

POLICY BRIEF – MARCH 2021

PERCEPTIONS OF ROHINGYA REFUGEES: MARRIAGE AND SOCIAL JUSTICE AFTER CROSS-BORDER DISPLACEMENT

This policy brief, a joint publication by Centre for Peace and Justice, Brac University (CPJ) and The Asia Foundation, conveys findings from a rapid analysis to learn community perspectives on the intersection of marriage and social justice in the camps of Cox's Bazar, Bangladesh. The study's themes, research questions, and this report were developed in close coordination with CPJ's Rohingya research volunteer team.



KEY FINDINGS

- **The dowry system, polygamy, and child marriage** have been practiced by Rohingya in the past, and continue to be practiced in the camps. Despite their continuation, many camp residents are concerned about these practices.
 - **The dowry system** ranks amongst camp residents' highest social justice concerns, and four-fifths of respondents do not think it is good for the community. The dowry system is seen as a driver of both polygamy and child marriage.
 - **Polygamy** is considered acceptable by refugees, and is permitted in Bangladesh, under certain religious guidelines. But refugees complain that polygamy is increasingly practiced in ways that violate these strictures. They say that the inability of poor families to pay for daughters' dowries is the main cause of polygamy, as men who are already married do not demand a dowry.
 - **Child marriage** is widely socially accepted, and common despite being illegal under Bangladesh law. This research indicates that camp residents have some awareness of its negative impacts, but want more information from humanitarians.
- While baselines from Myanmar are not readily available to track changes, respondents said that dowry, polygamy, and child marriage are practiced in increasingly harmful ways due to **insecurity, loss of livelihoods, lack of education, and social pressures** in the camps. They also perceive domestic violence to be increasing during displacement for similar reasons, and note that dowries, polygamy and child marriage each contribute to its rise.
- Respondents said they want **camp authorities and the Bangladesh government** to address the intersecting challenges of dowry, polygamy and child marriage. They doubt that progress can be made without interventions such as legal restrictions and punitive action. These requests for more external support reflect camp residents' broader lack of access to formal justice systems under which laws would normally be enforced and cases adjudicated, as well as the lack of access to civil and informal justice.¹
- Respondents also said they want more support from NGOs for awareness and mitigation. However, they feel that their concerns around marriage and justice are not well understood or responded to by humanitarian actors. This concern highlights a broader trust gap in which refugees feel their own social needs and priorities are not adequately reflected in programmatic interventions.



A groom participates in the *nikkah*, an Islamic ceremony conducted as one component of a traditional Rohingya wedding. Camp weddings typically take place at the groom's home, where a temporary partition is raised. The bride and groom sit on separate sides of the partition with attendants while undertaking the *nikkah*.

POLICY CONSIDERATIONS

- **Camp authorities:** Many respondents requested camp authorities' help to **address the exchange of dowries in the camps**. While it is important to recognize that social transformation is a generational process requiring multifaceted interventions, this request presents an opportunity for collaborative problem-solving; for example, through a camp-based dispute resolution system. Camp authorities should work closely with prominent community members including religious leaders, elders, women leaders and majhi to raise awareness, develop strategic interventions, and mitigate the harmful effects of these practices.²
- **Government:** Ensure that camp authorities **actively prevent** dowries, malpractice of polygamy, and child marriage. Existing laws prohibiting child marriage should be strongly enforced by the relevant actors. Camp residents' marriage-related justice needs should be considered as part of a broader review process to ensure their access to justice.
- **Donors and NGOs:**
 - **Long-term view:** The social justice challenges currently faced by Rohingya are similar to those faced by Bangladesh after independence. Bangladesh has reduced the practices of dowry, polygamy, and child marriage through long-term strategies based on building social capital without coercion, particularly by expanding girls' access to education and women's integration in the workforce. These achievements show that the social problems afflicting the Rohingya are also possible to overcome. Though many respondents requested strong and punitive external action, the most appropriate and effective response may be a gradual, incremental approach by development and humanitarian actors that focuses on rehabilitation, empowerment, and support for community-driven interventions. With their extensive previous experience, national NGOs are in a good position to lead on this.
 - **Further research:** To build upon the preliminary findings from this rapid analysis, which draw mainly from qualitative data from a selectively sampled group, donors should support further statistical analysis on camp residents' views and requests for support around harmful marital practices. Associated protection and security risks should continue to be studied, such as the impact of dowry pressures on boat trafficking and debt.³ Camp residents request better access to research findings, such as through audio summaries in the Rohingya language.
 - **Awareness-raising and training:** Camp residents say they want to receive training to understand and navigate the risks of exploitative marital practices. These should be offered more widely and in coordination with religious leaders, *majhi*, and other community stakeholders. A community-led approach should be crafted that encourages change to arise from within the community.
 - **General support for women and girls:** Refugees say that women and girls need empowerment training and increased support services, which should be offered as components of a broader protection strategy. Respondents widely told CPJ that they want women and girls to have better access to services, education, and skills-building opportunities, but that these are not currently offered in a way that accounts for cultural preferences for gender-segregated and home-based services. They say they want NGOs to understand that women and girls' lack of participation does not necessarily mean that their families want them to be excluded, but rather that fears about immodesty and insecurity take precedence. Localised and shelter-based schools for adolescent girls should be established, and agencies should conduct research to assess whether such services help close the gap in education access.
 - **Addressing the trust gap:** Community members should play a more central role in designing and leading interventions to address social injustices around marriage. By closely engaging prominent community members from the consultation stage through implementation, trust can be built to overcome the perception that refugees are inadequately consulted by humanitarians. For example, community members can facilitate and participate in dialogues and town hall meetings.⁴

