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Justice for Rape Survivors in Bangladesh: Examining Legal Provisions and Practical Challenges

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ABSTRACT

Rape constitutes an egregious violation of human dignity, bodily autonomy, and essential rights. In Bangladesh, even though there are legal measures aimed at criminalizing and addressing rape, the justice system often fails those who have survived such trauma. This study investigates the disparity between the law and its application, taking a close look at the legal framework and systemic obstacles that survivors face in their pursuit of justice.

This research adopts a doctrinal and qualitative approach, with primary emphasis on sections 375 and 376 of the Penal Code, 1860 along with the relevant provisions of the women and children repression prevention Act 2000. It examines how these legal provisions work in practice and how their interpretation, implementation, and enforcement often fall short of national constitutional guarantees and international obligations under treaties like CEDAW, ICCPR, and the UDHR.

This study wraps up with important policy suggestions, such as making marital rape a crime, establishing clear legal definitions based on consent, investing in forensic and support systems, and adopting trauma-informed procedures. To truly achieve justice for rape survivors, we need a systemic overhaul that prioritizes human rights, dignity, and empowerment of survivors.

Keywords

Dignity, Survivors, Rape, Justice,
Human Rights.

Introduction

Rape is one of the most despicable crimes humanity faces it's not just a violation of someone's physical autonomy, but it also shatters their psychological, emotional, and social well-being.

Rape is frequently defined as “sex” that is unwelcome, coerced, or not consenting. Rape and sex, however, are two whole distinct things. Under no circumstances is it sex if there is no permission; it is rape- no matter the circumstances. It's a serious affront to society as a whole. It disrupts a survivor's sense of safety, integrity, and trust, often leading to lasting trauma that the justice system struggles to address with the care and efficiency it deserves. The pervasive nature of sexual violence calls for immediate and effective legal frameworks that provide justice and support for survivors, where systemic and cultural hurdles make it even harder to achieve justice.

This research explores both the legal and practical facts of rape justice in Bangladesh. It pays particular attention to Sections 9 and 9B of the Women and Children Repression Prevention Act, 2000 and as well as Sections 375 and 376 of the Penal Code, 1860. The analysis covers every stage of Judicial Process from filing the FIR and forensic conducting examinations to court trials and the enforcement of punishments. In order to understand how the Justice system functions in reality.

Taking a comparative and normative perspective, the study also reviews major international legal instruments, including international legal

documents, such as the universal declaration of human rights, international covenant on civil and political rights, and the convention on the elimination of all forms of discrimination against women. These instruments provide international benchmarks for evaluating Bangladesh responsibilities in safeguarding the rights of rape survivors and ensuring their access to Justice. Furthermore, the UN declaration reaffirms the entitlement of survivors of sexual violence of Justice redness and rehabilitation. However, in practice, there remains a substantial gap between the aspirations of the law and the actual realities of rape survivors in Bangladesh, where they frequently experience “secondary victimization” from the legal system in the form of harsh cross-examinations, protracted trials, inadequate witness protection, and community humiliation.

Objective of the Study

1. To critically examine the existing legal provisions in Bangladesh relating to the crime of rape, particularly focusing on statutory definitions, procedural mechanisms, and the treatment of marital rape, in light of constitutional protections and international human rights obligations.
2. To identify and analyze the practical challenges faced by rape survivors in accessing justice, including police inaction, evidentiary hurdles, forensic limitations, trial delays, and institutional biases within the criminal justice system.
3. To evaluate whether the current legal and institutional frameworks adequately protect the rights, dignity, and safety of rape survivors, and whether these mechanisms meet the standards of a

survivor-centric, trauma-informed justice process.

4. To propose necessary legal, procedural, and policy reforms grounded in both national experience and comparative international best practices to improve the effectiveness, responsiveness, and accessibility of justice systems for survivors of sexual violence in Bangladesh.

