



## Increasing Access to Justice for Gender Diverse Populations in Bangladesh

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**Gender-diverse people (GDP) in Bangladesh are marginalized; unprotected by the law and authorities; and frequently victims of discrimination, harassment, and violence. The Rights for Gender Diverse Populations (RGDP) project provides legal services, community education, and supports trained community members to promote and protect the basic human rights of gender-diverse populations.**

When 23-year-old Mokitha's father passed away, she and her seven brothers and sisters were to inherit his property. However, Mokitha's siblings did not want her to claim her portion. To stop her, they physically beat her so severely she had to be hospitalized for weeks. Unfortunately, this was not Mokitha's first experience with violence and discrimination. Mokitha is a Hijra, a member of the gender-diverse community living in Rajshahi, Bangladesh.

### **THE LEGAL STATUS OF GENDER-DIVERSE PEOPLE IN BANGLADESH**

The Bangladesh gender-diverse community is estimated at up to 1,41,671<sup>1</sup> out of the country's population of 160 million. Gender Diverse Populations (GDP) are particularly vulnerable to

discrimination, stigmatization, and social persecution in Bangladesh's conservative social and religious society, in which the existence of sexual orientation and gender identity go largely unrecognized. There is a lack of awareness and understanding about gender diverse populations, in addition to many social, cultural and religious prejudices. The Bangladesh Constitution acknowledges all people as equal under the law and guarantees access to justice for all; however, Bangladesh still has laws that can penalize GDP with sentences of up to life imprisonment.

Hijra like Mokitha, as well as other GDP, are frequent targets of discrimination, violence, human rights violations, and other crimes. Even the police and local authorities act with

<sup>1</sup>[http://www.dghs.gov.bd/images/docs/Other\\_Publication/NationalSizeEstimationReport2016.pdf](http://www.dghs.gov.bd/images/docs/Other_Publication/NationalSizeEstimationReport2016.pdf)

impunity because the legal situation precludes GDP from seeking legal recourse without incriminating themselves.

### HELPING SECURE RIGHTS AND JUSTICE FOR GENDER-DIVERSE PEOPLE

The Rights for Gender Diverse Populations (RGDP) project is funded by the U.S. Agency for International Development (USAID) and implemented by Bandhu Social Welfare Society (Bandhu). RGDP works to address human rights abuses and denial of some health rights and provide a rights-based approach to health and social services for GDP in Bangladesh. This project builds on the successes of the USAID-funded Human Rights in Development project (HRID) implemented by Bandhu from June 2015 to June 2018. RGDP provides the following:

**Specialized legal resources** 

HRID established Ain Alap, a legal helpline to field calls and provide information and referrals to additional resources. To provide greater legal support to GDP, the project formed a panel of lawyers to provide legal advice and services. The panel now includes 204 lawyers in 64 districts. These lawyers also provide services at ten legal clinics across the country.



Legal aid clinic locations



### Trained Local advocates (Watchdog Members & Panel Lawyers)

Bandhu’s trained advocates are front-line local human rights defenders. To date, 48 active community members and 204 Panel Lawyers from all Bangladesh administrative divisions have been trained to assist GDP and advocate for their rights. The watchdog members and the panel lawyers work closely with GDP in their communities. They provide legal information and mediation, document and investigate human rights violations, and help victims to access medical and legal services.

**Community education & awareness raising** 

Through community radio public service announcements and by advertising the legal helpline, RGDP helps community members learn more about the rights of GDP and the legal resources available to support them.

**Human rights violation documentation, investigation, referral/resolution** 

With the support of the watchdog members and panel lawyers, RGDP receives complaints from GDP, and then documents and investigates the cases. Depending on the nature of the case, RGDP refers the cases to local legal services, District Legal Aid Committees, or the National Human Rights Commission, with whom Bandhu works closely to address GDP rights issues.

### MOKITHA RECEIVES JUSTICE

As a member of a local community-based organization, Mokitha received training on the rights and resources available to GDP through RGDP. She sought assistance from a watchdog member and called the legal helpline, Ain Alap.

*“I am a Hijra. Not by choice but it is who I am. Why should I be discriminated against because of this? I should have the same rights as my siblings.”*

–Mokitha

