

# Citizens' Initiatives on CEDAW, Bangladesh (CIC-BD) Alternative Report



## Status of Implementation of UN CEDAW Concluding Observations 2011

BANGLADESH  
2016

## Citizens' Initiatives on CEDAW, Bangladesh (CIC-BD)

### Member organizations

<ul style="list-style-type: none"> <li>• Action Aid Bangladesh</li> <li>• Action on Disability and Development (ADD)</li> <li>• Ain O Salish Kendra (ASK)</li> <li>• Awaj Foundation</li> <li>• Bangladesh Environmental Lawyers Association (BELA)</li> <li>• Bangladesh Federation of University Women (BFUW)</li> <li>• Bangladesh Institute of Labour Studies (BILS)</li> <li>• Bangladesh Legal Aid &amp; Services Trust (BLAST)</li> <li>• Bangladesh Mahila Parishad (BMP)</li> <li>• Bangladesh Nari Progati Sangha (BNPS)</li> <li>• Bangladesh Nari Sangbadik Kendra (BNSK)</li> <li>• Bangladesh National Women Lawyers Association (BNWLA)</li> <li>• Bangladeshi Ovibashi Mohila Sramik Association (BOMSA)</li> <li>• Bangladesh Prodigandi Kallyan Somity (BPKS)</li> <li>• BRAC</li> <li>• Bangladesh Society for the Change and Advocacy Nexus (B-SCAN)</li> <li>• Bangladesh Women's Health Coalition (BWHC)</li> <li>• Bangladesh Resource Centre for Indigenous Knowledge (BARCIK)</li> <li>• BROTEE</li> <li>• CARE Bangladesh</li> <li>• CARITAS Bangladesh</li> <li>• CCDB</li> <li>• Campaign for Popular Education (CAMPE)</li> <li>• DanChurchAid</li> <li>• Democracywatch</li> <li>• Dushtha Shasthya Kendra (DSK)</li> </ul>	<ul style="list-style-type: none"> <li>• Family Planning Association of Bangladesh (FPAB)</li> <li>• Gender in Media Forum (GIMF)</li> <li>• Good Neighbors Bangladesh</li> <li>• Institute for Environment and Development (IED)</li> <li>• International Organization for Migration (IOM)</li> <li>• Karmajibi Nari; Manusher Jonno Foundation (MJF)</li> <li>• Mass-line Media Center (MMC)</li> <li>• Naripokkho</li> <li>• National Alliance of Disabled Peoples Organization (NADPO)</li> <li>• National Forum of Organizations Working with the Disabled (NFOWD)</li> <li>• Oxfam GB</li> <li>• Plan International Bangladesh (PHR Program)</li> <li>• Population Services &amp; Training Centre (PSTC)</li> <li>• PRIP Trust</li> <li>• RDRS Bangladesh, Research Initiatives Bangladesh (RIB)</li> <li>• SAMATA</li> <li>• Society of the Deaf &amp; Sign Language Users (SDSL)</li> <li>• Somnilito Samajik Andolon</li> <li>• Steps Towards Development</li> <li>• The International Centre for Diarrheal Disease Research, Bangladesh (ICDDR,B)</li> <li>• The Hunger Project-Bangladesh</li> <li>• Women For Women</li> <li>• Women with Disabilities Development Foundation (WDDF)</li> <li>• World Vision Bangladesh</li> <li>• YWCA of Bangladesh.</li> </ul>
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## Abbreviations

BAIRA	Bangladesh Association of International Recruiting Agencies
BB	Bangladesh Bank
BGB	Border Guard Bangladesh
BSCIC	Bangladesh Small and Cottage Industries Corporation
CEDAW	Convention on the Elimination of all forms of Discriminations Against Women
CEDAW Committee	Committee on the Elimination of all forms of Discriminations Against Women
CIC- BD	Citizens' Initiatives on CEDAW
CID	Criminal Investigation Department
FLS	Food and Livelihood Security
FTI	Forensic Training Institute
ICT	Information and Communication Technology
JATI	Judicial Administration Training Institute
MDG	Millennium Development Goals
MOEF	Ministry of Environment and Forest
MOSW	Ministry of Social Welfare
MOHA	Ministry of Home Affairs
NAP	National Action Plan
PKSF	Palli Karma Shahayak Foundation
PSHT Act	Prevention and Suppression of Human Trafficking Act
PWD	Persons with Disabilities
SBTI	Special Branch Training Institute
RRRI	Rescue, Recovery, Repatriation and Integration
SAARC	South Asian Association for Regional Cooperation
SME	Small and Medium Enterprises
SOP	Standard Operating Procedure
TIP	Trafficking in Persons
UFC	Uniform Family Code
UNCRPD	UN Convention on the Rights of Persons with Disabilities
WDD	Women with disabilities
WDP	Women's Development Policy