Literature Review

Gaps in Legal Frameworks and Investigative Procedures

Although Bangladesh has enacted legislation such as the Women and Children Repression Prevention Act 2000, its practical implementation remains inadequate due to sluggish investigative processes, insufficient forensic infrastructure, and poorly trained law enforcement personnel.

Hasan et al. (2024) observed that police officers, particularly in rural settings, often lack the knowledge and resources necessary to appropriately manage rape cases.

Al-Mustashim Nobi (2024) critiques the judiciary for its inconsistent and insensitive interpretations of sexual violence laws, often demanding physical evidence even when delays in reporting are due to trauma.

Similarly, BLAST (2020) critiques the remnants of colonial-era statutes and advocates for reforms that prioritize consent, psychological trauma, and the dignity of survivors.

Survivors' Experience in the Criminal Justice System

Molina and Poppleton (2020) highlight that rape survivors navigating the UK justice system often face

systemic disbelief and secondary victimization. Survivors are routinely questioned about their conduct, alcohol intake, or attire—lines of inquiry that reflect rape myths more than legal relevance.

Clark (2025) vividly depicts the experience of survivors who are repeatedly retraumatized through police dismissal, credibility attacks in court, and invasive questioning leading many to ask: “would you encourage someone you love to report?”

In a global review, Wieberneit et al. (2024) identified over 70 obstacles across different stages of the criminal justice system, ranging from societal mistrust to institutional neglect.

Adiningsih and Arifin (2023) highlight that rape survivors in Indonesia often remain dissatisfied with legal outcomes, noting that punitive approaches do not always address their emotional trauma or restore their dignity.

Socio-Cultural Silence and Victim-Blaming

According to Chowdhury, Ahamed, and Rahman (2020), the decline in societal values and the strong patriarchal standards in Bangladesh are to blame for the rise in rape occurrences. Stigma, victim-blaming, and unofficial “social trials” frequently silence survivors and put family honour ahead of justice. For survivors to receive adequate support, the study recommends a victim-centered legal and social strategy.

Kaplan (2006) emphasizes that victims of child sexual violence are often pressured by families and communities into silence, lacking support and legal access.

Intersectionality and Marginalization

The Human Droits report (2025) explains that intersecting identities like caste, religion, and gender identity significantly diminish survivors' access to justice.

Impunity and Political Influence

Butalia and Singh (2024) argue that institutional complicity and entrenched power structures help sustain a culture of impunity around sexual violence in South Asia.

Recommendations for Survivor-Centered Reform

Hudspith (2022) recommends developing courtroom interventions, particularly for jurors to reduce rape myth acceptance and improve justice outcomes for survivors.

Koss (2006) calls for integrating restorative justice into traditional systems to empower survivors and ensure accountability.

Methodology of the Study

This research employs a doctrinal legal research methodology, complemented by qualitative analysis, to delve into the legal provisions and practical challenges that hinder justice for rape survivors in Bangladesh. The doctrinal approach entails a detailed examination of statutes, case law, constitutional provisions, and international treaties, with the goal of understanding the scope, effectiveness, and shortcomings of the existing legal frameworks.

Analysis and Interpretation

Reasons Behind Rape

The common perception of rape occurring in dark

alleys or isolated areas does not match reality. Statistics show it often happens at home, in public, or even in government institutions. In Western nations, most rapes are by someone the victim knows; RAINN reports 93% of young victims know their assailants, 34% being family. Two main causes of rape are (i) opportunity and (ii) lack of empathy. Other contributing factors include uncontrollable urges, frustration, desire for control, patriarchal dominance, insecurity, rejection, superiority, revenge, and power assertion.

Analysis of Various Types of Rape

• Spousal Rape/Marital Rape:

Marital rape, wife rape, and spousal rape are other names for rape that occurs between a married couple without the agreement of one of the partners. It is believed that spousal rape is a type of sexual abuse and domestic violence.

• War Rape:

During a battle, war, or military occupation, soldiers, combatants, or civilians conduct these types of rapes. Sexual violence is increasingly being used as a weapon of war, as seen by the humanitarian catastrophe in Sudan, a nation that is still experiencing continuous wars.

