

POLICY INPUT DOCUMENT

VIOLENCE AGAINST HOME-BASED WORKERS IN THE WORKPLACE IN BANGLADESH



Network of Homebased workers in South Asia

Laudes ———
—— Foundation

Policy Input Document

Violence Against Home-Based Workers in the Workplace in Bangladesh

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Executive Summary

Home-based workers (HBWs) in Bangladesh are an integral part of the economy, as they contribute towards employment creation, productivity, growth and development. It is estimated that out of 10.06 million HBWs, 3.2 million are engaged in non-agricultural sectors, whereas 7.4 million HBWs are in the agriculture sector.¹ Traditionally, HBWs in Bangladesh comprise mostly women. As an alternative livelihood option, women from underprivileged groups who are mostly illiterate engage in home-based work in both urban and rural areas. Mostly, they are unorganised and inactive in collective bargaining. They receive work orders to produce goods and supply these to the client.

HBWs are deprived of many legal provisions. The Bangladesh Labour Act (BLA) is not applicable to HBWs, as they are defined as informal workers. Usually, HBWs are contracted by entrepreneurs with different types of conditions, including varying piece rates.

Violence against women is violation of human rights, but the issue has not been sufficiently addressed in home-based work and its supply chain. The immoral and irresponsible

use of digital media is an emerging risk for violence against women.

The Bangladesh Bureau of Statistics (BBS) conducted a survey on violence against women in 2015 and disclosed five forms of violence, including physical violence, sexual violence, economic violence, emotional violence, and controlling behaviour. The survey found that 72.6% of married women experience one or more such forms of violence from their husband at least once in their lifetime, and 54.7% experienced violence during the survey year. Regarding lifetime experiences, controlling behaviour was the most common, as it was reported by more than half of married women (55.4%). This was followed by physical violence (49.6%), emotional violence (28.7%), sexual violence (27.3%) and economic violence (11.4%).²

Many human rights non-governmental organisations (NGOs) in Bangladesh publish annual survey reports on violence against women, and a few NGOs working with labour issues keep records of violence against working women. However, information on violence against HBWs is not separately recorded by NGOs. The lack of data on violence against HBWs is an unpleasant reality.

Though there is no specific legal framework for the protection of HBWs, several existing laws, acts, guidelines and rules are applicable for HBWs in taking legal action against violence and harassment. In 2015, the High Court Division of the Supreme Court of Bangladesh directed 18 points in the prosecution of rape cases, which is applicable to all forms of rape anywhere in the country. Under these directives, a rape victim can take legal action. The Bangladesh police issued a circular that mentioned, '*cases must be filed without any delay and discrimination when there is a complaint of offence related to rape, sexual harassment or violence against women and children*'.

The Government of Bangladesh (GoB) has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion and Belief and the National Women Development Policy of the Government of Bangladesh, which reflects the commitment of the GoB to protect women's rights and take strong action on violence against women and children. The GoB

¹ Labour Force Survey (2016), BBS

² Survey on Violence Against Women (2015), BBS

enacted an act on violence against women and children and established a special tribunal at the district level for speedy trials. HBWs deserve the right to access these legal services, and the Ministry of Law provides free legal assistance to women who are victims of violence, including HBWs.

The Bangladesh police is operating one-stop victim support services and engaging other relevant departments, and a hotline service has been introduced to ensure an emergency response to victims of violence and harassment. Despite several GoB and NGO initiatives, violence against women is a

common occurrence.

The ratification of the International Labour Organisation (ILO) Convention 190 is a good step towards an institutional arrangement to comprehensively address violence against women and cover all sectors, including HBWs. Amendments to the BLA and labour rules are also required to extend its inclusiveness to cover the rights of HBWs. BBS can add HBWS as a separate segment in the next Labour Force Survey to get an accurate idea of HBWs and gender disaggregated data in both urban and rural areas. After analysing the current situation of HBWs in terms of employment

nature, wages, harassment in workplaces, social dignity and social protection aspects, this study recommends the following: the inclusion of HBW rights issues in the BLA; the introduction of a separate social protection scheme for HBWs; the ratification of the ILO Convention 190; the formulation of a national policy for HBWs; the establishment of a complaints centre for Grievance Readdressing for HBWs by the Department of Labour; and the introduction of a separate training course for HBWs on rights issues and entrepreneurship development by the Small and Medium Entrepreneurs Foundation.

