healthcare systems but has also inadvertently heightened vulnerabilities for many children. The study also seeks to unravel the underlying reasons for the escalating rates of abuse, pinpoint legislative shortcomings, and culminate in actionable recommendations to effectively counteract this menace. The significance of this research is manifold. While child abuse is intrinsically harrowing, understanding its root causes and manifestations in Bangladesh is paramount for its prevention. Alarming reports suggest that the global health crisis brought about by the pandemic didn't dampen the instances of abuse; instead, it exacerbated them. This study illuminates this alarming trend, especially during a time when societal structures and support systems were strained. Beyond its immediate academic implications, this research stands as a guiding light for policymaking in Bangladesh. By elucidating the

challenges in current policy implementations and celebrating successes, it offers a roadmap towards a safer, more nurturing environment for the country's youth. Methodologically, the study employs a mix of primary and secondary data, ensuring a holistic understanding of the issue. Personal narratives, experiences, and firsthand accounts from a diverse group of respondents offer an in-depth lens into the lived realities of many, while secondary sources provide the broader contextual backdrop. In the global discourse on child rights and protection, the plight of abused children often emerges as a poignant reminder of the work still needed. This study, in its essence, is a clarion call to address, redress, and ultimately alleviate the suffering of countless children in Bangladesh, serving as a beacon of hope for a brighter, safer future.

Literature review

Child abuse is a pervasive topic that has been studied extensively. From the victims' psychological and physical effects to the societal and cultural effects, the subject has been studied. Cathryn Hunter explored child abuse^[1] to clarify its various expressions. Hunter's research on child abuse and neglect shows how much it affects childhood and adolescence. Hunter emphasises the importance of abuse frequency and duration in victim outcomes. Multiple sorts of maltreatment worsen the problem and harm young minds. Farzana Islam and Gulshan Ara Akhter^[2] examined child abuse in Bangladesh thoroughly. Their research shows that Bangladeshi minors are often trafficked and forced into labour. They highlight individual examples of abuse and violence to emphasise the need for solutions to protect children's rights and well-being. David S. Zielinski provides a helpful review of the long-term repercussions of child abuse^[3]. His research shows that early-life maltreatment

can affect adult employment, income, and public assistance. This study highlights the socio-economic effects of child abuse and calls for prevention and help. Gluck (2014) explored therapy paradigms for children with psychological abuse, emphasising psychological aspects ^[4]. Gluck emphasises the transforming power of community programmes and the need for early and effective interventions. These programmes, from healthcare professional home visits to school-based initiatives, can give abuse victims hope and healing. Yohanna John ^[5] examined how child abuse negatively impacts primary education outcomes. Their disturbing findings show that abuse typically hinders schooling, with carers, parents, and even instructors perpetuating the loop. These findings highlight the necessity for integrative solutions that target victims and the ecosystem. Mizan ^[6] investigated child abuse in Bangladesh. His research illuminates the causes and effects of numerous misuse kinds. Mizan's analysis of child sexual abuse gives a deep understanding of its causes, effects, and Bangladeshi ramifications. A global perspective on child abuse is provided by Gavin Andrews' work ^[7] for the World Health Organisation. Their findings reveal a complex link between childhood sexual abuse and subsequent emotional problems. Their research on the complicated relationship between abuse and mental illness calls for the international community to recognise, address, and reduce child abuse.

1. Child abuse

Generally, child means a young human being below the age of adolescence or below the legal age of majority. Any person under the age of 18 is considered a "Child" by the UN Convention on the Rights of the Child (UNCRC), unless the age of majority is reached earlier by the child's relevant legal system ^[8]. In Bangladesh the definition of Child is different in different laws. Any person under the age of eighteen ^[18] years must be regarded as a child for the purposes of this Act, despite anything contained in any other currently enacted legislation, according to Section 4 of the Children Act of 2013 ^[9]. However, any anyone younger than 14 years of age is considered a "Child" under the Prevention of Oppression Against Women and Children Act of 2000. The definition of "child" under the Bangladeshi Labor Act of 2006 is identical: anyone under the age of 14 is considered a "child."