## Introduction

The Convention on the Elimination of all forms of Discriminations Against Women (CEDAW) is the international bill of Women's rights adopted by the United Nations in 1979. The Government of Bangladesh ratified the CEDAW in 1984. As part of the obligations of the member states ratifying the Convention, the governments are obliged to submit a periodic report to the Committee on the Elimination of all forms of Discriminations Against Women (herein after the Committee). This report compiles the information on the progress made by Bangladesh in compliance with the Concluding Observations of the Committee at the 48th UN CEDAW Session held in 2011 during which the 6<sup>th</sup> and 7<sup>th</sup> combined periodic report of the State party was reviewed. This particular report is in response to the State submitting its 8<sup>th</sup> periodic report to the CEDAW Committee.

Citizens' Initiatives on CEDAW (herein after CIC-BD), a network of 53 member organizations, which was formed in 2007, to campaign and lobby for full ratification of CEDAW and its implementation in Bangladesh, has prepared this report. The CIC-BD and its member organizations follow multi-pronged advocacy strategies and undertake campaigns to create public awareness, stimulate community support and promote effective implementation of CEDAW. In the last five years, CIC-BD conducted advocacy activities that included discussions, sharing meetings, media campaigns, rallies, human chains, publications, press conferences, national conference, etc. in promoting and advancing implementation of CEDAW.

The CIC-BD submitted an Alternative Report to Bangladesh's Combined Sixth and Seventh CEDAW Report in 2010. The said report was prepared after extensive participatory consultations amongst a wide range of women's rights and human rights groups, with the objective of identifying areas of change and comparing government's compliance with the Committee's recommendations. Ten representatives from CIC-BD member organizations also attended the 48th UN-CEDAW session in Geneva in January 2011. After reviewing both the State Party report and the Alternative Reports, the Committee provided its Concluding Observations to the Government of Bangladesh and requested the Government to monitor progress and submit an interim report after two years on implementation of the Committee's recommendations.

The present report by CIC-BD reviews the progress made over the last four years on the implementation of the Concluding Observations of the Committee in Bangladesh. CIC-BD shared this status report at the national level with Members of Parliament, local elected representatives, relevant government officials, national and field level development activists and CBOs to stimulate interest in CEDAW and generate support for its implementation. The report is being submitted to the Committee before the next hearing. The CIC-BD plans to organize divisional level sharing meetings later on.

This Alternate Report was prepared after intensive consultations with and contribution from the member organizations during October 2014-September 2015. In brief, it serves the following purposes: (1) review of the Government's compliance with the Committee's Concluding Observations, (2) identification of the gaps or challenges in implementing the recommendations or action points on the thematic areas highlighted by the Concluding Observations 2011, and (3) provide recommendations in addressing the Concluding Observations. The report combines updates of the specific themes mentioned in the last Concluding Observations as well those on other articles and issues. The report also discusses the status of implementation of Millennium Development Goals (MDG) in consistency with CEDAW and the dissemination of the Concluding Observations.

The UN CEDAW Committee selected two issues for follow-up and requested the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 12 and 20 of the Concluding Observations 2011. These two issues were: (1) withdrawal of reservations and (2) measures taken to combat VAW.

The CIC-BD maintains that coordinated and collective national strategies and action by GO, NGOs and private sector is essential for effective implementation of CEDAW, and for mainstreaming CEDAW standards in policies, programs and practices. The CIC-BD is keen to continue sustained advocacy and lobbying activities for law and policy reform and for the implementation of plans so as to ensure implementation of the Committee's Concluding Observations. The report is presented in sequence of the Concluding Observation.