Acronyms

ASK	Ain O Shalish Kendra
BLWF	Bangladesh Labour Welfare Fund
BLAST	Bangladesh Legal Aid and Service Trust
BLA	Bangladesh Labour Act
BBS	Bangladesh Bureau of Statistics
BGMEA	Bangladesh Garments Manufacturers Association
CUP	Coalition for the Urban Poor
GoB	Government of Bangladesh
CEDAW	Convention on the Elimination of All Kinds of Discrimination Against Women
DIFE	Department of Inspection for Factories and Establishments
DoL	Department of Labour
G2P	Government to Persons
HBWs	Home-Based Workers
HNSA	HomeNet South Asia
LIE	Labour at Informal Economy
MoWCA	Ministry of Women and Children Affairs
NGO	Non-Government Organisation
OSHE	Occupational Safety, Health and Environment Foundation
SME	Small and Medium Entrepreneurs
ILO	International Labour Organisation
VaW	Violence Against Women

CHAPTER 1

Background

Home-based work is an invisible part of the Bangladesh economy, which is like other countries across the world, from both social and policy perspectives. The sector has a significant contribution to productivity and supply chains and meets the demand for goods in internal and external markets. Home-based workers (HBWs) carry out paid work in or around their home. They are self-employed or subcontracted homeworkers, and most of them are women. Bangladesh Labour Force Survey 2017 disclosed that there are 7.4 million agricultural HBWs and 3.2 million non-agricultural HBWs. HBWs represent 5% of non-agricultural employment and 12% of agricultural employment.³

For better livelihood options, there is a trend of relocating from rural areas to city areas, which means that these illiterate or less-educated persons have to engage in the informal economy in the urban areas. This is one of the reasons for the increasing popularity of home-based work by women in urban areas. Further, climate change has also been identified as an emerging

area of internal displacement in Bangladesh. Based on different national and international findings, the Government of Bangladesh (GoB) estimates a displacement of 26 million people by 2050 due to climate-induced hazards.⁴ The World Health Organisation (WHO) calculates an internal displacement of 7.1 million people in Bangladesh this year and estimates a displacement of 13.3 million due to climate change by 2050.⁵

HBWs in Bangladesh are not efficient in collective bargaining, as they have inadequate knowledge about occupational health and safety, the environment and social protection. Moreover, they face problems relating to exploitation, low wages and a lack of secure contracts. In addition, they have to pay for many of the non-wage costs of production, such as storage, utilities and equipment fees.

Despite the lack of official and clear data on HBWs in Bangladesh, the popularity of home-based work appears to be rising due to increased labour market demand and informal work. According to the Department

of Labour, most of these HBWs are small entrepreneurs, and the GoB through Bangladesh Small and Cottage Industries Corporation is providing HBWs with a few facilities.

The GoB has established the Bangladesh Labour Welfare Fund (BLWF), a fund for the welfare of laborers working in both formal and informal sectors. HBWs also deserve the right to receive financial support from this fund, as per the rules of BLWF.

Women HBWs in Bangladesh work long hours. In addition to the time spent carrying out domestic and family care responsibilities, they work an average of 40 hours or more a week doing market-oriented home-based work. HBWs are usually self-employed or subcontracted workers and generally have limited education. Among the non-agricultural HBWs, around two-third of women and men in rural areas and 57% women HBWs in urban areas only have a primary level of education.

A study by the BRAC Institute of Governance and Development in

¹ Bangladesh Labour Force Survey 2016, published by Bangladesh Bureau of Statistics (BBS)

² National Strategy for Internal Displacement Management (2022–2042), Ministry of Disaster Management and Relief, Government of Bangladesh

³ WHO disclosed climate induced displacement report in Dhaka on 28 November 2022

2013 found that subcontracting piece-rate, handicraft and hand-stitching workers was predominant among HBWs, but garment factory subcontracted workers were found only in Dhaka. The study found that the remuneration of own-account workers was higher than that of piece-rate workers.⁶ HBWs in garment subcontracting work reported that on average, they had work for 15 days in a month. Further, they felt that work was decreasing, as there were more workers available than work due to heavy migration to Dhaka city for work.

Violence against working women in Bangladesh is an unpleasant reality. Few of the non-government organisations (NGOs) working for human rights document incidents of violence against working women based on the published press reports. However, home-based work is mostly invisible, and HBWs are not used to disclosing incidents of violence and harassment, so the incidents are mostly hidden and undocumented.

HomeNet South Asia (HNSA) is a regional network of HBW

organisations that analysed the current scenario of violence against HBWs in the workplace in Bangladesh. One of the key objectives of this study is to investigate how the legal and institutional mechanisms can protect HBWs from violence and harassment. This policy input document for Bangladesh has been prepared under the HNSA project- 'Catalyzing collective actions towards a violence-free workplace for women home-based workers in South Asia'.