• Rape of Children:

Child rape is a type of sexual abuse of children. Any sexual contact between adults and children, or coerced contact between children, is considered it. Bangladesh has seen a sharp rise in child sexual abuse during the last ten years, especially among females under the age of 18. In the past decade, there

have been at least 5,632 allegations of rapes involving females under the age of 18 nationally, according to Ain o Salish Kendra (ASK). The most catastrophic year was 2020, while the period from 2019 to 2021 had the most cases reported.



Officially recorded incidences of child sexual violence have decreased, but the true number is probably much higher due to shame, a culture of silence, fear of reprisals, and lack of faith in the legal system. Rights advocates and legal experts say the true prevalence is far greater for the same reasons. The number of infants slain after rape at least 318 in the last ten years underscores the savagery of the crimes, their deadly repercussions, and the vulnerability of female children, especially without prompt medical or legal help.

Top 5 Countries with the Highest Rape Rate(Per 100,000 Population):

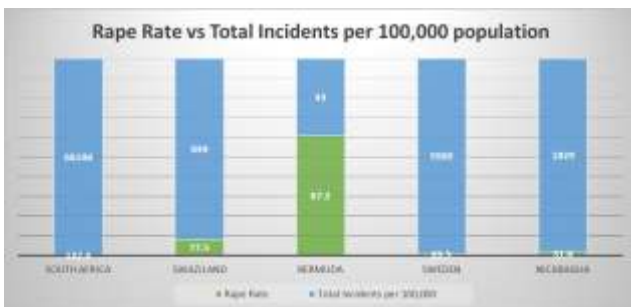


Figure 1: Rape Rate and Reported Cases per 100,000 People in Selected Countries (2020)

Key Findings from the Chart:

1. South Africa has the highest rape rate (132.4) with 66,196 incidents per 100,000, showing severe sexual

violence and likely high reporting.

2. Swaziland has a rape rate of 77.5 with 849 cases per 100,000 people, the second-highest in rate and incidents, highlighting deep-rooted gender-based violence.

3. Since Bermuda has a small population, it has a high rape rate of 67.3 but few incidences (43 per 100,000). This calls into question the way that rape is defined and reported there.

4. Sweden's high rape rate (63.5) and 5,960 occurrences per 100,000 are a result of robust reporting and expansive.

5. Nicaragua reports 1,829 incidents and a rape rate of 31.6, indicating a serious but possibly less widespread or underreported issue compared to other countries.

Country	Rape Rate	Total Incidents (per 100,000 people)	Year	Key Details
Bangladesh	9.82	11,682	2020	ASK reported 975 rape cases(208 gang-rapes)from Jan-Sept 2020)
India	1.80	22,172	2020	87 rape cases reported daily in 2019
Pakistan	N/A	3,832 (child abuse cases in 2018)	2018	11% rise from 2017
China	N/A	N/A	N/A	40% of married/in relationship woman report abuse
Japan	N/A	1,289	2020	Nation Master 2020 data
USA	27.3	84,767	2020	Only 3% of rapist imprisoned.70% of victims know the perpetrator
Russia	3.4	2,907	2021	Around 32,000 rape/attempted rape cases in 2019

Bangladesh may have lower per capita rates, but the total numbers are quite high, and there's a lot of suspicion around underreporting.

In India, even though the rape rate appears low on paper, the sheer number of cases reported daily is truly alarming.

The USA faces staggering rape statistics, and the failure rates in prosecution are shocking only 3% of rapists actually serve time in prison.

Pakistan and Russia have moderate reported incidents but likely suffer from underreporting; Pakistan saw 3,832 child abuse cases in 2018, up 11% from the previous year.

Legal Framework in Bangladesh:

Section 375: Defining Rape:

Section 375 of the Penal Code from 1860, which has its roots in British colonial law, outlines what constitutes rape through five specific scenarios: (i) when it's against a woman's will; (ii) when it happens without her consent; (iii) when her consent is obtained by instilling fear of death or injury; (iv) when her consent is gained by pretending to be her lawful husband; and (v) when the woman is under 14, regardless of consent.