## **1. Reservation:**

### **Summary of Concluding Observation**

- *Expedite efforts towards the withdrawal of reservations to article 2 and 16.1(c) within a concrete timeframe.*

### **Compliance**

- The Government assigned the Law Commission of Bangladesh to review the possibilities and implications of the withdrawal of reservation on Articles 2 and 16(1c). The Law Commission reviewed the status of the reservations in the light of the status of reservation in other countries with Muslim majority. In February 2013 the Law Commission, through its report, provided recommendation that the withdrawal of the reservations can be considered by the Government. The recommendation stated, "Bangladesh withdraws her reservation from Article 2 and Article 16/1(c) of the *Convention on the Elimination of All Forms of Discrimination Against Women*. However, Bangladesh shall apply the provisions of these articles in compatibility and harmony with her Constitution and existing laws". Unfortunately, since then no step was taken for the formal withdrawal of reservations.

### **Explanation/Challenges/Gaps**

- ✓ Despite the recommendation of the Law Commission suggesting withdrawal of reservations, the Government has not taken any active step to this effect till this Alternate report was prepared.
- ✓ In 2011 the Government approved the Women's Development Policy (WDP) 2011. After approval of the WDP, the Government finalized the National Action Plan (NAP) 2013-2025 for implementing the policy. Although the country is not governed by Shariah laws, the Government, reiterated in WDP that it will not take any action that goes against the Quran and Sunnah. Needless to say that the reservations, especially on Article 2 clearly undermine the State's obligations for promoting and upholding of women's rights and equality. The reservations are in contradiction with the constitutional guarantees provided under Articles 10, 19, 27, 28, 29, which stipulate that the State shall not discriminate against any citizen on the ground of religion, race, caste, sex or place of birth, and women shall have equal rights with men in all spheres of state and public life. The pretext of excuse of Shariah is frail as seventeen Muslim majority countries, including, Jordan, Kuwait, Tunisia, Lebanon, Maldives, Oman, etc., have placed no reservations on Article 2.
- ✓ Some of the new legal measures however, indicate that given the political will, the reservation on article 2 at least, can be withdrawn. It is to be noted that over 10% population

of Bangladesh is non-Muslim, whose lives are governed by laws other than Muslim laws on issues concerning personal laws. Therefore, maintaining reservations on account of Shariah cannot be universally applicable and is an injustice to the diversified population of Bangladesh.

- ✓ The CIC-BD observes that the Government is using the pressure of the fundamentalist groups against withdrawal of the reservation as a new reason, which is not acceptable. The reservations clearly undermine the principles of equality as per CEDAW, Constitution of Bangladesh and the State's obligations for promoting and upholding of women's rights. The CIC-BD wants a clear indication of the Government's intention and action on the withdrawal of the reservation of the two Articles 2 and 16 (1)(c).

### **Recommendations**

- ✘ CIC-BD recommends that the Government withdraws the reservation immediately in order to keep its commitments to the UN CEDAW Committee as well as to the civil society. This will also contribute to the upholding of the Constitutional guarantee of equality.
- ✘ Currently the Government enjoys strong support among common masses and rural people, therefore, withdrawal of reservations will not pose a big threat, if awareness raising activities are undertaken to highlight the instances from other Muslim majority countries that have not imposed any reservation to article 2 & 16.
- ✘ It is recommended that the Government undertakes massive awareness raising activities together with civil society in order to pacify any possible adverse action from the anti-progressive groups and to enforce the state's obligation to uphold women's rights. Engagement with religious and customary authorities is suggested with support of NGOs to engage. The Moroccan experience can be considered as a prime example
- ✘ Seek support of national non-government organizations (NGOs) and alliances for continuous and systematic monitoring of compliance of CEDAW.