To the contrary, rape is committed when a male adult makes sexual contact with a female minor (under the age of 14), with or without her agreement. Therefore, a person under the age of 14 qualifies as a child under Section 375 of the Criminal Code.

2. What is child abuse?

Child abuse refers to any act or omission that harms or threatens the health or development of a kid. kid abuse refers to any act or omission that harms or threatens the health or development of a kid ^[10]. The WHO defines child abuse and maltreatment as "all forms of physical and/or emotional harm, sexual abuse, neglect or carelessness, commercial or other exploitation that harms or could harm the child's health, survival, development, or dignity in a relationship of responsibility, trust, or power." The WHO defines "violence against children" as "physical, sexual, psychological, economic, and social abuse of children under 18 by anyone, including family members, friends, love partners, and strangers."

3. Types of child abuse

Up to 1 billion 2–17-year-old children around the world may have been physically, sexually, or emotionally abused or neglected in the past year. The Centers for Disease Control and Prevention (CDC) divide child abuse into four categories. These are the kinds of child abuse:

3.1. Physical abuse

Physical abuse includes types of mistreatment that lead to physical suffering or bodily injury to a child ^[11]. Children ages 0 to 3 are most vulnerable to physical abuse and serious injuries, says a Nationwide Children's Hospital report. Five kids pass away from child maltreatment each day. Most children are under three years old. It can include burning or scalding, choking or drowning, poisoning, shaking, biting, excessive pinching, slapping or tripping, denying sleep or food, or abusing doctors or nurses.

3.2. Emotional abuse

Emotional abuse involves nonphysical behavior or acts which destruct or damage one's mental health ^[12]. In emotional abuse, the abuser devalues the child's feelings, leaving the child with a lowered sense of self-worth and an increased sense of vulnerability. Emotional abuse can happen to children of any age, color, culture, community, or social status. Emotional abuse includes not letting a kid say what they think or feel, making fun of them or shutting them up when they do, often yelling at them or frightening them, Making fun of who they are or how they try to interact, bullying (including bullying online), emotional blackmail, etc., are all ways to hurt someone.

3.3. Sexual abuse

Since there is no agreed-upon definition of child sexual abuse, it is safe to say only that it involves sexual contact between an adult and a child. No sexual act requires the consent of a minor ^[13]. There are several alternatives to direct physical contact between an offender and a child. Exhibitionism, or the practice of exposing oneself to a minor, is one form of child sexual abuse. Physical contact, sexual activity, or masturbation with a minor (or coercing the juvenile to engage in such conduct) Harassing communication of any kind, including but not limited to the creation, acquisition, or distribution of child pornographic materials, Human sex trafficking.

3.4. Neglect

Child neglect is when a parent or caregiver is responsible for giving a proper care for a child but is unable to meet the basic physical and psychological needs of a child, resulting in serious physical or emotional harm. It includes physical neglect, emotional neglect and medical or educational neglect. Every child has the right to have all the basic necessities in life ^[14]. Not giving enough food, clothing, or medical care falls into this category. Putting a kid in a closet or other enclosed space, Not giving a child safe housing, such as by leaving them or keeping them out of the family home, Putting the youngster in a position where they could be hurt psychologically or physically, failing to meet a child's essential emotional requirements.

An overview of child abuse on worldwide

In 2009, a meta-analysis looked at 65 studies from 22 countries to come up with a "overall international figure." The study's most important findings were that 7.9 percent of

boys and 19.7 percent of females worldwide experienced sexual abuse before the age of 18. Women’s prevalence rates were higher in seven countries: 37.8 percent in Australia, 32.2 percent in Costa Rica, 31 percent in Tanzania, 30 percent in Israel, 28 percent in Sweden, 25 percent in the United States, and 24.2 percent in Switzerland.

1. India

An NGO conducted an examination of the data from the NCRB and found that there were a total of 1,28,531 crimes committed against children in India in the year 2020.

