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**“ERADICATION OF PRESENT
HUMAN RIGHTS VIOLATION CAN
BE POSSIBLE BY
STRENGTHENING OUR JUDICIAL
SYSTEM AND DEMOCRATIC
INSITUTIONS”**

Justice Syed J.R. Mudassir Husain
Former Chief Justice of Bangladesh.

It is heartening to note that this organization, in its various activities, has got itself involved with the efforts to sensitize the judges and members of the civil society on the issues related to human rights. Now-a-days safeguarding of the rights of women and the necessity to integrate gender into key policy and planning processes are most common demands in both national and international levels.

From today, twenty years back, it was very hard to find any audience having interest to hear and discuss the topics relating to gender equity or domestic violence. At the time, even in our legal domain some people did not feel comfort to discuss those matters. They used to consider domestic violence as a private family matter. According to them, such mater need not have any judicial or public intervention. There was a general perception that acts like wife beating was too tiny a matter to be discussed and taken to any court.

However, we must acknowledge that the situation has now been improved because of strong and effective networking between our women activists and national leaders having involvement in the decision making process.

By this time our government has legislated some special laws and created some special Tribunals to eliminate all forms of discrimination against women and to stop domestic violence. It is encouraging that now there are a good number women leaders getting opportunities in playing key roles in the parliament and policy decision processes. In spite of those, I feel, much work has to be done to protect the women’s right and to support the victims of violence and for that end, we must improve our law enforcement mechanism and reform the criminal justice system.

All over the world, women are subjected to many forms of violence and discrimination. Crimes against women, which are increasing exponentially, are actually crimes against humanity.

It has been enshrined in our constitution that all citizens are equal before law and the state shall not discriminate against any citizen on the grounds of religion, sex or caste. Above all, the constitution itself has clearly imposed a fundamental duty on every citizen to renounce the practices derogatory to the dignity of women. Those constitutional mandates are considered as effective tools to keep a check on the exploitation of the women and to promote gender equity and social justice.

It is almost surpassing the profits from drugs trafficking. Whereas, unfortunately the topic relating women and children trafficking as remained confined to intellectual discussion and deliberation only. In this regard, without any more delay, we must

come forward to taking adequate steps to control it. Sometimes, we try to identify the diseases but do not look for the symptoms or the causes for that. Owing to which, our many noble efforts end in smoke.

In order to promote gender equity and to protect women rights we must try to change the attitude of the society as whole and activate all agencies including legislature, judiciary and other enforcers of law.

Whenever a violent crime is committed against women, it sends shock waves to the society but those shock waves burst like bubbles in a very short time.

To Tackle those problems, I think not women, rather must come first and rise to the occasion. It is the duty of men to recognize the fact that women are equal partners in life.

To improve the existing law enforcement mechanism and the process of rehabilitation of victims, we may follow a very popular formula of 5 (five) RS. They are- Raid, Rescue, Recovery, Rehabilitation and Reintegration.

Firstly- Raid and then Rescue: The law enforcing agency should conduct raid on regular basis with a view to rescue exploited victims.

Secondly- Recovery and Rehabilitation: It means after the victims are recovered, it is necessary to see that they do not fall again into the hands of he culprits and are given a chance to better life.

Thirdly- Reintegration: It is the duty of the society and the state as well to ensure that the victims are reclaimed and integrated into the society and their past should be forgotten as bad dreams.

To achieve sustainable human development in Bangladesh the diverse forms of deprivation affecting people of all castes and sexes should be eliminated. In any view, eradication of present human rights violations can be possible by strengthening our judicial system and democratic institutions.

Our holy religion Islam was the first to recognize basic human rights and almost 14 centuries ago it set up guarantees and safeguards for the women and those have afterward been incorporated in the Universal Declarations of Human Rights. Islam has the merit of being the first to acknowledge the financial independence of the women putting them on an equal footing with men, so that the well being of the society may be guaranteed on the basis of the solidarity of its members.

It is true that no fundamental change in the status of women will be possible without attitudinal change of the man who dominate all spheres of public and private life.

Normally the female members of our society are known as women. Who are they? They are our mothers, daughters and sisters. During our childhood our mothers cleaned our dirty faces with their loving hands. They bore us lovingly for more that 9 months in their wombs and shared the same food and gave us oxygen to live and eventually let us see the world.

In return what are we doing to them? We do not hesitate to throw acids to their faces. We do not hesitate to violate their sanctity and purity with our animalistic instincts.

I think, we have no kind of excuse for such brutal acts, which resulted in an uneven disgrace to the manhood and the society.

It is true that by establishing some special courts and tribunals we are taking deterrent measures against the criminals. In this context, I would like to draw the attention of our Judges working in courts and tribunals. Judges are part and parcel of this society. They have not come from another planet. So, Judges can in no way ignore the burning

problem of violence against women, which virtually causes serious disharmony in our social order.

In my view, the judges need to be proactive playing an effective role through judicial activism for the purpose of promoting women rights and improving the situation necessary for restoring social order and harmony among the members of all castes and sexes of the society.

We are really proud, seeing that a group of dedicated activists have been working relentless under the canopy of this esteemed organization to achieve their noble objectives through sensitizing the judges and other key actors of the judiciary.

I hope, efforts to uplift the dignity of women and to protect human rights of other vulnerable groups of the society would be more fulfilling through your contributions and deliberations.

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