## **2. Discriminatory laws**

### **Summary of Concluding Observation**

- *Pursue law review process with the view to harmonizing the domestic legislation with the obligations under the Convention within a clear time frame in partnership and collaboration with religious leaders, lawyers and civil society organizations.*

### **Compliance**

- The constitution guarantees equal rights of men and women {Article 28(2)} in all spheres of state and of public life. This guarantee however, does not extend to personal life.
- The 15<sup>th</sup> amendment of the constitution took place in 2011 keeping the provision unchanged. The amendment of the Constitution re-adopted secularism as a fundamental principle of state policy. Again, the Article 2A of the Constitution specifies Islam as the state religion, which is an apparent contradiction of the former and also contradictory with principles of equality. The implication of bringing back secularism by the 15th Amendment is still unclear as personal laws (related to marriage, divorce, inheritance, guardianship, and custody) have generally been in conformity with the religious provisions. Principles of religion, which the person follows, take precedence over equality

in the matter of personal laws and they are often discriminatory between men and women and among women of different religions.

- Several existing laws related to local government have provisions for ensuring women's participation. The Citizenship Act has been revised in 2009. The Child Marriage Restraint Act, 2014 has been approved by the Cabinet and now under process of the Parliament's approval. The Hindu Marriage Registration Act, 2012 (Optional) has been approved. The Domestic Violence Prevention and Protection Rules 2013 for the implementation of the Domestic Violence (Prevention and Protection) Act 2010 have been approved. However, the enforcement of these laws remains weak.
- The High Court had issued rule to change the discriminatory provisions in the standard form 1600 and 1601 of marriage registration. Introduction of the new Marriage Registration system allows exercising equal rights in marriage and divorce to either couple.
- The provision of 'hiba' (gift) has been given legal validity. The new provision given legal validity since last four years, can be used to provide equal share or the entire property to daughter in the absence of a son.
- Section 155(4) of the Evidence Act 1872 which allows for the use of character evidence in rape trials is discriminatory as character evidence is not regarded as admissible evidence in any other trials.
- There was also the enactment of Pornography Control Act, 2012 and Prevention and Suppression of Human Trafficking Act, 2012.

#### **Explanation/Challenges/Gaps**

- Despite some discussions and commitments made, the law review process to harmonize domestic legislation did not get any momentum. The existing reservation on Article 2 remains as an important barrier against review and revision of all laws.
- The Government did not show its commitment or political will to review the personal laws as per the principles of CEDAW as these are governed by religious provisions. Moreover, it seems that the Govt. wants to avoid adverse mobilization by the fundamentalist and extremist groups. Therefore, no other domestic or personal laws have been reviewed for bringing in conformity with CEDAW provisions.
- The formulation of a Uniform Family Code (UFC) with equal rights on marriage, divorce, maintenance and guardianship, adoption, inheritance has not been taken any far. The report does not give any time frame or intention of the Government to approve the UFC or review and modification of the discriminatory personal laws. The position of the Government in modifying the discriminatory laws is not clear and the Government considers that agreement from religious leaders is essential. CIC-BD observed that change of any discriminatory laws never took place in agreement with religious leaders rather many laws have been reformed with the support from women and human rights movements. CIC-BD is concerned whether the Government wants to keep the religious groups in confidence for promoting equality of women, which is realistically impossible.

#### **Recommendations**

- ✘ The withdrawal of reservation from Article 2 & 16.1(c) of the CEDAW is of fundamental importance. Compliance with article 2 would strengthen the state obligation for further conformity with CEDAW.

- ✘ Amending Article 28(2) of the Constitution to expand equal rights of men and women in the private sphere is also recommended.
- ✘ The government should enact an anti- discrimination act which will enable the government to modify all the discriminatory laws and uphold the principles of CEDAW.
- ✘ Ensure incorporation of the principles of CEDAW into all domestic legislations.
- ✘ The Government and the civil society organizations need to work together on the draft Uniform Family Code (UFC) earlier prepared by the civil society to replace discriminatory religious laws taking care of personal/family issues (e.g., marriage, divorce, custody etc) and to ensure equal rights for all women. This has been a long standing demand of the women's movement in this country. The Government should take immediate steps for finalization/formulation and approval of the UFC in addressing the Concluding Observations of the CEDAW Committee.
- ✘ Ensure enforcement of the Hindu Marriage Registration Act 2012 for all.
- ✘ The Child Marriage Resistant Act 2014, should be passed by the parliament immediately keeping the age of marriage of girl child at 18 and above and should be enforced.
- ✘ CIC-BD recommends that the Government should proceed to uphold women's rights irrespective of race, religion, cast etc. by reviewing and modifying discriminatory personal laws.