INTRODUCTION

Over 700,000 Rohingya refugees arrived in Bangladesh in 2017, and have been sheltering in the camps for the past 3 ½ years alongside a smaller group of registered refugees who fled Myanmar earlier. Living in displacement brings many hardships to bear, and camp residents struggle not only with everyday livelihood, security, and political concerns, but also with disruptions to the social fabric of daily and economic life. Meanwhile, existing exploitative marital practices continue, compounding the pressures of camp life and weighing most heavily on women and adolescent girls. These include child marriage, dowries, and polygamy.

Family and household systems have tremendous impacts on the daily lives of camp residents, and family power structures inform most facets of day-to-day life. As humanitarian and protection actors consider the informal justice needs of refugees, issues arising at the household level must be taken into account. This means addressing deeply embedded social practices that exist around family. Previous efforts by humanitarians since 2017 to promote gender equity, such as volunteer job schemes that invite women to work outside of the home, have been viewed by some Rohingya as a cultural affront and have provoked reactionary responses.⁵

At the same time, refugees consulted by CPJ expressed their concerns and growing awareness about the harms caused by child marriage, dowries and polygamy, and requested strong interventions by humanitarians and punitive action by authorities. The apparent contradiction between requesting and criticizing external action highlights the diversity of community views and the need for building trust. It also indicates that delicate interventions are needed that empower camp residents to address problems while upholding their dignity and showing cultural respect. Though addressing family-level exploitation is a difficult task, the widespread violations occurring against women, adolescent girls, and children due to marital practices should not be simply ignored. Confronting them requires community awareness and action, as well as enforcement of existing national law.⁶



A group of wedding guests dine at a celebration in the camps.

This policy brief presents consolidated findings from a December 2020 rapid analysis on community views regarding justice needs related to marriage. This study was developed by CPJ's staff and 40 Rohingya research volunteers due to their concerns around household power structures, marriage and social justice, viewed as amongst the most pressing issues facing camp residents. This study was undertaken as part of a broader CPJ initiative, *Bridging Community and Humanitarian Responses to Covid-19 in Rohingya Camps*, which sought to compile and amplify emerging concerns, feedback and insights from camp residents during the pandemic era, when the humanitarian footprint has been reduced and Rohingya have fewer outlets for advocacy with duty-bearers.

Methodology

The December 2020 rapid analysis sought to elicit understanding of camp residents' views on the intersection of marriage and social justice in Rohingya camps, and builds upon CPJ's ongoing observations from frequent discussions with camp residents on these topics. The analysis included several research components listed below. CPJ's Rohingya research volunteers designed a questionnaire to elicit views from within their community on dowries, polygamy, and child marriage, as well as the impacts of these practices on domestic violence.

The researchers also collected community members' recommendations about how these concerns should be addressed, and analyzed differing perceptions amongst gender, age and socioeconomic groups. The analysis was carried out in thirteen of the 34 camps in which Rohingya refugees reside in Cox's Bazar District. Research activities included:

- Two **WhatsApp Chat Hour sessions** in which the research volunteers engaged in live discussion with representatives of humanitarian agencies and shared their findings and community concerns.
- **Phone-based and in-person consultations** by the research volunteers for 1,173 individuals within their own "Trust Networks" to share their perspectives. This group included 55 percent male and 45 percent female respondents.

Respondents were categorized according to their role in the community and relationship to the research volunteer. They include members of camp-based civil society organizations (26 percent), neighbors and villagers (25 percent), teachers and NGO volunteers (23 percent), majhis and camp management volunteers (13 percent), and religious leaders (12 percent). Some of these groups may have higher status, income and educational attainment compared to the overall camp population. Thus, the findings are not intended to be representative of the overall camp population but rather to initiate inquiry on sensitive topics. By utilizing a trust-based approach to purposive sampling, the research volunteers were able to elicit frank and nuanced insights on sensitive topics that are often difficult to obtain at random.

DOWRY

Dowries are customarily exchanged in Bangladesh, but became illegal under the 1980 Dowry Prohibition Act.⁷ Economic analysis around the role of dowries in the Rohingya camps finds that, as refugees are prevented from building capital and strengthening livelihoods, the practice perpetuates with impacts on household economy for both brides' and grooms' families. According to 2019 research by CPJ and The Asia Foundation, 79 percent of marriages that have taken place in the camps entailed giving a dowry.⁸ Camp residents describe the giving of dowries as an imported practice that Rohingya began to undertake long ago, commonplace and difficult to break yet clearly prohibited by Islam. In the December 2020 rapid analysis, an equal percentage, 79 percent, said they do not feel that dowries are good for the community (figure 1).

Dowries can include cash as well as clothing, gold jewelry, smartphones, and other items. The practice drives poverty, debt, and destitution as there is no way for families to recoup these assets. Dowries cause pressures across socioeconomic lines, with poor families and families with multiple daughters most affected.

