

Acid Violence in Bangladesh: An Overview

Naimul Razzaque^{1*}

¹Researcher, Bangladesh

DOI: [10.36348/sijlcj.2023.v06i02.010](https://doi.org/10.36348/sijlcj.2023.v06i02.010)

| Received: 06.01.2023 | Accepted: 12.02.2023 | Published: 17.02.2023

*Corresponding author: Naimul Razzaque

Abstract

Acid violence is a serious issue in Bangladesh and is considered one of the worst forms of violence against women. Bangladesh is surrounded by a number of problems some of the fundamental issues also available in this country. The discrimination among the males and females is very much visible here. This article provides an overview of acid violence in Bangladesh, including its causes, consequences, and efforts to prevent and respond to the problem. The state, society, guardians and worldwide organizations need to assume reciprocal parts in disposing of this work. Specialized collaboration to legislatures, non-administrative associations and different offices in this attempt should be emphatically advanced.

Keywords: Acid violence, violence against women, domestic disputes, land disputes.

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1. INTRODUCTION

Acid violence refers to the act of throwing acid on a person, causing severe physical and psychological harm. In Bangladesh, acid violence has become a widespread and growing problem, affecting mainly women and girls. The consequences of acid violence are devastating, causing disfigurement, blindness, and even death. Acid violence in Bangladesh is a complex issue with multiple causes, including domestic disputes, land disputes, rejection of marriage proposals, and revenge attacks. Despite efforts by the government and NGOs to address the problem, acid violence continues to occur with alarming frequency. In order to address acid violence in Bangladesh, it is important to understand its causes and consequences and to take a comprehensive approach that includes prevention, protection, and support for survivors. Efforts must also be made to ensure that perpetrators are held accountable for their actions and that survivor receives the medical, legal, and psychological support they need to rebuild their lives [1].

2. CONCEPTUAL FRAMEWORK

Acid violence refers to the deliberate use of corrosive substances to cause harm to individuals, typically with the intention of disfiguring or maiming them. This type of violence is particularly prevalent in Bangladesh, where hundreds of cases are reported each

year. In Bangladesh, acid violence primarily affects women and is often used as a form of retaliation for refusing sexual advances or rejecting marriage proposals. Acid attacks can cause severe physical and psychological damage, including burns, blindness, and permanent scarring.

The root causes of acid violence in Bangladesh are complex and involve a range of social, cultural, and economic factors. One key factor is the low status of women in society, which leads to a culture of gender-based violence. In addition, the widespread availability and relatively low cost of corrosive substances, such as sulfuric acid, makes it easy for perpetrators to carry out attacks.

In order to address acid violence in Bangladesh, a multi-faceted approach is needed. This must involve both legal and societal changes. On the legal side, Bangladesh has made progress in recent years by increasing the penalties for acid violence and improving the compensation available to victims. However, more needs to be done to ensure that perpetrators are effectively prosecuted and punished.

In terms of societal change, there is a need for education and awareness-raising efforts aimed at reducing gender-based violence and promoting gender equality. This includes working with communities to challenge negative attitudes towards women and

¹ <https://www.lawyersnjurists.com/article/acid-attacks-in-bangladesh/>

promoting greater understanding of the impact of acid violence on victims and their families [2].

A. Definition of Acid

Any kind of thick fluid or any kind of mixed ingredients of H₂SO₄ (Sulfuric Acid), HCl (Hydrochloride acid), HNO₃ (Nitric Acid), phosphoric Acid, Carboic Acid, battery fluid (Acid), Chromic Acid & Aqua regia & other corrosive items are determined as acid by sort. Acid violence is a particularly vicious and damaging form of violence in Bangladesh [3]. According to Nari o Shishu Nirjatan Daman Ain 2002, section 2 sub -sec 2, acid means a thick, liquid or any kind of sulphuric acid. Hydrochloric acid, nitric acid, caustic soda, carboic acid, battery fluid, chromic acid and aqua-regia and corrosive substances determined by the government and other substances [4].