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⁶ 'Home-Based Workers in Export Garment Sector in Bangladesh: An Exploratory Study in Dhaka City', BRAC Institute of Governance and Development, Bangladesh, 2013

CHAPTER 2

Objectives, Scope and Methodology

The key objective of this study is to investigate the policy issues that can contribute to a violence-free workplace for women HBWs in Bangladesh.

The scope of the study includes analysing violence against women (VaW) HBWs and identifying legal protection policy procedures, including the international conventions, protocols and national policies and plans. The study also

aims to investigate the scope and opportunities in existing mechanisms that can protect women HBWs from violence and harassment. Further, this study identifies best practices and recommends solutions to improve the situation for HBWs. An advocacy action matrix is attached for future actions by non-state actors in Bangladesh, including NGOs.

A desk review was conducted on

the available documents related to this assignment, such as GoB policies and plans, legal instruments and relevant International Labour Organisation (ILO) conventions that have been ratified by the GoB. The conventions that have not been ratified were also reviewed. As part of the study, human rights activists, including the trade union leaders who work for establishing rights for HBWs, were consulted to capture their views on the issue.



Photo: LIE

CHAPTER 3

An Overview of Violence Against Women in Bangladesh

3.1 Conceptual Understanding of Domestic and Workplace Violence

The Domestic Violence Prevention and Protection Act 2010 defines domestic violence as “physical, psychological, sexual or economic abuse against a woman or a child by any other person of that family with whom the victim is, or has been, in a family relationship with”.⁷

- (a) ‘Physical abuse’ – that is, any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of the victim. It includes assault, criminal intimidation and criminal force;
- (b) ‘Psychological abuse’ – that includes but is not limited to: (i) verbal abuse, including insults, ridicule, humiliation, insults or threats of any nature; (ii) harassment; or (iii) controlling behaviour, such as restrictions on mobility, communication or self-expression;

- (c) ‘Sexual abuse’ – that is, any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of the victim;
- (d) ‘Economic abuse’ – that includes but is not limited to:
 - (i) deprivation of all or any economic or financial resources or property to which the victim is entitled under any law or custom, whether payable under any law or custom or an order of a court or any other competent authority; (ii) not allowing the victim to use any articles of daily necessities; (iii) prohibiting the victim from applying legal rights to her or dower or alimony or any consideration for marriage or any property owned by the victim; (iv) transferring without consent of the victim or prohibiting the victim from applying legal rights to any assets, whether movable or immovable owned by her; and

- (v) deprivation or prohibiting the victim from applying legal rights to continued access to resources or facilities that the victim is entitled to use or enjoy by virtue of the family relationship.

There is no official definition of workplace violence. Even the Bangladesh Labour Act (BLA) does not provide a definition of this important issue.

International NGOs (INGOs) and other well-reputed organisations, such as USA-based National Institute of Occupational Safety and Health, define workplace violence in the following way:

Workplace violence is the act or threat of violence, ranging from verbal abuse to physical assaults, directed toward persons at work or on duty. The impact of workplace violence can range from psychological issues to physical injury or even death’.⁸

⁷ Domestic Violence Prevention and Protection Act 2010, Ministry of Women and Children Affairs, GoB

⁸ National Institute of Occupational Safety and Health, USA

There are five types of workplace violence:

TYPE ONE – Criminal Intent – A workplace violence incident is when the perpetrator has no relationship with the targeted establishment, and the primary motive is theft. This type is generally a robbery, shoplifting or trespassing incident that turns violent. The biggest targets of criminal intent violence are workers who exchange cash, work late hours or work alone.

TYPE TWO – Customer/Client – During a customer/client workplace violence incident, the perpetrator is a customer or client of the employer, and the violence often occurs in conjunction with the worker's normal duties. The occupations with the highest risk of customer/client violence are healthcare and social service workers, whom are four times more likely to be a victim than the average private sector employee, according to the Bureau of Labor Statistics.

TYPE THREE – Worker to Worker – This type of workplace violence incident is generally perpetrated by a current or former employee, and the motivating factor is often interpersonal or work-related conflicts, losses or traumas. The group that is the most at risk for this type of workplace violence incident is managers and

supervisors.

TYPE FOUR – Domestic Violence – Domestic violence in the workplace is often perpetrated by someone who is neither an employee nor a former employee. This type of incident is frequent because the abuser knows exactly where his/her spouse will be during work hours. Women are targeted much more frequently than men, and the risk of violence increases when one party attempts to separate from the other.