I think dowry is good for the community: 21%



I do not think dowry is good for the community: 79%

Figure 1: Perceptions about dowry's impact in the community (N=1,173)

Statement from CPJ volunteers: “Nearly all the people we have interviewed so far feel strongly that the dowry practice should be eradicated. To do this, Camps-in-Charge (CiCs) and the CiC staff need to work in collaboration with community leaders, take concrete steps, and observe all weddings. NGOs can also play a role in combating the dowry practice by providing awareness sessions in blocks.”¹⁰

Dowries were described by many respondents as one of the most critical social justice problems in the camps, and they requested intervention by camp authorities to address the needs of brides and poor families who are most often victimized by it. Access to income and livelihoods is scarce, and risky behaviors occur when families try to finance dowries. These include escaping the camps to undertake illegal daily labor, incurring debt, committing robbery, theft, or bribery, or becoming involved in drug trafficking and other illicit activities. Families who attempt to avoid dowries sometimes engage with traffickers and try to send daughters to other countries for marriage.⁹ In contrast, grooms’ families may view dowries as a way to secure capital enabling them to jumpstart a small business or other livelihood opportunity.

The dowry system reinforces men’s control over women at the household economy level, as women’s dependence and vulnerability is constructed through the practice. Respondents described how, construed as a non-refundable investment, a dowry inhibits a woman from seeking divorce in the case of marital dissatisfaction. Bonds are sometimes incurred by families lacking the capital to finance a daughter’s dowry before the wedding. They make plans to pay new in-laws later, but when unable to do so, become regarded as debtors while in-laws become regarded

as collectors. This triggers feuds, with wives the main victims of resulting tensions. Even well after his wedding, a husband may continue to demand arbitrary incentives from his wife’s family, whose failure to pay can result in additional mental and physical abuses. Other times, husbands and in-laws are embittered due to receiving a small dowry, which places a bride at risk of resentment, abuse and violence in her new home. Weak social mechanisms are in place to counter these problems.

Dowry expectations also mean that marriages are forged for financial reasons at the expense of other factors like compatibility and maturity. This has complex implications: on one hand, people attribute high rates of child marriage to dowries, noting that larger dowries are requested from women over the age of 20. But others attribute dowries – and families’ inability to pay them – as delaying marriage prospects for poor women. As young women’s marriage is seen as an essential rite of passage, this is considered unfair. Dowry demands are also linked to rising rates of polygamy. Parents sometimes arrange for daughters to wed men who are already married, as dowries are not given in these cases. The inability to finance dowries sometimes results in poor women being married off to much older, even elderly men, which respondents described as an embarrassment.

Perceptions of dowry practices in the camps

- “Dowry prices can play a role in increased domestic violence. There are some families who are unable to pay dowries. They say they will pay it later or after marriage. Then if the wife’s parents can’t pay up after the marriage, the husband beats his wife.”
- “Dowries are *haram* in our Islamic law and are strictly prohibited. In the camp, people are surviving by taking rations from NGOs and the majority don’t have any income. We are destitute people - where will we get money to pay for a dowry? We face a lot of problems trying to arrange money when we prepare our daughters’ and sisters’ marriages.”
- “Dowries have become a burden for us, especially after we became refugees. We don’t have any income sources here. Giving a dowry to a groom’s family in exchange for a woman receiving a life partner does make sense, but it’s an injustice for brides’ families if they have no access to money. It’s creating a big gap in access to good marriages for those who can and cannot afford it.”

Recommendations from camp residents

Even though camp residents recognize that the dowry system creates injustices, they say it will not be possible to end the practice without strong external support and regulation, and that people will resist change unless forced as a matter of legal directive. A few respondents felt that, if properly empowered to do so, religious leaders could single-handedly end the practice, but most said that stopping dowries would require coordinated action between religious leaders, camp authorities, and NGOs. The most common request was for a legal ban on dowries. Some respondents were aware that the Government of Pakistan recently announced a strict ban, and said they wished for the Government of Bangladesh to follow suit and order a directive under which CiCs would begin taking punitive action against offenders.¹¹

While nearly all respondents advocated for an end to the dowry system, there were a few outliers. Some people did not want to see a ban but asked for greater awareness-raising and mitigation measures by humanitarians. They described the practice as once tenable and sensible in Myanmar, when people had more access to resources, but no longer viable in displacement. Some felt that families could be persuaded to forego a dowry if NGOs provided a set of materials to newlywed couples to help them establish their household, or to their parents. A few respondents saw the lack of ability to pay dowries as problematic rather than the practice itself, and said the solution lies in better livelihood access.

Recommendations for addressing the dowry system

- “The dowry system should be banned, because it is not allowed according to Islamic law and the Holy Quran. The camp authorities should collaborate with the religious leaders in the camps to finish this system.”
- “The government should formally end the dowry system by taking legal action against those who give, take and encourage dowries, because this is a serious problem in the community.”
- “The Government of Bangladesh should investigate those who got a dowry and should punish them systematically.”
- “Jobs should be available for boys so they won’t need to ask for a dowry. If that happens I am hopeful that the sorry system of dowry would disappear slowly.”

POLYGAMY

Respondents think that rates of polygamy, divorce and extramarital affairs have been increasing in the camps, presenting risks and dangers particularly for women, and previous data confirms this perception (figure 2).^{12,13} Respondents said polygamy is being practiced in discordance with Islamic law, which allows it only in certain circumstances. Bangladesh’s polygamy law also reflects these specifications.¹⁴ They described religious leaders as unable to uphold strictures in the camps and say that many people have a limited grasp of religious teachings, which may cause them to ignore or misunderstand obligations.