Critique:

• This definition has faced a lot of criticism for being too narrow, especially since it only focuses on penile-vaginal intercourse. Additionally, the way this provision is framed where men are seen as perpetrators and women as victims excludes a lot of people. It ignores the reality of male and transgender survivors, making it out of touch with today's more inclusive views on sexual violence.

• One major problem is that Bangladesh lacks a precise legal definition of consent. Courts frequently use ambiguous interpretations without a threshold such as "freely given, informed and revocable," forcing survivors to demonstrate non-consent. This undermines impartial and equitable justice.

• The marital exemption provisions (allowing for a wife over 13) normalize forced sexual acts within marriage, which goes against human rights and laws like the Child Marriage Restraint Act 2017.

Section 376: Punishment for Rape:

Section 376 outlines the penalties for rape, include life imprisonment or a prison term of up to ten years, with fine. However, there's a somewhat lenient exception: if a man rapes his wife (provided she is not under 12 years old), he could face a maximum of two years in prison, fine, or both.

Section 561, Code of Criminal Procedure 1898:

Section 561 of the CrPC lays out some distinct procedural limitations that have a major impact on how rape cases are prosecuted, especially when it comes to marriage. It states:

“Notwithstanding anything in this Code, no Magistrate [except the Chief Metropolitan Magistrate or a Chief Judicial Magistrate] shall-

(a) take cognizance of the offence of rape where the sexual intercourse was by a man with his wife; or

(b) send the man for trial for the offence.”

Women and Children Repression Prevention Act, 2000:

Section 9:

Any sexual contact with a child under the age of 16 is

considered rape, as is non-marital intercourse with a woman over 16 without her agreement or by coercion or threats. Additionally, it permits the direct payment of fines to victims or their heirs as restitution.

Critique:

However, The introduction of the death penalty has sparked a mix of support and criticism. Many people believe that capital punishment doesn't really deter crime; in fact, it might even discourage victims from coming forward about incidents of rape, particularly when the perpetrator is a family member or someone close to them.

Section 9B:

Section 9B criminalizes sexual intercourse with a woman over 16 through inducement of marriage, especially by someone in a position of trust, with a maximum penalty of 7 years' rigorous imprisonment and a fine. It recognizes psychological and emotional manipulation as coercion leading to non-consensual intercourse.

Key Legal Deficiencies and Structural Flaws: -

- **Marital Rape Exemption:** Section 375 still shields those who commit marital rape because of an exception clause. This not only undermines constitutional protections but also goes against international commitments under CEDAW.
- **Outdated Definition of Rape:** The Penal Code and even the WCRPA restrict or limit the definition of rape to vaginal penetration by a male perpetrator, completely overlooking other forms of non-consensual sexual acts.
- **Ambiguity in Consent:** Without a clear legal consent definition, court decisions vary, harming survivors. We urgently need a clear, inclusive definition emphasizing voluntary, informed, and revocable

consent.

International instruments about "Rape":

Strong frameworks against sexual assault are provided by International human rights treaties such as the UDHR, ICCPR, and ICESCR, which mandate that nations prevent, look into, and address rape and associated offences.

Universal Declaration of Human Rights (UDHR), 1948

The Universal Declaration of Human Rights (UDHR) lays out crucial rights for survivors of rape. Article 3, Article 5, Article 7 these provisions are directly connected to the physical integrity and dignity of individuals, requiring states to safeguard women against sexual violence and ensure access to justice. Rape is a clear violation of Articles 3 and 5 that has been confirmed by various international tribunals and human rights organizations.