TYPE FIVE – Ideological Violence – Ideological workplace violence is directed at an organisation, its people and/or property for ideological, religious or political reasons. The violence is perpetrated by extremists and value-driven groups who feel justified by their beliefs. Many of the recent active shooter and terrorist incidents across the globe fall under this bucket. One of the most impactful forms of workplace violence recently has been active shooter incidents. (Source: <https://www.everbridge.com/blog/five-types-workplace-violence>)

Violence Against Women Cases in Bangladesh

Gender-based violence (GBV) manifests in an increasing number of ways, such as early marriage, rape, trafficking, domestic violence, acid attack and dowry repayment-

related violence. In Bangladesh, the prevalence of GBV is extremely high, according to the latest national VaW survey conducted by the BBS in 2015, which found that approximately 73% of married women in Bangladesh have experienced violence from their partner in their lifetime. Among non-married women, 35% reported experiencing non-partner physical violence, and 3% were exposed to sexual violence.⁹

Bangladesh has become one of the top-ranking countries for VaW by intimate partners. A total of 50% of women aged between 15 and 49 in the country have experienced physical or sexual violence from their partners during their lifetime, according to a report by the WHO on 12 March 2021.

An emerging area of concern is online harassment of women in Bangladesh. Action Aid Bangladesh's study on online VaW in 2022 found that 64 out of every 100 women in Bangladesh have faced harassment and violence online. Women mostly faced violence on Facebook (47.60%), followed by Messenger (35.37%), Instagram (6.11%), IMO (3.06%), WhatsApp (1.75%) and YouTube (1.31%).

The nature of harassment reported by the respondents includes hateful and offensive sexual

⁹ Survey on Violence against Women, 2015, BBS

comments (80.35%), sending sexually explicit pictures to inboxes and asking for sexual favours (53.28%), discrimination against women (19.71%), creating false identification in their name (17.47%) and cyberstalking (16.6%).

The harassment also includes recording of sexual assault posted on social media and blackmail over private moments. Women also stated that their photos were edited and published on pornography sites.¹⁰

3.2 Nature and Trend of Violence Against Working Women

Recently, several organisations (national and INGOs) have conducted surveys on the workplace conditions of women in Bangladesh. A study by the Shojag Coalition

found that 22% of women garment workers in Bangladesh have been exposed to physical, psychological and sexual harassment, either in the workplace or on their way to and from work. A survey by the Bangladesh Institute of Labour Studies found that in 2019, 12 women working in various sectors were raped, and 12 were gang-raped.

A study by Karmojibi Nari (an NGO for working women) collected data from 1,002 garment workers in 113 factories. Among them, 63% of women workers reported experiencing verbal harassment, and 60.7% reported experiencing psychological harassment. In addition, 23.6% workers reported experiencing physical harassment,

and 10.8% reported suffering sexual harassment. Incidents of violence and harassment are also frequently reported in relation to domestic workers.

3.3 Violence Against Home-Based Workers

HBWs in Bangladesh face various forms of violence in the workplace. Victims of violence experience physical, mental, verbal, and sexual violence that is perpetrated by contractors, middlemen and other workplace stakeholders. While sharing her experience, a HBW expressed, *'We face various unusual activities at the workplace. It can be verbal, mental pressure, slang language, sexual harassment and violence. At home, it can be physical, mental or financial exploitation.'*

Nature of Violence Against HBWs



¹⁰ Action Aid Bangladesh, Study Report on Online Violence Against Women 2022

Husbands, in-laws and family members were recognised as the main perpetrators of domestic violence. Contractors, enterprise owners, middlemen, money lenders, co-workers and security guards were identified as the main perpetrators of workplace violence.¹¹ Different incidents show that when HBWs went to collect work from the middlemen, they were sexually harassed. Sometimes, security guards in the contractors' establishment harassed them and did not let them enter the premises. In addition to physical violence, HBWs face verbal, physiological, emotional and sexual abuse. Instances of sexual violence were predominantly reported when HBWs went to collect raw materials from the middlemen or the lenders. Asking for sexual favours in return for more work, touching hands inappropriately, coming very close or making lewd comments were some of the ways in which HBWs were sexually harassed.

Bangladesh society is male dominated, and economic freedom is highly restricted for the women who engage in domestic and home-based work. The lack of gender education and gender sensitivity are the key reasons for violence against HBWs. Extreme poverty for women and dependency on male partners make HBWs more vulnerable. Moreover, impunity

to the perpetrators contributes to repeated incidents of violence.