This suggests that there were an average of 350 crimes committed against children that were reported each day during the pandemic. In a study conducted in Kerala ^[15], 35% of boys and 36% of girls below 18 had faced some kind of sexual abuse during their childhood. A Government of India, Ministry of Women and Child Development (MWCD) study in 2007 which interviewed 125,000 children in 13 Indian states revealed that the prevalence of all forms of child abuse is extremely high where physical abuse being 66%, sexual abuse at 50%, and emotional abuse 50%. The Protection of minors from Sexual Offences Act, 2012 (POCSO) was used to record 31.2% of offenses committed against minors, according to the National Crime Records Bureau. From 2017 to 2019, Maharashtra has the highest number of registered cases in the country, with 8,503 instances. Nearly half of these cases involved children who were tricked into meeting people online, who then sexually abused them or had sexual relationships with them with the promise of marriage. Under the Protection of Children from Sexual Offences (POCSO) Act, Uttar Pradesh had the most child abuse cases (3,078), followed by Madhya Pradesh (1,687 cases), Tamil Nadu (1,544 cases), Karnataka (1,480 cases), and Gujarat (1,416 cases). Over the past five years, there have been some important efforts to set up fast track courts to deal with cybercrime against children and women. A new version of the Protection of Children from Sexual Offences Bill, which went into force in 2019, has stricter penalties for sexual offenses against children.

2. Australia

Child abuse and neglect are one of Australia’s biggest and most misunderstood social problems ^[16]. Despite being under-reported, Australian authorities confirmed that 48,886 children were confirmed to have been abused in 2020. Every 11 minutes, another child is suffering from physical, sexual, emotional abuse or neglect, most often in their own home. The number of children and teenagers living in institutional settings continues to rise, and yet thousands of unreported instances remain unresolved. The rates of child abuse are increasing every year ^[17], and the numbers are frightening. About 13% of Australian people, or about 2.5 million, have been abused as children. This includes 1.6 million adults (8.5%) who experienced childhood physical abuse and 1.4 million adults (7.7%) who experienced childhood sexual abuse. The Australian Institute of Health and Welfare (AIHW) also found that 45,714 children were abused or neglected, with 51% of these cases involving girls and 49% involving boys. This number changes from state to state, but girls were 16 percent more likely to be abused in Australia as a whole. Personal Safety Survey data from 2016 was used in a new study that found that the vast majority of people who had experienced childhood abuse

recognized their attacker and had several incidents. The ages at which various forms of abuse often begin varied. The average age of the first incident of sexual abuse was 8.8 years old, the average age of the first incident of physical abuse was 8.1 years old, and the average age of the first incident of both types of abuse was 6.8 years old.

Adults in various parts of Australia are compelled by law to report instances of child abuse. Adults who were abused as children were more likely to report financial stress and ill health, as well as lower levels of educational attainment, income, and life satisfaction.

3. Singapore

In Singapore, the lead agency against child abuse is the Child Protection Service (CPS) of the Ministry of Social and Family Development (MSF)., MSF bears the statutory responsibility to protect children from abuse and neglect ^[18]. A total of 89 children, who accounted for 90 admission cases, were studied. Where it has been coming up that Physical abuse (70.0%) was the most common, followed by neglect (11.1%) and sexual abuse (7.8%). the data shared by the Ministry of Social and Family Development (MSF) has shared data from 2016 to 2020 related to the enquiries received about child abuse.

Table 1: Below table showcase the numbers of inquiries received in Singapore over the past few years

Year	Inquiries received
2016	3035
2017	3344
2018	3232
2019	3840
2020	5223
2021	2141

So, here it has been shown that the number of calls to MSF’s Child Protection Service (CPS) went from 2,022 in 2015 to 5,223 in 2020. Even in 2021, the government looked into a lot of claims of child abuse. In 2021, most of the probes were into 910 cases of abuse. This was a big change from the year before, when there were only 375 cases, which made the number of cases in 2021 more than double what it was the year before. Neglect happens when children aren’t watched well, are mentally abused, or don’t get the care they need.