As with dowries, many respondents requested action by authorities to control polygamy. They say that camp authorities sometimes help people address marital conflicts including polygamy, infidelity, and divorce, but that more support is needed. During consultations, many respondents wondered why there was not more effort by authorities to control these issues.

No, I do not think polygamy is increasing in the camps: 32%



Yes, I think polygamy is increasing in the camps: 68%

Figure 2: Perceptions of whether polygamy has been increasing in the camps since displacement

Statement from CPJ volunteers: “If we look at the living conditions of Rohingya refugees sheltering in this densely populated camp, where there are poor livelihood opportunities, no person here should practice polygamy. Nor should they encourage others to do so, because it is impossible for a Rohingya here to follow the limitations and conditions applied to polygamy according the rules of the Holy Quran.”

Polygamy is correlated with domestic violence, because it causes household tensions that can lead to physical abuse. Despite religious sanctioning, polygamy is regarded as a burdensome responsibility that most husbands cannot handle, as it requires providing equally for multiple wives. Though marriage registration procedures are in place in the offices of CiCs, who sometimes deny approvals when first wives have not consented (as required by religious and Bangladesh law), weak regulation has enabled polygamy to proliferate during displacement.

Polygamy intertwines with broader security concerns. Drug smugglers and armed group members with access to money are said to be more likely to take additional wives, often forcibly and against the will of women and their families. In these cases, the terms “short-term marriage” and “illegal marriage” are used by camp residents rather euphemistically to refer to bare abduction and sexual violence. In other cases, pervasive insecurity makes families eager to arrange daughters’ marriages for protection, even if that means entering a polygamous union.

Other economic and social factors influence the practice of polygamy. Because all refugees receive food rations, men may find it easier to ensure that multiple wives and children are fed, so food security and livelihood concerns no longer play the mitigating role as they may once have. Couples who wed at a young and immature age encounter marital conflict, sometimes driving husbands to rebelliously pursue a new partner.

Male respondents were more likely than women to defend polygamy. Patriarchal attitudes were occasionally voiced during the research: a small number of respondents cited wives’ disobedience, poor health, unattractiveness, or inadequate performance of domestic work as reasons that might propel men to seek a second marriage. Some defended polygamy as a social necessity: there are more women than men in the camps due to higher rates of migration abroad for young men over the past decade, and this imbalance can be a reason for polygamy. A substantial number of women were widowed when their husbands were killed in Myanmar; polygamy to marry a widow is often considered more permissible than other forms and is even described as charitable.

Views about increasing rates of polygamy

- “Many men are not obeying religious obligations and they are weak in religious knowledge. So people are getting egotistical. They are facing pressure and cruelties from authorities and also from gangs...In these depressing circumstances people become weak and foolish, and commit immoral acts.”
- “Dowry is the problem behind polygamy. Yes, you heard me right: dowry is one of the causes of polygamy. If a girl reaches the age of marriage but her family can’t afford to pay a dowry, she becomes depressed, and then her parents and a married man take advantage of her weak state.”
- “Some male Rohingya are claiming that 70 percent of the camp population are women, so they say it is compulsory for males to marry two or more women. People say Rohingya men are marrying two or more in order to get double rations. That’s not true. They do polygamy to help decrease the number of unmarried girls in society.”
- “Why are our people not understanding their own situation? Now is not the time to marry double. Where will they get a place for their offspring to settle? They have no land under their feet. They have no decent institutions to teach them. If they are unable to provide anything for their children’s future, why do they want to marry more wives?”

Risks and harm resulting from polygamy

- “The gang members are the main ones guilty of polygamy and child marriage. They practice polygamy, but they don’t even know the ABCs of managing two wives’ requirements and rights. Domestic violence and gender-based violence are occurring as a result.”
- “Many women’s lives are destroyed due to polygamy and illegal marriage, and different sorts of conflicts are occurring in families and in the society.”
- “Allah has allowed polygamy for those who can handle it. As it is a legal matter intended to increase happiness of spouses, it should never lead to problems or violence. If someone lacks the capability to handle polygamy, he should not attempt it as it can ruin his family’s life.”

Recommendations from camp residents

Many respondents recommended laws, enforcement, and punitive action to stop cases of polygamy outside of those permitted in Islam. Some specified that punitive action should be limited to cases where a man's first wife objects, or when a man fails to adequately handle multiple marriages. Mitigation and case-by-case consideration with the CiC's oversight were also suggested. Although there is a process for marriage permission and registration in the camps, people sometimes marry informally, which is illegal. *Majhi* often fail to inform authorities of violations, sometimes due to bribery. If local committees were in place, respondents explained, the functionality of the marriage registration system would not depend so heavily on *majhi*, who have not been trained on civil justice.

Stronger support from NGOs was requested to address polygamy, sometimes in the general sense of increasing girls' access to education and empowerment, as well as through awareness raising activities about the harms caused by polygamy. Some people suggested empowering religious leaders to lead awareness campaigns calling for stricter adherence to religious regulations. Others said they thought polygamy would decrease if criminality, drug and gang activity were addressed by authorities.