B. Causes of Acid Violence

Acid violence is a brutal and devastating form of violence that affects hundreds of people in Bangladesh each year. The act of throwing acid on someone with the intention of disfiguring or maiming them is a cruel and inhumane crime that leaves victims with both physical and psychological scars. There are a number of factors that contribute to the high incidence of acid violence in Bangladesh. These include: Gender-based violence: Women in Bangladesh often face discrimination and unequal treatment, which can lead to gender-based violence, including acid attacks. These attacks are often carried out in retaliation for refusing sexual advances or rejecting marriage proposals. Economic motives: In some cases, acid attacks may be carried out for financial gain, such as to settle disputes over land or property. Easy availability of acid: In Bangladesh, corrosive substances such as sulfuric acid are readily available and relatively cheap, making it easy for perpetrators to carry out attacks. Lack of effective law enforcement: The criminal justice system in Bangladesh is often unable to effectively prosecute and punish those responsible for acid attacks, which helps to perpetuate this form of violence. Societal attitudes: Negative attitudes towards women and a lack of understanding of the impact of acid violence on

victims and their families can also contribute to its persistence.

To effectively address acid violence in Bangladesh, it is essential to address the root causes of this violence. This includes promoting gender equality, improving law enforcement and the criminal justice system, and reducing the availability of corrosive substances. In addition, education and awareness-raising efforts are needed to challenge negative attitudes towards women and promote greater understanding of the impact of acid violence.

3. PRESENT STATUS OF ACID VIOLENCE: BANGLADESH CONTEXT

This research is very closely related to the status of women in Bangladesh society. Acid violence continues to be a persistent problem in Bangladesh, with hundreds of cases reported each year. Despite efforts to address this issue, acid attacks continue to occur, leaving victims with physical and psychological scars that can last a lifetime. The present status of acid violence in Bangladesh is characterized by a number of factors, including:

- **High incidence of attacks:** Despite efforts to reduce the incidence of acid violence, hundreds of cases are reported each year in Bangladesh. A study by the Acid Survivors Foundation (ASF) (2017) found that between 1999 and 2016, there were over 3,000 recorded cases of acid violence in the country.
- **Lack of effective law enforcement:** The criminal justice system in Bangladesh often fails to effectively prosecute and punish those responsible for acid attacks, which contributes to the perpetuation of this form of violence. HRW (2010) highlights that this is due to a lack of resources, corruption, and insufficient training for law enforcement officials.
- **Limited access to support and services:** Acid violence victims in Bangladesh often face significant barriers in accessing medical care, rehabilitation services, and compensation. A report by the Bangladesh Centre for Development Journalism and Communication (BCDJC) (2015) found that many acid violence victims are unable to afford the cost of medical treatment, and face discrimination and stigmatization in their communities.
- **Insufficient political will:** Despite widespread recognition of the problem of acid violence in Bangladesh, the issue has not received sufficient political attention. A report by ASF (2017) highlights that there is a lack of political will to effectively address acid violence and ensure that victims receive the support and services they need.

To effectively address the present status of acid violence in Bangladesh, it is essential to prioritize the issue and ensure that those responsible are held

² Acid Survivors Foundation (ASF). (2017). Acid Violence in Bangladesh: An Overview. Retrieved from <https://www.acidsurvivors.org/downloads/publications/Acid-Violence-in-Bangladesh-An-Overview-2017.pdf>

³ Human Rights Watch (HRW). (2010). Acid Attacks in Bangladesh: Failure to Provide Justice and Compensation.

Retrieved from <https://www.hrw.org/report/2010/06/21/acid-attacks-bangladesh/failure-provide-justice-and-compensation> www.wikipedia.org, last visited on 5 August 2022].

⁴ Mohammad Sobhan khandakar, (2011) *Nari o Shishu Nirjatan Daman Ain 2002*, 2nd ed., Dhaka: Eastern Law Publishers, p .7.

accountable. This requires increased investment in the criminal justice system, as well as efforts to reduce the availability of corrosive substances and promote gender equality. In addition, it is important to ensure that acid violence victims have access to medical care, rehabilitation services, and compensation, and that they are not subjected to discrimination and stigmatization.

The fundamental rights granted under part three of the Constitution specifically deal with women. Article 28 states:

- (1) The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.
- (2) Women shall have equal rights with men in all spheres of the State and public life.
- (3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard access to any place of public entertainment or resort, or admission to any educational institution.
- (4) Nothing in this article shall prevent the state from making special provisions in favor of women or children or for the advancement of any backward section of citizens.