### **3. Stereotypes and harmful practices**

#### **Summary of the observations**

- *Continue to accelerate efforts to eliminate discriminatory and stereotypical attitudes; intensify cooperation in this regard with civil society organizations and media; increase efforts to design and implement strategies for the elimination of stereotypes and all practices discriminatory to women; and monitor and periodically review the measures taken.*

#### **Compliance**

- Publishing of pictures of victims of rape and the perpetrators have been restricted. A Pornography Control Act, 2012 has been enacted to prevent deterioration of moral and ethical values of the society and to prevent the use of information with criminal intention.
- A National Broadcasting Policy was drafted with the objectives of strengthening broadcasting for development and portrayal of women's productive roles.
- In view of a high rate of child marriage, the Cabinet has approved the Child Marriage Restraint Act 2014 modifying the earlier one of 1929.
- The Domestic Violence Rules, 2013 were framed and approved as complementary to the Domestic Violence (Prevention and Protection) Act, 2010. This would help better implementation of the Act. Previously, the domestic violence related incidences were filed under the Women and Children Repression Act.
- Under the National Action Plan 2013-2025 to Prevent Violence Against Women and Children, the government has long term plans to update a few laws, ensure implementation of those laws and create awareness on these among different groups and communities.

- In 2011, the Appellate Division of the Supreme Court of Bangladesh declared that *fatwa* or Islamic religious edicts could be issued on “religious matters”, but not to impose punishment.

### **Explanation/Challenges/Gaps**

- The rural community in the country relies more on alternative dispute resolution (ADR) system for settling issues of private sphere. The Fatwas that are issued by local religious leaders often discriminate against women. Although proclamation of Fatwas is illegal and nobody is compelled to obey the Fatwa<sup>1</sup>, there has not been any law to prevent them. Law enforcement on the perpetrators of Fatwa and conviction for Fatwa instigated violence has been ineffective.
- Legal and other initiatives adopted by GOB and implementation by women's rights and human rights organizations have had limited success in combating gender based violence, because the approach is not as comprehensive as outlined in General Recommendation 19.
- Sexual Harassment Prevention Act (Draft), 2010 to be enacted in the light of the Honorable High Court Division's directives regarding sexual harassment in public places.
- Despite the laws, harmful practice of child marriage and dowry still continue reinforcing the traditional norms and making women vulnerable to ill health, exploitation, discrimination and violence.
- The report mentions of systems that reinforces the traditional norms and some steps taken, which in no way is enough to address the stereotype and harmful practices. At times rather the law enforcers also help perpetuate stereotypes. The report mentions that the society is not ready for changes but the reality is different. Women are the main contributor in all spheres of national development which is evident from their increased mobility and visibility.

### **Recommendation and Justification**

- ✘ The National Broadcasting Policy should be widely consulted and approved. Guidelines from the government (Ministry of Information) are needed for all print and electronic media and for advertisements in consultation with women's organizations. Mass awareness among the media personnel at all levels, including for the media owners should be ensured with clear instructions on do's and don'ts in order to promote positive portrayal of women's roles and images.
- ✘ Community awareness programs and actions involving civil society, men and youth against the existing harmful practices, such as dowry, VAW, girl child, child marriage, illegal Fatwa, sexual harassment should be strengthened in media.
- ✘ The Government should enact an anti- discrimination act incorporating topics on positive roles of women and against harmful practices.
- ✘ Gender equality and women's human right perspectives should be incorporated in all educational curriculum and education management at all levels.

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<sup>1</sup> High Court Writ Petition No 4275/2010

- ❌ Provide guidelines from the Government in consultation with women rights organizations to use gender sensitive language, words, sentences and examples and ensuring gender sensitivity in all public media and vocabulary.
- ❌ The Government should recognize the contribution of women and take necessary measures to eliminate the harmful practices in the society, institutions and the family.
- ❌ Develop effective and contextual communication strategy for awareness building and sensitizing community people on the harmful effects of traditional attitudes by which women are regarded as subordinate to men perpetuating widespread practice involving violence and coercion.
- ❌ The CIC-BD considers that the report should have more clear indication on the Government's actions related to elimination of stereotypes and harmful practices.