Recommendations for addressing polygamy

- “The authorities of the camps should strictly enforce a law not to allow polygamy further because it is the main reason for domestic violence.”
- “Polygamy should not be allowed. A proper punishment policy for illegal marriage should come into effect.”
- “The government should adopt rules, regulations and restrictions on polygamy.”
- “The CiC and RRRC should appoint an investigation team with a mandate to look into illegal marriages, child marriage, and marriages that are due to kidnapping and elopement. People secretly started doing marriages illegally once camp authorities developed a system for marriage registration, but if block *majhis* inform authorities about these secret marriages, they will be unlikely to take place.”
- “If the first wife disagrees with the man taking a second wife, the husband should be brought to justice and action taken accordingly.”



On his wedding day, a groom sits in a reception room, waiting to greet guests who come to partake in the wedding feast.

CHILD MARRIAGE

According to UNICEF, 74 percent of Bangladeshi women currently aged 20 to 49 wed before the age of 18, though the legal minimum marriage age is 18 years for girls and 21 for boys.^{15,16} Previous quantitative analysis found that 62 percent of Rohingya women living in the camps also wed before the age of 18.¹⁷ Though marriage for underage girls and boys is still seen by many as acceptable and permissible, respondents also expressed concerns about its negative impacts. Some told CPJ researchers they were aware that child marriage is considered negative by humanitarians, but lacked information about why it is disapproved. Lack of jobs, education and security for adolescents are seen as main drivers. With no way to achieve other life milestones such as building a career or finishing school, marriage and starting a family are amongst few available rites of passage. Respondents said early marriage is sometimes children's wish, sometimes their parents', and sometimes mutual.

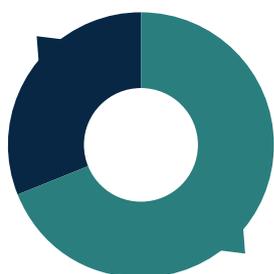
The insecurity of girls is a key factor. Respondents listed many of the same reasons for girls' early marriage that humanitarian researchers have identified: it is seen as a way to enshrine their dignity, avoid sexual exploitation, improve their protection and well-being, and address food and resource scarcity. Opportunities to marry a well-educated, well-off, or otherwise upstanding young man are seen as uncommon, so parents may seize the chance to secure a daughter's marriage without regard for her age. Parents of young men may be

Statement by CPJ volunteers: “We have noticed different perspectives amongst people. For example, elders are conservative and are not thoroughly aware of child marriage being problematic. They like this old custom. Older women in particular have been accustomed to child marriage in their community for years, and they value it. But as youth, we have more knowledge about its downsides; we youth do not like it and we want to help stop it categorically. Younger girls say they don't like marrying early, but are compelled to do it by their parents and religious leaders.”

eager to secure a dowry and rush ahead with a son's marriage. For families with few or no daughters, the burden of housework incentivizes mothers to seek a daughter-in-law who can help. (Rohingya wives typically move in with their husband's family after marriage.)

Marriage restrictions in Myanmar once played a role in mitigating child marriage. In Bangladesh, CiCs prevent it by an approval process and age checks for prospective couples, but many respondents said these were easy to evade. Camp officials worked remotely during the pandemic period, which many respondents said had caused a recent surge as preventive measures were put on hold. While baselines are difficult to determine, more than two-thirds of respondents said they think the child marriage rate has increased during the pandemic (figure 3).

I think child marriage has been happening at the same rate since the 2017 influx: 31%



I think child marriage is increasing amidst Covid-19: 69%

Figure 3: Perceptions of whether child marriage has increased in the camps during the Covid-19 pandemic

Perceived drivers of child marriage in the camps

- “Most youth do not have appropriate opportunities in pre-adulthood, such as education, jobs, and freedom of movement. That's why they engage with child marriage.”
- “After coming to Bangladesh, child marriage has increased because adolescent girls and boys can easily see and meet each other when they go out, but in Myanmar, adolescent girls were not allowed to go out by their parents. So they didn't pay attention to the prospect of early marriage.”
- “Some families feel insecurity because of the crowded situation, so they try to get their children married at an early age.”
- “Some parents arrange marriages for their children without caring about their age when there is no one in the family to help cook the rice and do domestic work.”
- “The CiC is strict about child marriage cases in the camps nowadays. If anyone commits this crime, they take necessary action. But CiCs do not have any monitoring team to organize and investigate the issue deeply.”

No respondents described child marriage as a human rights violation or mentioned the negative effects of child marriage on girls' health, such as the increased risk of intimate partner violence and the complications that result from premature pregnancy and childbirth. When asked to elaborate on the social problems that arise from child marriage, various respondents mainly described how underage couples find themselves ill-equipped to handle the pressures of running a household, which results in domestic disputes and arguing. This indicates a need for awareness-raising about these impacts. Indeed, many people requested that NGOs give training to parents, adolescents, and other community members about the negative effects of child marriage.

Divergent views on child marriage

- “Child marriage might be illegal, but it’s lawful according to our religion. In any case, there are problems and bad consequences of child marriage because of the spouses’ lack of experience and knowledge.”
- “We Rohingya are a minority of the world, that’s why we need to marry early and increase our population.”
- “I heard from a religious leader that as long as a child has grown up [reached puberty] and the situation allows, the parents need to marry them off to safeguard them from fornication and adultery.”
- “Child marriage must be stopped and we need to teach people who don’t know the disadvantages of it.”