3.5 Impact of Violence on HBWs

Impact on Family and Society: The incidents of violence seriously disrupt the victim's family life and have a negative impact on productivity. The victim loses social dignity, and there is a high risk of separation from family life, as society views the victims negatively, particularly victims of rape. Even HBWs in city areas had to leave the city following incidents of sexual harassment as a result of wide dissemination of this event in the area where she resided and worked. Traditionally, the community blamed the victim for sexual harassment.

3.6 Unwillingness to Take Legal Action

It is common to stay silent regarding violence and harassment incidents. The victims do not often inform the law-enforcing agencies, as they prefer to inform the local community leaders. Very limited NGOs are working in Bangladesh to provide legal support and counselling to the victims of harassment and violence in home-based work.

The legal provisions in Bangladesh mostly cover the rights issues of the workers in formal sectors, particularly factory-based workers. HBWs are not considered, although they constitute a substantial share of the informal labour.

3.7 Lack of Policy Framework for HBWs

As HBWs work in their homes, they do not have an official employer. Therefore, they are not considered domestic workers and are excluded from the entitlements mentioned in the Domestic Workers Protection and Welfare Policy (2015). Since self-employed persons are not covered by the same commercial laws that govern contracts and transactions, HBWs are not protected by labour law. They work on a contractual basis and receive orders through personal contact, which means they have an inadequate bargaining capacity for price fixation. The amount that they receive as the remuneration for their work is very low compared with ones in other sectors and is insufficient to maintain a good quality of life. Due to high inflation rates, managing their livelihood and low earnings poses a challenge for HBWs. Therefore, HBWs are exploited, as they provide labour without having a minimum salary, job guarantee or labour benefits.

Labour NGOs and human rights forums are running joint advocacy and campaigning for the recognition of HBWs under the existing labour law of the country, as well as ratification of the ILO Convention 177, which covers the issue of HBWs. The GoB did not ratify the ILO Convention 190 – Violence

¹¹ A cross country study on violence against HBWs in South Asia, 2021, HomeNet South Asia

and Harassment Convention 2019, and ratification of this convention is required to establish institutional accountability to stop violence and harassment in the workplace.

3.8 Inadequate Social Protection for HBWS

HBWs are unorganised, and their right to social protection is not institutionalised in national-level policies and plans. There is no specific social protection scheme for HBWs, nor is there specific guidance for them in National Social Security

Strategy 2015 and Action Plan II for 2021–2025.

However, HBWs have access to Mothers and Children Assistance Programme under the social protection budget of the GoB. The main objective of this programme is to extend support for nutrition and boost the intellectual development of children aged up to four years. Following specific criteria, pregnant and lactating mothers are chosen by the selection committee every month, and the beneficiaries receive

BDT 800 each month through government-to-person modalities. Currently, this programme is being implemented in 68 upazilas, 42 municipalities, two city corporations and six Readymade Garments Manufacturers (RMG) factories covering 200,000 beneficiaries. In addition to this scheme, HBWs are entitled to an old-age allowance if they fulfil certain criteria, such as being older than 62 for women and 65 for males.

Chapter 4

Scoping the Legal and Policy Frameworks for the Protection of Home-Based Workers from Violence and Harassment

Documents on Global and National Commitment of the GoB	Status of Ratification	Implication Status in Bangladesh
Bangladesh Constitution.	Immediately after the independence of Bangladesh, the GoB adopted The Constitution of the People's Republic of Bangladesh	In 14 sections of the constitution – emancipation of peasants and workers – it shall be the fundamental responsibility of the state to emancipate the tooling masses – the peasants and workers and backward section of the people from all forms of exploitation. In the spirit of the above-mentioned constitutional guidance, HBWs deserve the right to be protected from any discrimination and exploitation.
UN Universal Declaration of Human Rights 1948.	The GoB of Bangladesh ratified this historic document, where Article 5 mentioned that any kind of violence, torture, harassment or inhuman treatment will not be allowed.	GoB has enacted many laws and policies in line with this commitment, but nothing is mentioned regarding action on violence against HBWs.
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).	GoB ratified CEDAW, where Section 11 acknowledges equal treatment for similar work.	Practically informal economy workers, including the HBWs, are not treated equally, which contradicts the global commitment.
National Women Development	Approved by the Cabinet	Article 16.1 of this policy