International Covenant on Civil and Political Rights (ICCPR), 1966:

The ICCPR is a crucial treaty that establishes legal responsibilities for State Parties. Article 6, Article 7 explicitly prohibits torture and any form of cruel, inhuman, or degrading treatment or punishment. International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966:

By highlighting social protections, the ICESCR upholds rights. By mandating that states offer rape survivors healthcare, psychosocial support, and trauma counselling, Article 12 protects the right to physical and mental health.

UN Security Council Resolutions and CEDAW:

The UN Security Council Resolution 1325, adopted in 2000, acknowledged that sexual violence, particularly rape, is used as a weapon of war and emphasized the need for greater accountability in situations of armed conflict.

Practical Challenges faced by Rape Suevivors: Police investigation:

The role of police investigations is crucial in securing justice for those who have survived rape. However, this process frequently encounters a range of systemic, procedural, and sociocultural challenges that can delay or deny justice altogether.

- **Failure to Register FIR and Initiative Investigation:**
In Bangladesh, rape survivors frequently run into resistance or outright denial when they seek to file an First Information Report (FIR). The reluctance of police to take complaints of sexual violence seriously is a well-known issue, driven by both systemic inertia and the patriarchal mindset that pervades the institution. Human Rights Watch points out that survivors often deal with skepticism, humiliation, or coercion from law enforcement, especially when the accused has social or political influence.

- **Influence of Societal Norms:**
Police inactivity is influenced by cultural norms such as misogyny and victim-blaming. According to studies from the Atlas Institute, survivors frequently deal with severe, invasive interrogation that turns the incident's attention to their private life.

- **Bribery and Favoritism:**
Corruption in the police force creates a major obstacle to proper investigations. Sadly, it's not unusual for survivors or their families to be asked for bribes to ensure their FIR gets registered or to stop any harassment they might face.

Forensic Evidence as a Gatekeeper to Justice:
In numerous jurisdictions, the success of

convictions largely relies on physical forensic evidence. Excessive dependence on tangible evidence establishes an “almost unattainable evidentiary standard,” leading to situations where survivors are denied justice if there are no detectable signs.

- **Delays in Reporting and Examination:**
Evidence is severely weakened by delays in disclosure and medical examination. Prior to testing, about 50% of survivors in South Africa reported practicing personal hygiene, which includes actions like urinating or changing clothes that drastically reduce DNA yield.

- **Police and First-Responder Delays:**
Forensic evidence is most effective when it's collected within 72 hours after an assault. Sadly, many survivors in Bangladesh end up waiting days or even weeks for this crucial step. Additionally, police often delay filing FIRs or transporting survivors, and it usually takes a public outcry to prompt any real action.

Challenges in Evidence Collection:

- **Lack of Forensic and operational Resources:**
Timely evidence gathering is essential to the successful prosecution of rape cases. The forensic system in the UK is facing some serious challenges. Between 2020 and 2024, more than 30,000 prosecutions—many involving sexual offences—were dropped because crucial lab evidence was missing.

- **DNA Backlogs and Half-Case Report:**
The WCRPA was updated in 2020 to require DNA testing for all rape investigations, which was a big

The Women and Children Repression Prevention Act, 2000 (Bangladesh), s 9 accessed 30 May 2025.
I. Ahmad A, *Sexual Offences in Bangladesh: Law Reform Study* (IDLO & UNDP, 2015) accessed 30 May 2025.

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The Daily Star, 'The need for a comprehensive definition of rape' (27 January 2021) accessed 30 May 2025.

Prosecutor v Furundžija (Judgment) ICTY-95-17/1-T (10 December 1998) para 163

International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 accessed 30 June

step forward legally. According to Prothom Alo, there are currently over 789 rape investigations on hold nationwide because of delays in getting DNA test results from the few forensic labs that are actually operational.

Delayed Collection of Biological Evidence:

Understanding forensic protocols is crucial for conducting effective investigations, particularly in cases of sexual violence. However, a 2020 study by Kashem et al. found that only 14% of rape cases had fingerprint and biological evidence collected within the first 24 hours. Shockingly, a whopping 86% faced delays of over seven (7) days.