4. Thailand

Thai children have the right to good care, including education, food, clothes, and shelter from their parents. Even if an adult child is infirm and unable to care for herself, parents must provide for them ^[12]. UNICEF reports that Thailand has made significant progress in protecting children from abuse, violence, trafficking, and neglect during the past decade. Single-point crisis centres and shelters were established in all provinces to assist vulnerable or abused children ^[19]. UNICEF found that almost two Thai children are abused, neglected, or exploited each hour. This averages 52 children daily. In this country, 4.2% of youngsters are regularly severely beaten. Thai refugee and migrant children are at risk for sexual abuse, neglect, unsafe jobs, and trafficking. School, physicians, and attorneys are also unavailable to many migrant children. This study examined 60 confirmed child sexual assault cases (56 girls and 4 males) and their health issues qualitatively. After

conducting interviews, 77% of participants reported experiencing family abuse. Most child maltreatment occurred when carers were unavailable or unable to supervise due to economic and work-hour restrictions. On purpose, 63% of students reported something. Abuse caused 28.3% of the sample physical problems and 16.7% intellectual problems.

The status of child abuse in Bangladesh

Being a developing country, struggling with many major issues child abuse is one of them [20, 9, 21, 22]. While disadvantaged and disabled children are more vulnerable to abuse, it is not limited to them. In 2019, Bangladesh Shishu Adhikar Forum (BSAF) found that a total of 4,381 children experienced different forms of violence and exploitation of whom 1383 children have been subjected to sexual violence¹⁵. In 2018, Save the Children and Bangladesh Legal Aid and Services Trust (BLAST) did a survey called "Stop Tolerating Violence Against Children." The results showed that 69.62% of parents and caregivers think it is either okay or very okay to punish a child when they do something wrong. 55.7 percent of the children who took part in the study said they had been physically punished at home, and 49.29 percent of the children said they had been physically punished at school.

Table 2: Report on child abuse in Bangladesh over 6 years

Year	Events of violence against child	Case filed	Victims aged 6 or below
2016	1034	260	80
2017	1055	464	103
2018	1011	531	85
2019	1696	996	163
2020	1718	986	206
2021	1406	845	149

Here in 2016, a total number of 1034 violence against children occurred where only 260 cases were filed. Among them, 80 victims were 6 or below while 327 victims were aged between 7-12 years old. After that in 2017, a total of 1055 events happened regarding the violence against children. Among them, 464 cases have been filed. 103 victims were aged 6 or below on the other hand 256 victims were aged between 7-12 years old. In the previous year 2018, 1011 violence against children incidents were recorded and 531 cases have been filed. Where 85 victims were aged 6 or below and 187 were aged between 7-12 years old. In 2019, a total of 1696 violence against children was experienced. There only 996 cases have been filed. Victims aged 6 or below were in 163 events and the rest of the 328 victims were aged between 7-12 years old. In the subsequent year 2020, 1718 violence against children activities were recorded however 986 cases were filed in that year. Here 206 victims aged 6 or below and aged between 7-12 years old were 393. In the last year 2021, the entire 1426 affairs regarding violence against children have been documented. On the contrary, only 845 cases were filed. In that, victims aged 6 or below had 149, however, 3126 victims were aged between 7-12 years old. In this data, it is very visible that there are many under-reported cases. The family don't want to make an official report because they are scared of the stigma and shame in society. Also sometimes victims often do not know how and where they can find help, mostly they are

clueless and afraid of the legal procedure. So, they find hiding the matter within themselves is a good option for them. In Bangladesh, there is a significant lack of attention paid to the issue of boy child abuse. Since society believes that sexual abuse does not affect boys' life as often as it impacts girls', girls are instantly excluded when the news of being sexually abused is spread. When boys show unusual behavior as a result of unexpected and sudden abuse, most parents do not dig deep to expose the truth. In a news story on the sexual abuse of boys on August 27, 2019, BBC Bangla used information from Bangladesh Shishu Odhikar Forum. According to the report, 11 boys were raped in the first half of 2019, compared to 9 in 2018 and 15 in 2017. Whether a boy or a girl, they should be treated seriously if they are subjected to inappropriate contact, being hugged and kissed in sexual manners, being penetrated and attempted to be penetrated, and so on.