Documents on Global and National Commitment of the GoB	Status of Ratification	Implication Status in Bangladesh
Policy 2011.		<p>guarantees the safety of women in all spheres of social and family life. This provision covers the safety of HBWs and other groups.</p> <p>Article 17.7 allows all women equal access to the rights of occupational health and safety, social protection and health care. This article covers the rights of HBWs in the workplace.</p> <p>Article 19.1 of the policy aims to stop workplace violence towards women, such as sexual harassment, physical and mental harassment, acid throwing and rape.</p>
ILO Convention 177 recognising the rights of HBWs in 1996.	This convention highlights several key issues, including the right to establish or join organisations, protection against discrimination, occupational health and safety, remuneration, statutory social security protection, access to training, minimum age, maternity benefits, etc. This convention provides the basis of a national policy in establishing the rights of HBWs.	This convention is not ratified by the GoB.
ILO Convention 190.	The Convention was adopted in June 2019 by the International Labour Conference of the ILO and came into force on 25 June 2021. Governments that ratify C190 will	The ILO Convention 190 on Eliminating Violence and Harassment in the World of Work is not ratified by the GoB. This convention is the first international

Documents on Global and National Commitment of the GoB	Status of Ratification	Implication Status in Bangladesh
	be required to put the necessary laws and policy measures in place to prevent and address violence and harassment in the workplace. The Convention represents an historic opportunity to shape the future of work based on dignity and respect for all.	treaty to recognise the right of everyone to a workplace that is free from violence and harassment, including GBV.
International conventions around Gender Equality	Out of the four key ILO gender equality conventions, Bangladesh ratified two conventions – Convention 100 (Equal Remuneration Convention) and Convention 111 Discrimination –Employment and Occupation Convention.	Conventions 156 (Workers with Family Responsibilities) and Convention 183 for Maternity Protection are not yet ratified by the GoB.
High Court Division Directives in the Prosecution of Rape Cases.	On 18 April 2018, the High Court Division directed the police to record cases submitted by the female victim immediately if they are related to rape and sexual harassment, and strict confidentiality should be maintained regarding the information given by the victim.	This directive allows HBWs to take legal action against rape anywhere in the country and protects the victim's confidentiality.
Domestic Violence (Prevention and Protection) Act 2010.	This Act aims to provide as a signatory state of the United Nations CEDAW 1979 and the Convention on Children's Rights 1989 and establish equal rights for women and children, as guaranteed in the Constitution of the People's Republic of Bangladesh, to prevent domestic violence and protect women and children from domestic violence.	The act is applicable to HBWs and other women for legal action against harassment.

Documents on Global and National Commitment of the GoB	Status of Ratification	Implication Status in Bangladesh
BLA	The BLA mentioned working hours for women, maternity leave and maternity allowance, but nothing was mentioned about VaW in the workplace.	There is a gap in the BLA regarding addressing violence and harassment in the workplace.

Status of the ILO Convention 190 Ratification in Bangladesh

Convention 190 – Violence and Harassment Convention was adopted by ILO on 21 June 2019 acknowledging that GBV and harassment disproportionately affect women and girls and recognising that an inclusive, integrated and gender-responsive approach that tackles the underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the workplace. Further, it notes that domestic violence can affect

employment, productivity, and health and safety and that governments, employers' and workers' organisations, and labour market institutions, alongside other measures, can help to recognise, respond to and address the impacts of domestic violence.¹²

Until November 2022, only 22 countries globally had ratified the ILO Convention 190. In Bangladesh, NGOs working on labour issues, as well as trade unions and other organisations, such as Labor in Informal Economy (LIE), were running advocacy activities targeting the policy makers of the GoB for the ratification of this convention.

LIE organised sensitisation workshops on the key points of the ILO Convention 190, and many HBWs in Dhaka and at the district level participated in training and advocacy workshops that were organised by the Women Committee of ITUC-BC. Briefing sessions were organised for the members of the Parliamentary Committee for the Ministry of Labour and Employment. However, mainstream women organisations are not actively discussing the ratification by the policy makers. LIE has taken the initiative to form a network to raise the collective voice for the ratification of this convention.

¹² ILO (2019), *Preamble of Convention 190*

Chapter 5

Institutional Arrangement for Victims of Violence and Harassment in Bangladesh

The GoB has the following institutional arrangements for VaW, and HBWs have access to the following public services:

a) **Formation of a Special Court:**

To carry out punishment for VaW, special courts have been established in districts. If a HBW becomes the victim of violence, she can register a case in a special court.

b) **Summary Trial:** To avoid spending a long time in the judiciary system, a provision was introduced to settle cases related to VaW within 90 days.

c) **Multi-Sectorial Programme:**

Under this programme, a one-stop crisis centre has been established in six divisional cities

for victims of violence so that a victim can access emergency services from the relevant agencies.

d) **Police Victim Support Centre:**

To introduce women-friendly policing systems, ensure greater empowerment and improve the security and welfare of women, a support centre has been established. The Bangladesh police is operating a victim support centre, where victims of violence can access integrated services, such as counselling, medical check-ups, legal assistance and guidance on access to justice.

e) **National Legal Aid Assistance Centre:** The GoB has established a National Legal Aid Assistance

Programme under the Ministry of Law to provide free legal service to victims of violence and harassment.

f) **Hotline Service for Victims of Harassment and Violence:**

Any victims of violence and harassment can call the hotline 999, which is operated by the Bangladesh police, and another hotline 109, which is operated by the Department of Women Affairs, for immediate response and legal action. Several other NGOs are also running hotline services to extend support to victims of violence and harassment. Annexure 2 presents a list of hotline numbers that are currently active in Bangladesh.