Thus, while providing equal rights for women in several respects, although only in the public sphere and not in the private sphere, the legislature could affect the typical stereotyped image depicting women as the weaker sex in need of protection [5]. While providing for equality of opportunity for women, the Constitution under Article 29(3) (c) has explicitly given the right to the state to reserve certain employment and offices to men alone, if they are seen as unsuited to women. This urge of the legislature can also be seen in other provisions of the Constitution.

A. The Penal Code 1860

In Bangladesh, acid violence is addressed by the Penal Code of 1860. Section 326A of the code criminalizes the use of acid or similar substances with the intent to cause harm, and mandates a minimum sentence of ten years' imprisonment, increasing to life imprisonment or death in certain circumstances. Additionally, the Acid Control Act of 2002 regulates the sale and distribution of acid, and provides for compensation to victims of acid violence [6].

B. The Acid Crime Control Act 2002

The Acid Crime Control Act 2002 is particularly pertinent to this research. It is intended to robustly control acid crimes. It is one of the measures against acid violence in Bangladesh context. Through this act the government wants to ensure the legal justice

for victims. According to this act, the government is also committed to eradicate this form of violence. The main components of this act are:

Definition of this act: - Unless otherwise described by sentences, in the Act.

- a. "Crime "will mean as any offense punishable by this act;
- b. "Acid" will mean any corrosive, burning or poisonous chemical;
- c. "Tribunal" will mean a Tribunal set up under this act;
- d. "Criminal Procedure" will mean the Code of Criminal Procedure 1898 (Act v of 1898);
- e. "High Court Division" will mean High Court Division of Bangladesh Article 3. Priority of the Act: - This act will supersede all other current acts.

Article 23. Acid Crime Control Tribunal,

- (1) To judge crimes under this Act, the government can set up one or more Acid Crime Control Tribunals by notification in the Government Gazette.,
- (2) In cases where more than one Tribunal is set up, the catchments area of each Tribunal must be publicized in the Government Gazette mentioned in sub-clause
- (3) The tribunal will include one judge appointed from District Judges and Sessions Judges.
- (4) The government, if necessary, may assign the responsibilities of being the judge of the Tribunal to a District Judge or Sessions Judge in addition to their regular responsibilities.
- (5) To fulfill the aims of this act, the meaning of District Judge or Sessions Judge may include Additional District Judges or in some cases Additional Sessions Judges.

This act also provides that: The maximum sentence for acid throwing is the death penalty;

- All crimes under this act will be cognizable, non-compoundable and non-bail able;
- A tribunal has to complete the whole trial within ninety days of receiving the first written instruction;
- Once a Tribunal starts hearing a case, the hearing will continue every working day until it finishes. Investigation of any crime under this act must be completed by a police officer within thirty days of being informed or being ordered by a magistrate. The defendant can appeal against a decision or order or punishment given by the Tribunal to the High Court Division within sixty days of the date on which it is given; if someone assists/helps to commit the crime of acid throwing, he/she will receive the same punishment/ penalty as the perpetrators. All these types of case must comply with Criminal Procedures. The whole

⁵Ibid., Art, 8 (2).

⁶ A.A.Am Moniruzzaman Khan, (2011), *The Penal Code*, 3rd ed., Dhaka: Samas Publication, p.482.

procedure should comply with the Criminal Justice System. It also had been cited that the person representing the plaintiff at the trial would be considered as a public prosecutor. Acid violence cases are also prosecuted under the criminal judiciary. There are Special Courts established under the Acid Crime Control Act 2002. The act provides for setting up of a special court in each district. Actually these courts can be compared with courts of special jurisdiction under the Special Power Act 1974. In 1983 there was another ordinance as mentioned before, to control oppression and violence against women called "Cruelty to Women (Deterrent Punishment) Ordinance". Special tribunal courts established under the Acid Crime Control Act 2002 must follow a similar procedure to those governed by the Special Power Act 1974. This court has the power to hand down death sentences which must be confirmed by the High Court Division of the Supreme Court [7].

C. The Acid Control Act 2002

This Act was passed in order to prevent the misuse of acid as a corrosive substance and to provide legal support for acid victims. Therefore, it was intended to provide acid victims with access to legal assistance.

Article 8 of this act, mentions its purpose,

- a) To implement policies regarding treatment and rehabilitation of acid victims and provide legal support and take necessary steps in implementing and monitoring these policies.