Recommendations from camp residents

In addition to awareness-raising, some respondents again requested punitive action by authorities, who they said should make it harder for couples to lie about their birth year. Training and engagement of religious leaders was also recommended. Home-based income-generation and learning opportunities for adolescent girls would be a way to engage them while avoiding immodesty, and would help reduce parents’ feelings that girls are a burden. Many respondents expressed appreciation for the child marriage ban and CiCs’ work to enforce it. They said this had significantly helped mitigate the practice but that more action is needed.

Community members’ statements on addressing child marriage

- “In order to stop child marriage, a strict law has to be enacted specifically for those living in the camps, and punishments should be enforced by the responsible and relevant bodies.”
- “Most Rohingya trust religious leaders more than others. If religious teachers make people aware that child marriage is illegal, it will reduce.”
- “We are really feeling anxious about child marriage occurring in the camps, because young couples can’t run their family properly and don’t have proper knowledge. After one or two years, they argue a lot. So the government and responsible persons should raise awareness not to do this.”
- “If the camp authorities want to decrease or prohibit early marriage or illegal marriage in the camps, they should not give marriage licenses to those who can’t show legal documentation of their age.”
- “Child marriage can be stopped if any organization or NGO actively provides awareness sessions around the camps.”
- “Every block leader should urgently inform the CiC if child marriage occurs in his block. Then the CiC should take action to punish such evildoers.”

THE LINK TO DOMESTIC VIOLENCE AND THE NEED FOR WOMEN'S EMPOWERMENT

Many respondents described how domestic violence is linked to dowries, polygamy, and child marriage. Here, domestic violence refers to intimate partner violence as well as violence between parents and children, spouses and in-laws. Refugees speculate that there was less such violence in Myanmar because daily life was more comfortable and social norms were intact. Attitudes about domestic violence ranged from tolerant to completely opposed, though some expressed that it is religiously sanctioned in some cases, and subscribed to the patriarchal view that wife-beating can be justified in cases of “disobedience” toward one’s husband.

According to respondents, one of the main factors that propels intimate partner violence is men’s lack of access to jobs and livelihoods, as unemployed husbands stay home all day and eventually quarrel with their wives. They also attribute it to a lack of access to education and societal discrimination against women, whose unpaid domestic labor as homemakers is undervalued compared to men’s role as breadwinners. The insecurity of the camp environment, lack of social safety measures and weak rule of law mean that insufficient safeguards are in place to mitigate violence and to mete justice to victims.¹⁸

Statement by CPJ volunteers: “We, as women, are always the victims of domestic violence when there is a misunderstanding or impoliteness between a wife and her husband and in-laws. Men torture their wives whenever his parents disagree with her about something, or when he orders her to bring something to him from her parents and she can’t bring it due to poverty. The community has made women’s status lower by banning them from having the right to freedom and education. That’s why women have become the main victims of domestic violence.”

Perceptions of domestic violence occurring in the camps

- “According to the living condition of the camps, people do not have the opportunity to make money. It is tough for us to fulfil our daily needs, and this triggers domestic violence.”
- “Whenever a woman is a victim of gender-based and sexual violence, she doesn’t have any idea about where she should complain and get justice.”
- “Many cases of domestic violence occur due to poor relations between husband and wife, lack of mutual trust and understanding between family members, and lack of knowledge on how to build a peaceful family.”
- “Back in Myanmar, domestic violence was apparently negligible because the living conditions there were completely different and we had much easier lives.”
- “Most husbands want to be autocrats to their spouses because they think that only husbands have the right to do anything. If women complain to religious leaders, they can’t help due to interference of gang groups.”
- “Domestic violence arises mainly from illiteracy, poverty, frustration, and misunderstanding among the family members.”
- “Domestic violence happens when a woman doesn’t follow her man’s orders properly.”

Recommendations for mitigating domestic violence

A common recommendation from respondents was for couples and families to have better access to psychosocial support and training on how to lead a harmonious family. Awareness-raising programs by NGOs should involve religious leaders for maximum impact. Better livelihood opportunities for husbands and household breadwinners would also have an impact on reducing domestic violence if rolled out broadly across the camps. Female respondents in particular believed that more education, leadership opportunities, and better access to justice for women would help them become more aware of their rights.

Recommendations for addressing domestic violence

- “Our religious scholars should give awareness and share relevant hadiths [Islamic religious laws], and imams also should give speeches regarding domestic violence, as beating wives without a reason is prohibited.”
- “The NGOs who work on this issue should hold awareness sessions describing the justice and legal support they can provide to the victims of gender-based violence.”
- “We need support to organize a committee in each block to solve domestic violence issues.”
- “To stop domestic violence, women should have full access to education, to become lawyers, to be leaders and to get equality in every aspect of life. For that, we need awareness training, and for serious cases we need to be able to refer to the CiC.”
- “To make domestic violence disappear you empower girls with voices, education and life skills.”

Supporting women’s voice to mitigate domestic concerns

Respondents across age and gender groups said they would like to see better services and opportunities for adolescent girls and women, particularly expanded access to formal education, empowerment and livelihood skills. The lack of outlets for women to complain, share difficulties, or express their needs to responsive decision-makers is viewed as limiting their empowerment.