#### **4. Violence Against Women**

##### **Summary of observations**

- *Adopt a National Action Plan in accordance with general recommendation 19;*
- *Criminalize domestic violence and all forms of sexual abuse, prosecute perpetrators and provide redress, rehabilitation and protection to victims of violence;*
- *Prevent shalish decisions that lead to extra-judicial penalties;*
- *Enforce existing laws, legislate on sexual harassment and organize sensitization programs for the judiciary, law enforcement and health service personnel, so as to provide adequate gender-sensitive support to victims:*
  - a. *Establish counseling services and sufficient number of shelters including in rural areas;*
  - b. *Establish a database on implementation of laws and policies on all forms of violence against women and girls and on the impact of such measures; and*
  - c. *Undertake studies and/or surveys on the extent of such violence and its root causes.*

##### **Compliance**

- The Parliament enacted the Domestic Violence (Prevention and Protection) Act in 2010, which addresses some of the forms of violence that could not be addressed by the other laws and brought in a range of types of violence that would be committed by family members. The Rules of Procedure to implement the Act were approved in 2013.
- National Action Plan to Prevent Violence Against Women and Children (2013-2025) has been approved.
- The High Court has directed to resolve the issues of dower, maintenance, guardianship of children before a divorce is made effective to prevent violence.
- In October 2013 the High Court has ordered the Ministry of Health and Family Welfare to develop comprehensive guidelines for the collection of medico legal evidence and prohibition of the 'two finger test' as a method of medico legal evidence collection in rape cases.
- The High Court issued directives to educational institutions and workplaces in 2010 to form sexual harassment prevention committee in each educational institution and workplace and to set up complaint boxes for sexual harassment. It also asked the Government to enact laws against sexual harassment in public places.

- Extra judicial punishment in the name of Fatwa has been declared illegal<sup>2</sup> by the Appellate Division. Government agencies (Ministry of Local Government, Ministry of Home Affairs, Police) were asked to disseminate this judgment and to enforce it. Dissemination of information on the Appellate Division's verdict has not taken place widely.
- The Multi-Sectoral Program on Violence Against Women (MSP-VAW) under the Ministry of Women and Children's Affairs (MOWCA) runs eight One-stop Crisis Centers (OCCs) at the division levels and sixty One-stop Crisis Cells (OCCs) to provide information and referral services to the victims of VAW.
- Community Policing Forum (CPF) has been established with 33% women in its membership. In 64 districts 3,332 CPFs supported by the Police Reform Program are to cooperate with the community in dealing with sexual harassment and domestic violence cases. A Women's Investigation Division under Dhaka Metropolitan Police established in 2011 is a specialized unit to investigate cases under Women and Children Repression Act 2000 (Amendment 2003).
- The Victim Support Centre (VSC) in Dhaka city provides assistance (legal support, medication, counseling, and emergency shelter) to women and children in cooperation with ten NGOs. Another VSC started functioning in 2011 in Rangamati district in cooperation with five NGOs.
- The Government carried out a national survey on VAW 2011 and published a report in 2013 compiling the data on the nine indicators on VAW, as agreed by the UN Statistical Commission in 2013 and another survey has been done in 2014.
- The Labour Code, 2006 and its revision in 2013 recognized the issue of sexual harassment in the work place.
- A new project for online reporting of VAW cases has been initiated in 7 districts.
- All the above laws, policies and plans have been developed as a result of advocacy of and active collaboration with civil society organizations and women's groups.
- "Cyber Nirapotta (Security) Program" has built awareness among 2,839 female college students about cyber security by arranging seminars from May 2014 to August 2014. Bangladesh Telecommunication Regulatory Commission (BTRC) formed a committee with 11 members to prevent cyber crimes.

#### **Explanation/Challenges/Gaps**

- ✓ Growing violence against women is a concern. The survey on VAW by the BBS in 2011 found high level of prevalence of VAW. As many as 87% of currently married women reported having experienced any type of violence in the last 12 months.

Despite enactment of new laws, the events and types of violence are increasing while both formulation and enforcement of laws remain perennially a concern for actual change in the situation. Currently rape and gang rape in public places have become a concern where the perpetrators often go unpunished. On the other hand, important policy documents like the WDP 2011 did not incorporate issues of communal violence perpetrated against indigenous women and the legal protection measures against this. The indigenous women were not consulted during the policy amendment<sup>3</sup>.