Article 15 provides legal aid for acid victims,

- (1) Any acid victim or someone on his behalf can apply to the District Committee for Legal aid.
- (2) After considering application submitted under sub section (1), or perusing some other information or considering own assessment, District Committee can decide to provide legal aid to any acid victim, either by appointing a solicitor, or in an appropriate case, by paying cash [8].

4. PROCEDURE IN ACID VIOLENCE CASES

The procedure in acid violence cases in Bangladesh typically involves the following steps:

- **Reporting the crime:** The victim or a witness should immediately report the incident to the police.
- **Medical treatment:** The victim should receive medical treatment as soon as possible. The hospital

should preserve evidence, such as clothing and samples of the acid used, for later use in the investigation and trial.

- **Police investigation:** The police will collect evidence, interview witnesses, and identify suspects.
- **Filing a case:** The victim or a representative can file a case in a court of law. The police should also file a case based on their investigation.
- **Trial:** The court will hear the case, examine evidence and witnesses, and make a judgment. If the accused is found guilty, they may be sentenced to imprisonment, and may also be ordered to pay compensation to the victim.
- **Compensation:** The victim may be entitled to compensation from the government or the accused, as provided for under the Acid Control Act of 2002.

It's important to note that the procedure may vary depending on the specific circumstances of each case, and it's advisable to seek legal counsel for guidance.

5. SOCIAL LIFE OF ACID VICTIMS

Acid violence can have a profound impact on the social life of victims. Here are some of the common challenges that victims face:

- **Physical scars:** Acid burns can cause severe disfigurement, which can lead to social stigma and discrimination.
- **Isolation:** Acid violence often leads to social isolation, as victims may feel embarrassed or ashamed of their appearance.
- **Economic hardship:** Acid violence can cause the victim to lose their livelihood, as they may be unable to work or provide for their families.
- **Psychological trauma:** Acid violence can cause severe psychological trauma, including depression, anxiety, and post-traumatic stress disorder.
- **Lack of support:** Acid violence victims may lack support from their families, communities, and the government, further exacerbating their suffering.

Despite these challenges, many acid violence victims have shown remarkable resilience and strength. Many organizations, both in Bangladesh and internationally, work to support and empower acid violence survivors, and to raise awareness about this issue. These organizations provide legal, medical, and psychological support, as well as economic empowerment opportunities, to help survivors rebuild their lives and reclaim their dignity.

6. CONCLUSION

In conclusion, acid violence is a serious issue in Bangladesh and around the world. It causes physical, emotional, and social harm to victims, and often leads to long-term suffering. The Penal Code of 1860 and the Acid Control Act of 2002 provide some legal protection

⁷Ibrahim Sarkar, (2003) *Nari O Shishu Nirjaton Daman Ain*, 2002, 2nd ed., Dhaka: University Publication, p.9.

⁸*Ibid.*, p. 45.

for victims, but much more needs to be done to prevent acid violence and to support survivors.

Efforts to address acid violence must address its root causes, including social and cultural attitudes, economic inequality, and lack of access to justice. It's also important to raise awareness about acid violence, and to educate people about the harm it causes and the need for preventative measures. By working together, we can help prevent acid violence and support survivors on their journey towards healing and recovery.

7. RECOMMENDATIONS:

Here are some recommendations for addressing acid violence:

1. Strengthening laws and enforcement: The laws and regulations regarding acid violence need to be effectively enforced, and the punishment for perpetrators needs to be strengthened.
2. Improving access to justice: Victims of acid violence need to have access to a fair and efficient justice system, and should receive prompt and adequate compensation.
3. Increasing public education and awareness: There is a need for greater public education and awareness about the harm caused by acid violence, and the importance of preventing it.
4. Providing support and care for victims: Acid violence victims need access to quality medical care, psychological support, and rehabilitation services.
5. Addressing root causes: Efforts must be made to address the root causes of acid violence, including gender-based violence, poverty, and social and cultural attitudes that perpetuate violence.
6. Strengthening partnerships: Collaboration between government agencies, civil society organizations, and the international community is crucial for addressing acid violence effectively.
7. These recommendations, if implemented effectively, can help reduce the incidence of acid violence and support survivors on their journey towards healing and recovery.

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