Chapter 6

Recommendations

The study recommends the following actions by the respective agencies:

For the GoB		
Issues	Respective Agencies	Proposed Action
Inclusion of HBW rights issues in the BLA.	Ministry of Labour and Employment.	Amendment of the BLA.
Introduction of a separate social protection scheme for HBWs.	Ministry of Social Welfare and Finance Division.	Financial Allocation in National Budget from the next fiscal year 2023–2024.
Ratification of the ILO Convention 190.	Ministry of Labour and Employment and Cabinet Division.	The Ministry of Labour and Employment need to propose the issue to the cabinet division for consideration in the cabinet meeting for ratification.
Formulation of a National Policy for HBWs.	Ministry of Labour and Employment.	The NGOs/CBOs working for HBWs may prepare a draft on National Policy for HBWs to share with MoLE. This can be a base for advocacy towards a legal framework.
Establishment of complaint centre for grievance readdressing for HBWs.	The Department of Inspection for Factories and Establishments (DIFE) or the Department of Labour under the Ministry of Labour and Employment.	A Grievance Readdressing Centre at the DIFE or Department of Labour can record, monitor and take required action to settle any grievance issues.
Inclusion of legal action issues for sexual harassment in training courses for HBWs.	The Department of Labour and Bangladesh Small and Cottage Industries Corporation (BISIC).	As the Department of Labour/BISIC provides training to HBWs, legal issues related to sexual harassment can be covered in the training courses for HBWs.

Issues	Respective Agencies	Proposed Action
Introduce separate training courses for HBWs on rights issues and entrepreneurship development.	Small and Medium Entrepreneurship Foundation (SME Foundation) under the Ministry of Industries.	The SME Foundation can introduce a training course for HBWs to raise awareness of rights issues and entrepreneurship development.
Make a network of NGOs in Bangladesh that are working for HBWs to improve coordination and minimise duplication.	HNSA partner NGOs can initiate the process, and a leading NGO office can serve as the secretariat of the network.	Meeting for conscious on the network modalities.
Raise collective voices for the ratification of the ILO Convention 190.	HNSA partner NGOs, along with other NGOs that are working for worker's rights and trade unions, can raise their collective voices for the ratification of the ILO Convention 190.	Meetings can be coordinated among NGOs based on a policy brief and detailed advocacy plan. HNSA can support Bangladesh NGOs and advocate for the ratification of the ILO Convention 190.
Make a draft national policy for HBWs.	HNSA Partner NGOs may develop a draft HBW policy for further discussion and share it with senior policy makers.	A concept note on policy can be developed, a consultation for sharing ideas can be conducted and a policy formulation matrix and process can be developed.

Based on the recommendations for policy intervention, an advocacy matrix

is attached in Annexure 1, which may help the citizen's groups and rights

activists to run the advocacy initiatives targeting the policy makers.

Conclusion

The rights of HBWs need to be viewed from the perspectives of human rights and social security. Further, certain measures can minimise incidents of violence and harassment against women HBWs.

The policy advocacy issues that have been identified in this study may influence policy makers to take necessary action for policy reforms and institutional arrangements to protect HBWs from violence and harassment.

Much emphasis is required for the ratification of the ILO Convention 190 by the GoB, as well as an amendment to the BLA to address the issues that HBWs face.

References

- Huq Lopita and Mahmud Simeen (2013) Home-Based Workers in Export Garment Sector in Bangladesh: An Exploratory Study in Dhaka City, BRAC Institute of Governance and Development, Bangladesh
- HomeNet South Asia (2021) A Cross Study on Violence Against Home Based Workers in South Asia, HomeNet South Asia, Nepal
- Government of Bangladesh (GoB) (2011) National Women Development Policy, Ministry of Women and Children Affairs, Dhaka
- GoB (2013) Domestic Violence Prevention and Protection Rules, Ministry of Women and Children Affairs, Dhaka
- ILO Bangladesh (1999) ILO Convention Ratified by Bangladesh, ILO Dhaka
- Steps Towards Development (2012) Violence Against Women: Reality and Remedies, STD, Dhaka
- Alo O Salish Kendra (2015) Violence Against Women, STD, Dhaka
- 18 Directives by the Honorable High Court Division in Prosecution of Rape Cases (2021) ASK and BLAST, December 2021, Dhaka