Scenario of child abuse during covid-19 in Bangladesh

COVID-19 is an infectious disease caused by the corona virus, causing severe acute respiratory syndrome. Since its discovery in December 2019, the pandemic has expanded across China, starting in Wuhan, Hubei. The virus was proven to spread to Bangladesh in March 2020. Bangladesh's government implemented limitations on transportation, social separation, and shutdowns to combat the COVID-19 outbreak. The government postponed moving during the closure and strongly barred it. Over 350 specialists predict the COVID-19 pandemic will have a 2-5 year impact [23]. Due to the pandemic, many have spent more time at home this year. Although spending more time with family, violence and abuse against women and children increased over this period [16]. Covid-19 restrictions that restrict migration will negatively impact several sorts of crime. A local human rights group, the Manusher Jonno Foundation (MJF), discovered that 4,249 women and 456 children were assaulted in their homes in 27 of Bangladesh's 64 districts in April 2020. For the first time, 1,672 women and 424 children experienced violence. The lockdown caused their dilemma, even though the women had never been hurt. Because child abuse is frequently committed by parents or guardians, and potential perpetrators and victims are spending more time together, more time spent at home may be expected to increase the chances of these offences occurring. Social exclusion may have made it harder to report abuse because it prohibits the victim from leaving home to seek help. Victims have been stuck at home with their abusers on occasions, and the number of victims that do not have access to the help and assistance they need is rising. Apart from its other adverse repercussions, the COVID-19 outbreak in Bangladesh interrupted the already overloaded legal system. The government has put strict restrictions on the opening of courts to contain the spread of the corona virus pandemic, which has claimed the lives of countless individuals so far. As a result, the court stayed closed for so long during the lockdown, and all trials and court activity were suspended until things changed. In the interim, they are attempting to continue the court proceedings virtually, and this has some drawbacks. However, as a result of the court's closure, Bangladeshi citizens are having a very hard time addressing their legal problems. The COVID-19 epidemic could undermine global child labour progress without immediate mitigation efforts. A recent study predicts that 8.9 million

more children will work due to pandemic-induced poverty by 2022. COVID-19 may have left Bangladesh, but the victims of the lockdown may still be tormented by the bloodshed. The most disadvantaged women and children require basic safety net services.

Legal instrument regarding protection of child rights and case studies

1. National instruments

Bangladesh is trying to overcome with the root problem of child abuse. It has both constitutional provisions and other laws to protect children's rights.

The constitution of the people's republic of Bangladesh

Article 14 of the Bangladeshi constitution bans abuse of adults and children. Article 15 guarantees children social security, whereas Article 27 guarantees equal legal protection. Article 18 (2) of the state's supreme legislation prohibits all prostitution, including child prostitution, although Article 28 allows for exceptional measures for minors²⁰. They have the right to legal protection, life, and personal liberty, provided in Article 31, 32. Article 34 of the Constitution forbids forced labour. Article 35(5) prohibits torture and cruel, inhuman, or humiliating punishment or treatment. The expression "no person" refers to all individuals, including children, and should not be used for corporal punishment.

The prevention of oppression against women and children act, 2000

It deals with violence against women and children with the outline of punishment of child violence, rape, murder, acid attack, child trafficking etc. According to section-10 sexual oppression of women and children shall be punished with imprisonment for not extended to ten ^[10] years not less than two ^[2] years of rigorous imprisonment and also with a fine and section 31 there is a system of safe custody.

The pornography control act, 2012

The Pornography Control Act, 2012, makes it illegal to show pornographic images of children. Section 8(1) says that it is a crime for anyone to take a movie or picture of a woman or child having a sexual act with another person, whether that person gives permission or not. For this crime, the person who did it could get a sentence of up to seven years in jail and a fine of two lac rupees. Section 8(6) is about child pornography. Anyone under the age of 18 is considered a child, and any pornography recordings or pictures of a child being filmed will result in a 10-year prison term and a fine of 5 lac taka.