Many respondents see humanitarian agencies as failing to facilitate women’s participation and access to services in culturally acceptable ways. Nearly two-thirds said that women do not have sufficient ways to meet their needs and access services (figure 4). This finding challenges the assumption that Rohingya women and girls’ confinement in their shelters means that the community does not value their access to services. A more nuanced view reveals that security concerns and the lack of gender-segregated services are also important factors. The preference for gender-segregated services and schools is very strong, with women and girls less likely to participate in mixed-gender activities. Feedback about women’s status and voice in the camps was not unanimous; some respondents commented that women do not need a stronger voice, and that male guardians can speak on their behalf.

Women have sufficient access to services: 35%



Women do not have sufficient access to services: 65%

Figure 4: Perceptions of women’s access to services in the camps

Perceptions of women's voice in the camps

- “Most females are thinking that they have weaknesses in every angle, and they are curious to build creativity. So women's empowerment is in especially high demand in the camp.”
- “Females are the most vulnerable, more than males. They have to face divorce, dowry and other inequalities. This type of stress is running over and over in their minds. They didn't find any comfortable place to complain or share their difficulties.”
- “Most of the girls are concerned for their security and they expect more help from NGOs and the government as they feel unsafe and insecure in the camps and the shelters.”
- “Is it fair that women are expected to do most of the housework and provide all of the care for children? It's a big burden for women to do alone. It's one of the unbearable issues Rohingya women are facing.”
- “Women are ignored to become block leaders, and are also neglected when humanitarians conduct meetings on how services should be given. Women are still under threat when they go out and travel from one place to another.”
- “Overall, we can say that women are not getting the opportunities they deserve.”
- “The issue of women's voice is not problematic to the people I know because their guardians can listen to them and take care of them.”

Community recommendations on supporting women's voice

- “NGOs and other authorities should try to provide effective awareness sessions regarding women's rights and how to treat a woman. The CiC and other key persons should create a strict law and give strong punishment to those who torture women for no reason.”
- “We need services and support for gender equality. If women can study, earn and be empowered then they will be able to stand against discrimination.”
- “It will be a great support for uneducated women and girls if they get any opportunity of handicraft to make some money for their livelihoods.”
- “We need women leaders in each block who guide us on how to stay safe in the camps.”
- “People in my network say that girls should be given separate schools where they can learn out of males' sight.”
- “What our women need for services and support is separate toilets and bathrooms, rights, freedom of movement, strong security, educational opportunities, justice for domestic violence, and medical support about personal issues and various awareness sessions.”
- “NGOs and CBOs should work by collaborating for gender equality and promote gender equality throughout the community.”
- “Our women are demanding education that will enable them to raise their voices meaningfully.”



A group of young women study together in one of the women's shelters. Camp residents say they want more home-based education opportunities for adolescent girls and women in order to mitigate exploitative marital practices.

CONCLUSION

Though Rohingya have given dowries and practiced polygamy and child marriage since ancestral times, they view these as causing new harms and pressures in displacement. These shifts are prompting critical reflection and concern. The community feedback summarized in this policy brief reveals that camp residents want greater involvement of humanitarian and government actors to address social justice problems associated with marital practices. Doing so would be an opportunity to proactively respond to community concerns and engage community leaders for meaningful action.

CPJ receives many requests from refugees who want training on peace, social justice, and human rights topics, seen as key to community development and progress, as well as on women's empowerment. The Rohingya crisis has meant that some Rohingya, such as youth who participate in camp-based civil society groups, have been exposed to human rights discourse for the first time. A rights-based approach to raising awareness on intra-communal social justice issues such as exploitative marital practices can be broached initially with those community representatives who already observe the need for internal social transformation. While changing these practices is a long-term process that must be driven from within the community, there are immediate justice, security and safety implications that could be discussed and addressed in the nearer term.

Statement from CPJ volunteers:

“According to our analysis, most people in the community are concerned about the issues of dowry, domestic violence, polygamy and child marriage. Though people don't agree with these things, they cannot make any changes in their own lives and community because these things have become part of our society. If there is government intervention, it is possible to change. But people feel that not only authorities and NGOs can bring about the needed changes; Rohingya religious scholars must also be included...We, the volunteers of CPJ, unanimously agree that these issues should immediately be combated and we want decision-makers to take these issues into serious consideration.”