The Banned “Two-Finger Test”:

In April 2018, the High Court officially banned the “two-finger test,” labeling it as degrading and scientifically invalid. The court’s decision was a strong rebuke of the practice, insisting on compliance with WHO standards and the involvement of female health workers during examinations.

Global Backlogs and Resource Constraints:

The increasing backlogs are really complicating the path to justice. In the UK, more than 30,000 prosecutions were dropped between 2020 and 2024 because evidence was either missing or delayed, largely due to cuts in forensic services.

Invasive and Non-Consensual Examinations:

Forensic medical examinations are frequently intrusive. They aid in gathering important evidence in situations of sexual assault, but if done without the appropriate authorisation, they may infringe upon the autonomy of survivors. Procedures like as vaginal or anal swabs may be utilised needlessly in underfunded systems, endangering the dignity of survivors and possibly causing retraumatization.

Lack of Skilled Forensic Personnel:

In Bangladesh, there’s a critical lack of forensic specialists who are trained to manage DNA, semen, or fingerprint evidence. According to the Atlas Institute, fingerprint evidence is often not collected in regular rape cases due to a shortage of training and proper equipment.

Courtroom Barriers for Rape Survivors:

Rape survivors frequently experience hostile environments, re-traumatizing cross-examinations, legal bias, courtroom delays, and poor evidence management. One of the most urgent problems victims face is the significant delays in the trial process. In Bangladesh, it’s not rare for rape trials to take years to finish, largely due to systemic inefficiencies, a backlog of cases, and poor management. A report on 2022 from BRAC pointed out that some rape trials have gone on for more than 8 years, which diminishes the reliability of evidence and witness testimony, and can ultimately sap the victim's motivation to pursue justice.

Absence of Witness Protection Law:

In spite of various recommendations from both national and international entities, Bangladesh has not yet established a witness protection law. Amnesty International has raised concerns that this legislative shortcoming severely undermines the justice process in rape cases.

Findings of the Study

The Legal Definition of Rape in Bangladesh is Outdated and Incomplete:

One of the key findings is the outdated and restrictive definition of rape found in Section 375 of the Penal Code from 1860. This law limits rape to penile-vaginal penetration and notably excludes marital rape for wives over the age of thirteen. This definition is out of step with contemporary views on bodily autonomy and consent, and it violates Bangladesh’s

constitutional commitment to equality under Article 27 and the protection of life and liberty under Article 32. Additionally, it falls short of international standards, such as those outlined in the CEDAW, which calls for a more inclusive definition of gender-based violence that encompasses marital contexts.

Marital Rape Exception Undermines Human Rights and Legal Protections:

According to the research, the fact that marital rape is exempt from criminal liability reinforces gender inequality and allows sexual violence in marriage to persist without consequences. This legal exception significantly hampers survivors' chances of obtaining justice, supports the misleading notion of implied consent between spouses, and directly violates international agreements like CEDAW and the ICCPR. The absence of legal acknowledgment for non-consensual sex within marriage leaves numerous survivors vulnerable and without any form of protection.

Procedural Barriers Within the Criminal Justice System Obstacles Access to Justice:

The research uncovers major shortcomings in the procedural stages, especially at the point of First Information Report (FIR) registration and during police investigations. Survivors often face hurdles or outright denial from law enforcement when they try to file complaints, particularly if the accused has political or social influence. Investigations are frequently stalled, mishandled, or compromised by inefficiency of police officers corruption and patriarchal biases.

Forensic Evidence Collection and Processing Are Severely Inadequate:

A key finding reveals serious shortcomings in the way forensic evidence is handled in rape cases. DNA results are frequently delayed or rejected due to a lack of trained personnel, inadequate lab resources, and operational errors. Unprocessed or improperly managed samples have caused delays in over 789 cases. Sometimes, only the survivor's DNA is taken, disregarding the accused's, indicating a major breakdown in forensic processes.