Bangladesh labor Act, 2006

The Bangladesh Labor Act of 2006 ensures that children are safeguarded. No kid shall be permitted to work in any occupation or establishment, according to section 34 of the statute. Any teenager who wishes to work must get a certificate of fitness from a licensed medical practitioner, which must be kept with him at all times while at work. Section 39 states that no teenager may operate in any establishment or undertake any activity that the government has declared harmful. Section-284 of the legislation states that anyone who hires a kid in violation of any provision of the act shall be fined up to 5,000 Tk.

Penal code, 1860

It discusses child abuse, kidnapping, slavery, forced labor, and the sale and purchase of minors for the purpose of prostitution. Kidnapping or abducting a child under the age of ten is illegal under Section-364A26. Violation of this provision will result in a term of up to 14 (fourteen) years in prison and no less than 7 (seven) years in prison.

Section-366A: That anybody who, by any means, causes a minor girl under the age of eighteen years to procure seduction to illegal intercourse with another person will be punished with imprisonment for up to 10 years and a fine. If a person has sexual intercourse with or without her agreement while she is under the age of 14 (fourteen) years, she will be punished under Section 376.

The children act, 2013

The Children Act of 2013, Section 63(1), stated that the government shall issue office instructions to set the minimum standards of adequate care to be maintained by the Children Welfare Center and accredited institutions. According to Section 70 of this act, if a person injures a kid, he is judged to have committed an offence under this act if the child is suffering any loss of body part or senses, or suffers any mental illness. Chapter-IX provides protection from all types of child-related offences. This act punishes behaviors that are inconsistent with child protection and rights, such as child begging, child exploitation, enabling a kid to work in a brothel, encouraging a child to seduce, and so on.

2. International instrument

Convention on the rights of the child, 1989

Article 19(1) requires States Parties to protect children from online physical or mental abuse, neglect, maltreatment, or exploitation, including sexual abuse, while in their custody. **Article 19(2):** Safety measures should include social programme support, prevention, identification, reporting, referral, investigation, treatment, and follow-up of child maltreatment, and judicial involvement. Article 37 of the CRC protects children's rights. The law prohibits torture, cruel, barbaric, or humiliating treatment of children, and prohibits the death penalty or life imprisonment without parole for individuals under 18. According to Article 37, a kid deprived of liberty must be segregated from adults unless otherwise deemed in their best interests.

Universal declaration of human rights, general assembly resolution 217 A (III), 1948

Article 16(1): All men and women of full age have the right to marry and start a family, regardless of color, ethnicity, or religion. They enjoy equal rights when it comes to marriage, both during it and after it ends.

Article 16(2): Marriage is only valid with the free and informed agreement of the intended spouses.

Article 25 (2): Motherhood and kids deserve special attention and help. Every kid, whether born in or out of wedlock, is entitled to the same social protection.

The UN convention on the elimination of all forms of discrimination against women (CEDAW), 1979

Article 16(1): States Parties shall take all relevant steps to eradicate discrimination against women in all issues pertaining to marriage and family relations, and in particular, on the basis of gender equality, shall ensure:

- a. The right to marry;
- b. The right to freely choose a partner and to marry only with their free and complete agreement.

Article 16(2): A child's betrothal and marriage have no legal consequences, and all necessary steps, including legislation, must be done to establish a minimum age for marriage and make marriage registration in an official register mandatory.

International covenant on economic, social and cultural rights (ICESCR), 1966

Article 10(1): The family, as the natural and essential group unit of society, shall be afforded the broadest possible protection and aid, particularly during its formation and while it is responsible for the care and education of dependent children. The intended spouses' voluntary consent is required for the marriage to take place.

International covenant on civil and political rights (ICCPR)1966

Men and women of marriageable age have the right to marry and start a family, as stated in Article 23(2). Article 23(3) requires freely and informed consent from both parties before entering into a marriage. The Convention prevents torture and other cruel, inhuman, or degrading treatment or punishment, which includes the right of children to be protected from violence. In addition, UNICEF works to protect children's lives, rights, and potential in over 190 countries, including Bangladesh. There are enough protections to protect children.