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<sup>2</sup> High Court Writ Petition No 754/2010 and 4275/2010

<sup>3</sup> *State of progression 2014 : Bangladesh's Indigenous People's Perspective*

- ✓ Social norms are still tolerant of VAW. The traditional beliefs are ingrained within the community, law enforcement authorities and the judiciary, making law enforcement difficult.
- ✓ The process of accessing justice is complicated, costly and lengthy and women continue to face barriers in gaining access to justice. The lengthy and complicated process makes enforcement of laws difficult.
- ✓ Formulation of a law on sexual harassment in public places based on the High Court Directives of 2010 is still waiting. Most of the educational institutions have not yet followed the directives/guidelines of the High Court on sexual harassment. The non-compliance of the directives/guidelines is setting a trend of abuse of female students in the institutions without any remedy.
- ✓ A new dimension of VAW is emerging with the expansion of use of ICT and social media and the Government has not yet been very active in addressing such VAW. The monitoring cell of BTRC is not effective on cybercrime.
- ✓ A commonly accepted definition of VAW is absent. Marital rape is not included in the definition of domestic violence.
- ✓ Data related to VAW is inadequate, the collection methodology is weak and there is no comprehensive data base. Only cases launched with police are recorded and maintained.
- ✓ The laws have been incorporated in the training courses of judiciary and police but the coverage is very small and therefore, majority of the law enforcers remain untrained.
- ✓ Procedures for accessing OCC services are complicated. OCC personnel lack understanding of the concept underlying OCC and are not trained to provide services to the victims. The OCCs lack trained counselors to support the victims.
- ✓ Incidents of *fatwa* instigated violence have not ceased, as law enforcement agencies do not take action when powerful local persons are involved.
- ✓ The number and capacity of the shelter homes and legal aid services are inadequate compared to the needs and services and are not sustainable. Since these shelter homes are often project-based they are dependent upon project funding.
- ✓ According to Human Rights Report 2013 on Indigenous Peoples in Bangladesh, in 2013, 96% of the perpetrators are found from settlers, land grabbers and security forces. Indigenous women whether living in the mainstreamed society in plain land or in the CHT areas often subject to sexual violence <sup>4</sup> without any rightful justice. Besides the land grabbing issues, indigenous women are also subjected to electoral violence in the local unions in the plain lands.
- ✓ Violence against women and children, often co-exist alongside keeping the military camp in the Chittagong Hill Tracts (CHT). An estimate of AIPP (Asia Indigenous People's Pact) and Kapaeng Foundation reveals that there had been 26 incidents of violence against indigenous women between January and June, 2014.
- ✓ Besides, during election especially in the post election situation several fundamentalist attacks made against the minority groups targeted women as the worst victim of it. Fundamentalist attacks in recent time after election in CHT, where the inhabitants are mostly

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<sup>4</sup>The cases of Bichitra Tirki of Chapai Nawabgonj and other incidents in Rangamati, and Mirserai in 2014.

Buddhist, Hindu and indigenous Bangladeshi citizens like Chakma, Marma, Tripura are encouraging the settlers in CHT and imposing threats to other citizens who do not belong to the Muslim community.

- ✓ A new trend of 'Islamization' of national culture and politics is a visible threat for women's advancement in Bangladesh. It is also responsible for increasing socio-political violence against women especially for working, and religious and ethnic minority women. The new identity of Muslim women also becoming a direct threat for other Muslim women who are not wearing 'hijab' often identifying them as 'non-Muslim' or Atheist (Nastik) and to other religious minority and indigenous women in Bangladesh. Furthermore, the recent rise of fundamentalist groups like "*Hifajot-e-Islam*" directly threatens women's participation in educational institutions, employment and economic process. At the same time it directly opposes and poses threat against women's presence and mobility in public spheres.
- ✓ At times the Government remains inactive and silent in addressing attacks keeping various state politics in mind but putting women in the most vulnerable position. The recent incident of sexual harassment on women during the celebration of Bengali New Year, 2015 is a real life example of it.
- ✓ There is a growing tendency of killing women and girls after sexual violence and rape, which clearly questions the execution of laws and state responses of power and authority to such brutal act on women's lives. A culture of impunity is visible. The shame and psycho-social stigma that survivors of rape suffer is another form of re-victimization. Due to social taboos and fear of reprisals, the victims or their families do not come forward to report these crimes. That reinforces less reporting of the cases as well.
- ✓ There is a growing legitimacy by the state in case of extra judicial human rights violence issues in the name of cross-fire.
- ✓ Moreover, several times women are being victimized by the border and security issues. *Felani*, a Bangladeshi girl killed by *Border Security Force (BSF)* of India got attention of all. The state party failed to press for justice from the neighboring country in time.
- ✓ Forceful displacement due to the misuses of political power over the floating people especially the urban migrants is another major concern. Women face major challenges during this kind of conflict situation in Bangladesh.