Annexure 1

Advocacy Matrix to Prevent and Protect HBWs from Violence and Harassment

Advocacy Issues	Target Audience	Proposed Activities	Stakeholders
Ratification of the ILO Convention 120, 177, 156, 183.	Cabinet Division, Ministry of Labour and Employment, Department of Labour, Department of Inspection for Factories and Establishments.	a) Develop a policy brief on the rationale behind the ratification, highlighting the protection of HBWs from violence and harassment. b) Organise an advocacy workshop. c) Organise policy dialogue, Solidarity walks and public gathering.	Trade unions, labour NGOs, rights bodies NGOs, women organisations, home-based workers associations.
Inclusion of HBW issues in the BLA.	External Audience ILO, UN Women. Ministry of Labour and Employment, Department of Labour, Department of Inspection for Factories and Establishments.	<ul style="list-style-type: none"> Develop a policy brief for an amendment of the BLA to include protection issues of HBWs. Organise round table discussion/policy café. 	Trade unions, labour NGOs, INGOs, rights bodies NGOs, women organisations, home-based workers associations.
Policy formulation for HBWs.	Ministry of Labour and Employment, Department of Labour, Department of Inspection for Factories and Establishments.	<ul style="list-style-type: none"> Develop a draft policy for discussion. Advocacy meeting. Network-based social mobilization event. Policy café/policy dialogue. 	Trade unions, labour NGOs, INGOs, rights bodies NGOs, women organisations, home-based workers associations

Advocacy Issues	Target Audience	Proposed Activities	Stakeholders
Establish a HBW cell in Dhaka North and South City Corporation for an urgent response to victims of violence and harassment.	Dhaka North and South City Corporation.	<ul style="list-style-type: none"> Advocacy dialogue with city corporations. Sharing concept notes. 	Trade unions, labour NGOs, INGOs, rights bodies NGOs, women organisations, home-based workers associations.
The inclusion of HBWs as beneficiaries of hospitals for workers in Dhaka and other cities (Sramajobi Hospital).	a) Health Service Division under the Ministry of Health and Family Welfare. b) Directorate of Health.	Advocacy for changing the allocation of business of this specialised hospital so that HBWs can be identified as direct beneficiaries of free medical treatment from these hospitals.	HBW Associations, trade unions, NGOs and civil society organisations..

Annexure 2

Information on Hotline Services for
Violence Against Women

Helpline Number	Name of Organisation	Description/Details
109	Government helpline number for violence against women/the prevention of child marriage	Multi sectorial referral and psychosocial support. This is the main helpline number to call and has been/is being circulated nationwide
999	National Emergency Hotline Number	Immediate service to police and hospitals
333	National Hotline Number	Immediate reports/help for any social problems, from enquiring after COVID-19 to child marriage and sexual harassment cases
10921	National helpline centre for violence against women	Immediate service to victims and links up to relevant agencies, including doctors, counsellors, lawyers, DNA experts and police officers
01779554391 01779554392	Kaan Pete Roi	Mental health and psychosocial helpline
01688709965 01688709966		Mental health and psychosocial helpline
1985275286		Mental health and psychosocial helpline
1852035634		Mental health and psychosocial helpline
1517969150		Mental health and psychosocial

Helpline Number	Name of Organisation	Description/Details
		helpline
1776632344	Moner Bondhu	Mental health and psychosocial helpline
9678771511; 0177 7771515 (9 a.m.–5 p.m.);	Sajida Foundation	Mental health and psychosocial helpline
9612600600	Dosh Unisher Mor Helpdesk for GBV/SRHR/psychosocial support	Mental health and psychosocial helpline
01724415677 (9 a.m.–5 p.m.)	Ain o Salish Kendra (ASK)	Legal assistance, emergency shelter and mental healthcare
01714048418 (SRHR); 01771 444666 (legal)	Bandhu Social Welfare Society (In collaboration with Ministry of Social Welfare)	Psychosocial support as well as guidelines for SRHR and legal aspects
01880081111 (24/7 helpline) based in Cox's Bazar	Friendship Bangladesh	Advice on primary healthcare, SGBV and psychosocial support
01888066747 (for the Chittagong region, including Cox's Bazar district); 01869859757 (for Dhaka and the rest of the districts)	Action Against Hunger (ACF Bangladesh)	Psychosocial support and case management

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