3. Case studies

Child abuse occurs worldwide. Not limited to one place or zone. It impacts all races, ethnicities, nations, communities, and socioeconomic categories. A child can be abused at any time and place. The horrific physical child abuse instances around us continue to freeze us. A 14-year-old from Dhaka's Mohammadpur sought financial aid for his mother's illness from Abdullah Al Hadi, 32, the imam of Shahid Park Central Jame Mosque³⁶. The imam asked the child to meet him in the morning. When the boy returned the next morning, the imam sexually abused him in his room. The victim then sued the imam. The OC of Mohammadpur Police Station pulled the imam from the mosque. The detained imam was tried at the CMM Court. On April 3, 2017, ABC7 Chicago reported on a case of 'horrific' child abuse involving a man beating and burning a 3-year-old child. Miguel Avalos, 29, was arrested in northwest Houston for harming his three-year-old stepson. His physique showed signs of several beatings, including bruises, cigarette burns, an enlarged belly, a bloated tummy, and "stick-thin arms." The prosecution claimed that every part of his body was damaged. Court officials have called this case one of the worst incidents of child abuse ever. During an eviction notice enforcement in March 2015, Nathan Francis reported that the 11-year-old child and 14-year-old girl were found dead in their Detroit refrigerator. The police detain their mother to investigate. Several courts have heard emotional child abuse cases. In the case "Matter of Patrice S63 AD3d 620 (1st Dept. 2009)," evidence showed a mother's repeated hostility towards her 8-year-old daughter, suggesting someone else could better handle her. The New York County Family Court maintained the neglect

verdict on appeal, stating that the youngster was emotionally harmed and in danger due to her activities. In *Matter of Leif Z.*, 105 Misc2d 973, 421 NYS2d 290 (Family Court, Richmond County, 1980), the decedent's estate was split. The youngster was placed with his father and stepmother after his mother's death. In contrast, the youngster was regularly labelled undesirable and verbally chastised by his stepmother. The father's petition was dismissed, and emotional abuse was found instead. A 12-year-old girl was rescued from her employer's horrific sexual torture in Bangladesh in 2017, according to the Dhaka Tribune. Children are at risk from relatives and "friends". In Chattogram, Bangladesh, a nine-month-old girl was raped by her maternal uncle in Fatickchhari Upazila last year. Another 16-year-old girl was raped and murdered by her paternal uncle in Natore's Singra Upazila in 2020. A UK father admits to ignoring his 19-month-old daughter while watching TV and playing video games during a "all-nighter". The father, Michael Conroy, and mother, Kirsty Boyle, had been up till 6:30 a.m., watching TV and playing phone games. "We were both crushed," stated. We stayed up late. A bad habit of mine." The parents fell asleep on the couch around 3 p.m., thinking the baby was sleeping. The lifeless body of Little Kiera Conroy was found in her cot, suffering from health problems." Michael Conroy told the Airdrie Sheriff Court he "willfully caused or got her to be mistreated, neglected, or left out in a way that was likely to cause her unnecessary pain or damage."

Reasons behind child abuse increment

A big number of youngsters are sexually molested every day in our community. Many studies show that no one factor is responsible for child sexual abuse, but rather multiple variables are jointly accountable for this awful crime.

Child Labor

Bangladeshi children are at risk of being forced to work as slaves. Poverty and the exploitation of the poor mostly cause child labor. Many youngsters work in industries, commercial establishments, or at the home. They are always assured of a secure working environment and competitive remuneration. When kids are in the hands of their employer and away from their family, however, employers sexually abuse them by employing threats or violence since youngsters are fragile, innocent, and simple to reach.

Child sex trafficking

According to the US Department of Justice, child sex trafficking is the recruiting, housing, transportation, providing, procuring, patronising, or solicitation of a youngster for a commercial sex act. Girls and women in Bangladesh are transferred to India and Pakistan to work as prostitutes, labourers, and domestic workers. Experts estimate 20,000 children are exploited in Bangladeshi brothels due to child sex trafficking. Traffickers may use medicines to keep victims in sex slavery. Many girls and boys have reported experiencing forced sexual intercourse or other forms of sexual abuse. Many children are coerced into prostitution or pornography each year.