Judicial Delays and Courtroom Insensitivity Compound Survivor Trauma:

According to the research, It is difficult for survivors to receive justice when there are years-long judicial delays. They frequently deal with harsh judgements, intrusive questions, and frequent court appearances in unsupportive and private environments. Many judges lack the necessary training to deal with gender-based violence, and negative preconceptions about women frequently affect their rulings. This causes survivors to suffer severe emotional harm, high acquittal rates, and a decline in faith in the system.

Recommendation & Conclusion

Recommendations:

To make sure that rape survivors in Bangladesh get the justice they deserve justice that is centered around their needs, grounded in rights, and sensitive to trauma this study puts forward some urgent reforms that need to happen:

1. Revise the Legal Definition and Scope of Rape:

- Update Section 375 of the Penal Code to cover all types of non-consensual sexual acts, not just penile-vaginal intercourse.

- Make marital rape a crime by removing the marital exemption clause, bringing domestic law in line with international human rights standards like CEDAW.

- Clearly define consent as “freely given, informed, and revocable” to minimize inconsistencies in the judicial process and safeguard survivor autonomy.

2. Enhance Forensic and Investigative Infrastructure:

- Increase the number of forensic labs and trained personnel to ensure prompt DNA testing and evidence collection.

- Require trauma-informed, consent-based medical examinations, strictly enforcing the 2018 ban on the “two-finger test.”

3. Reform Police Practices and Accountability:

- Mandate that FIRs in rape cases be filed within a specific timeframe, with penalties for those who don't comply.

- Provide training for law enforcement officers on gender sensitivity and trauma-informed practices to help reduce victim-blaming and bias within the system.

- Establish independent complaint and oversight mechanisms within police departments to tackle issues like bribery, negligence or favoritism.

4. Judicial and Courtroom Reforms:

- We need to set up fast-track rape courts with strict timelines to help speed up the trial process and cut down on delays.

- It's crucial to provide protective measures in courtrooms, like separate waiting areas, options for video testimony, and a ban on irrelevant questions about a survivor's character.

- Let's implement rape shield laws to ensure that a survivor's sexual history can't be used against them during the trial.

5. Witness Protection and Survivor Support:

- We should introduce a Witness Protection Law that guarantees safety and confidentiality for survivors

and their families.

- It's important to enhance the One-Stop Crisis Centres (OCCs) by providing them with enough staff, funding, and oversight to offer real medical, psychological, and legal support.

- We need to establish survivor compensation schemes that are linked to both criminal convictions and independent state support systems.

6. Address Societal and Cultural Barriers:

- Let's kick off public awareness campaigns to challenge rape myths and change harmful cultural narratives around honor, shame, and victim-blaming.

- We must put a stop to community-led shalish or informal settlements in rape cases, ensuring that all cases are handled through formal judicial processes.

- Promoting education on consent and gender equality from an early age is essential to challenge and change patriarchal norms, tackle issues like bribery, negligence, or favoritism.

Conclusion:

The effectiveness of Bangladesh's institutional and legal frameworks in providing rape survivors with justice was investigated in this thesis. Although laws such as the Women and Children Repression Prevention Act of 2000 and the Penal Code of 1860 offer a fundamental framework, they are inadequate in addressing antiquated beliefs, omitting marital rape, and missing a precise definition of consent. Low conviction rates and a decline in faith in justice are caused by these legislative loopholes as well as procedural shortcomings, such as protracted trials, poor forensics, delayed FIRs, and re-traumatizing courtrooms. Bangladesh is not fulfilling its human rights responsibilities under treaties such as CEDAW, ICCPR, and UDHR, according to a comparison of international standards. Bangladesh has not yet fully adopted survivor-centered, trauma-informed approaches, despite other nations demonstrating their value.

The study concludes that rape survivors' access to justice is a deeper challenge fuelled by societal shame and institutional failure rather than merely a legal one. Stronger legislation is simply one aspect of true reform; other essential elements include actual shifts in judicial philosophy, enforcement practices, and survivor assistance to guarantee that justice is a right for everyone, not just a select few.

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