ENDNOTES

1. For more information on Rohingya refugees' access to civil justice in the camps, see Centre for Peace and Justice and The Asia Foundation (2021). *Community perspectives on access to civil justice after cross-border displacement: The needs of Rohingya refugees in Bangladesh*. <https://asiafoundation.org/wp-content/uploads/2021/02/X-Border-Community-Perspectives-on-Access-to-Civil-Justice-after-Cross-Border-Displacement-The-needs-of-Rohingya-Refugees-in-Bangladesh.pdf>
2. *Majhi* are the block-level aid captains who sometimes informally mediate social issues.
3. Previous research by CPJ and The Asia Foundation establishes links between financial pressures facing camp families and risky coping mechanisms. See The Asia Foundation and Centre for Peace and Justice, Brac University. 2020. *Navigating at the margins: Family, mobility and livelihoods amongst Rohingya refugees in Bangladesh*. San Francisco: The Asia Foundation and Dhaka: Centre for Peace and Justice. https://asiafoundation.org/wp-content/uploads/2020/09/Navigating-the-Margins_Family-Mobility-and-Livelihoods-Amongst-Rohingya-in-Bangladesh.pdf.
4. A February 2021 rapid analysis by CPJ found that 76 percent of respondents do not feel that humanitarians consult enough with the community before designing projects. This and related findings will be published in a forthcoming policy brief by CPJ and The Asia Foundation, *Rohingya Refugees' Experiences of Engagement with Humanitarian Organizations* (April 2021).
5. See Lewis, S., MacPherson, P., and Paul, R (2019). "In Rohingya camps, a political awakening faces a backlash." April 23, Reuters. <https://www.reuters.com/article/us-myanmar-rohingya-politics-insight/in-rohingya-camps-a-political-awakening-faces-a-backlash-idUSKCN1S00D>.
6. Relevant national law is discussed in each section. While the CRC does not specifically ban child marriage, Article 24 states, "States' Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children." As the harmful health impacts of child marriage are well established, Article 24 can be interpreted as obligating signatories to stop the practice. See General Comments (2005), Committee on the Rights of the Child, 40th Session, Geneva, 12 - 30 September. https://www.unicef-irc.org/portfolios/general_comments/GC7.Rev.1_en.doc.html.
7. See The Dowry Prohibition Act, 1980. <http://bdlaws.minlaw.gov.bd/act-details-607.html#:~:text=1.,the%20Dowry%20Prohibition%20Act%2C%201980.&text=If%20any%20person%2C%20after%20the,fine%2C%20or%20with%20both%5D>.
8. Centre for Peace and Justice and The Asia Foundation (2020).
9. Melnikas, A., Ainul, S., Ehsan, I., Haque, E., & Amin, S. (2020). Child marriage practices among the Rohingya in Bangladesh. *Conflict And Health*, 14(1). doi: 10.1186/s13031-020-00274-0.
10. CiCs are the civilian authorities, all male, who manage each of the 34 camps.
11. "Pakistan officially bans dowry." Dhaka Tribune, 11 October 2020. <https://www.dhakatribune.com/world/south-asia/2020/10/11/pakistan-officially-bans-dowry>.
12. Specifically, polygyny; polyandry is not practiced by Rohingya. This paper uses the gender-neutral term, which is normally used by Rohingya speakers of English.
13. See Joint Agency Report (2018). Rohingya Refugee Response Gender Analysis: Recognizing and Responding to Gender Inequalities. August. <https://reliefweb.int/sites/reliefweb.int/files/resources/rr-rohingya-refugee-response-gender-analysis-010818-en.pdf>.
14. In Bangladesh, polygamy law applies differently to religious groups. See Muslim Marriages and Divorces (Registration) Act of 1974. [http://bdlaws.minlaw.gov.bd/act-details-476.html#:~:text=An%20Act%20to%20consolidate%20and,of%20Muslim%20marriages%20and%20divorces.&text=\(1\)%20This%20Act%20may%20be,Bangladesh%20wherever%20they%20may%20be](http://bdlaws.minlaw.gov.bd/act-details-476.html#:~:text=An%20Act%20to%20consolidate%20and,of%20Muslim%20marriages%20and%20divorces.&text=(1)%20This%20Act%20may%20be,Bangladesh%20wherever%20they%20may%20be).
15. UNICEF. Ending Child Marriage: Progress and prospects. 2017. https://www.unicef.org/media/files/Child_Marriage_Report_7_17_LR..pdf.
16. The Child Marriage Restraint Act, Section 2.1. The Government of Bangladesh, 2017. <https://www.unicef.org/bangladesh/sites/unicef.org.bangladesh/files/2018-10/Child%20Marriage%20Restraint%20Act%202017%20English.pdf>.
17. Leigh, J., et al. (2020). Child Marriage in Humanitarian Settings in South Asia: Study Results from Bangladesh and Nepal. UNFPA APRO and UNICEF ROSA. https://resourcecentre.savethechildren.net/node/18450/pdf/child_marriage_south_asia.pdf. Leigh et al found strong evidence that child marriage has been increasing amongst Rohingya since arriving in the camps.
18. For CPJ's findings on how camp residents access justice for civil and minor criminal cases in the camps, including domestic violence, see Pereira, F., Olney, J. and Hoque, A. (2021). "Community Perspectives on Access to Civil Justice After Cross-Border Displacement: The Needs of Rohingya Refugees in Bangladesh." Centre for Peace and Justice and The Asia Foundation.

THE X-BORDER LOCAL RESEARCH NETWORK



In Asia, the Middle East, and Africa, conflict and instability endure in contested border regions where local tensions connect with regional and global dynamics. With the establishment of the X-Border Local Research Network, The Asia Foundation, the Malcolm H. Kerr Carnegie Middle East Center, the Rift Valley Institute, and their local research partners are working together to improve our understanding of political, economic, and social dynamics in the conflict-affected borderlands of Asia, the Middle East, and the Horn of Africa and the flows of people, goods, and ideas that connect them. This five-year program, initiated in 2018, produces research to inform more effective policymaking and programming. It builds, maintains, and expands local research networks in some of the most remote and difficult conflict-affected regions. Finally, it supports improvements in local research methods and capacity.

The X-Border Local Research Network is a component of the Cross-Border Conflict: Evidence, Policy and Trends (XCEPT) project, and is supported by UK aid from the UK government.

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