Homeless and abandoned children

In Bangladesh, there are many children who are experiencing homelessness and are abandoned by their families. Children who are homeless and abandoned

normally take shelters in old cars railway stations, footpaths or in any abandoned buildings. Some of them are very young, and helpless and there's no one to look after them so they easily become the victim of sexual abuse.

Bad parenting

Most children don't want to share their bad experiences with their parents because of fear or if a child has shared it with parents, sometimes parents try to hide the matter and tell them to stay quiet and not to share it with anyone. Because of that, the rate of abuse is increasing. There is a huge communication gap between parents and children. It's not only important to feed and bathe a child, the most important thing is to listen and to talk to your child and believe them.

Negligence

Parents or caretakers sometimes neglect or fail to provide enough care for a child. It includes not giving enough time, beating and shouting at them, leaving the child alone, being unaware of children's safety etc. So, offenders often try to take advantage of the situation. Parents need to recognize that the responsibility to impart this critical information belongs only to them and no one else.

Mental health problem

Paedophilia is when an adult or older adolescent is predominantly or only attracted to children under puberty, whether they act on that desire or not. A paedophile likes kids. People with depression or mental illness are more inclined to abuse or ignore others. He abused youngsters sexually because he can't control his desires. Sexually abused children may think it's normal and become attackers as adults.

Enforcement of the law

In Bangladesh, though there are many laws regarding child sexual abuse but the enforcement of those laws is very low. Many cases are filed in court every year but the rate of judgement against those files is at a minimum as we know, "Justice delayed is justice denied" so when society sees that an offender is roaming outside the court and leading a normal life in that society every day a new criminal is born.

Effect and impact of child abuse on children and the society

1. Effect of child abuse on children

Child abuse may have different kinds of physical and psychological effects on the body and the mind of the child.

- 1. Physical effects:** Injuries and infections, Physical Diseases, Trauma
- 2. Psychological repercussions of child maltreatment:** Poor self-esteem, Self-harm, Depression, Harm brain's executive functions, Posttraumatic stress, Fear, Unhealthy sexual practices

2. Impact of child abuse on the society

Abuse and neglect have far-reaching impacts beyond physical, psychological, and behavioural effects on children. Infant maltreatment and neglect adversely impact society. Child abuse and neglect negatively impact victims' schooling, physical and mental health, and risk of victimisation, resulting in long-term socioeconomic impacts. Children that are maltreated perform lower academically than their healthy classmates. The effects immediately affect

their mature socioeconomic well-being. Social and attachment issues are more common in abused and neglected children. They have trouble socialising. They were able to isolate themselves from society due to distance. They feel alone despite living in society. The sufferer is shunned. They're alone. Final resting site of several child victims. Kid victims die in brothels. In some cases, they exhibit anti-social tendencies such drug usage, aggressiveness, and harassment. This may cause ongoing anger and stress, which may be expressed to others.

Recommendations and conclusion

1. Recommendations for child abuse in Bangladesh

Recommendations for child abuse aim to bring out some protective factors which may reduce the risk of child abuse. Recommendations on child abuse involve numerous efforts to prevent risk factors related to child abuse.

- Victims require additional educational support
- Sex education
- Proper implementation of laws
- Medical and psychological support
- Emphasize when to say no
- Legal Aid Service
- Attention of parents and caregivers
- Child-friendly justice in Bangladesh

2. Conclusion

Every child has the right to have an adequate standard of living. Abuse during this time period might produce an overactivation or prolongation of the stress response systems found in the body and the brain. Children are dependent on the group effort and support of society. This social support has a big impact on how some of the longterm effects of being mistreated as a child play out. When kids are young and have trouble making friends, their parents should be able to comfort, protect, and keep them safe. Child abuse is preventable. Only through stringent legislation and widespread attention can they be eradicated. Children have no way out of a world where being quiet is frequently the only option for survival. Those who employ children have no choice but to face the challenges head-on. A youngster can take the initial steps toward building a lovely existence if society as a whole adopts a mindset of acceptance and care.

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