#### **Recommendation and Justification**

- ✘ Effective enforcement of the Appellate Division's judgment on *fatwa* should be ensured through exemplary punishment to those who issue illegal *fatwas*, and a sustained media and awareness campaign in collaboration with civil society should be undertaken.
- ✘ Formation of complaints committees and complaint boxes against sexual harassment at educational institutions and workplaces in compliance with High Court Division directives should be ensured and enforced immediately by 2015.
- ✘ A separate law on sexual harassment in public places in compliance with the High Court directives should be enacted by 2016 and the government should report on its status during consideration of the 8<sup>th</sup> Periodic report.
- ✘ Access to prosecution services at a low cost should be ensured by expanding the coverage to legal aid funds for poor women. Information and support services for women in accessing legal support, shelter, and counseling should be expanded and support for women's

economic self-reliance should continue. The Government, in cooperation with NGOs and CBOs, should launch stronger campaigns and awareness raising programs for improved access to and usage of Government resources e.g. legal aid fund, the OCCs, social safety nets, VSCs, and the National Helpline Centre for Violence Against Women and Children, etc.

- ✘ A professional social work mechanism should be developed and institutionalized for support to the victims.
- ✘ Training based on gender sensitive curriculum of judiciary and law enforcing officials should be expanded and refresher courses should be ensured to cover all staff working at the field level.
- ✘ A uniform, acceptable definition of VAW as per the UN's definition should be adopted as a standard, be disseminated and used for enforcement.
- ✘ A comprehensive and uniform data base on VAW from district level to national level should be developed and information collected from different sources should be compiled at the national level by MOWCA and BBS in collaboration with MOHA making it available to all. The format of data collection on VAW should be revisited, different forms of violence be classified and possibilities of all duplication be eliminated.
- ✘ MOHA and Ministry of Health and Family Welfare (MOHFW) should arrange training for qualified OCC personnel in partnership with the line ministries and NGOs, and number of counselors should be increased with proper training.
- ✘ Action against ICT related VAW should be addressed strongly through enactment and enforcement of laws.
- ✘ Uniform Family Code with equal rights on marriage, divorce, maintenance and guardianship, adoption, inheritance should be enacted and applied to all men and women of all religion.
- ✘ The Women and Children Repression Prevention Act 2000 and the relevant sections of Criminal Procedure Code, 1860 need some modification to address the needs of the day.
- ✘ Laws related to elimination of discrimination should be enacted according to the recommendations of the Law Commission as mentioned in the above sections.
- ✘ Protection of witnesses of cases related to VAW should be ensured through enactment of witness protection act.
- ✘ Increased research on causes, types and the extent of VAW needs to be conducted so as to find out preventive and remedial measures.
- ✘ Forensic DNA profiling laboratory and Victim Support Centers to be established at the district level. There is also a need to increase safe transportation system as a means to reduce VAW.
- ✘ Effective monitoring system of BTRC to prevent cyber crime against women is necessary. The Monitoring cell of BTRC should be activated. Legal provisions against such crime should be enforced.
- ✘ The core principle for peace building and conflict resolution should be proactive and resolute efforts to protect and promote human rights, and enhance rule of law and interactions between state and non-state agencies for good governance and accountability. State Party's initiative is required to ensure personal security and safety of women, particularly in areas affected by conflict, and development such as mega infrastructure and demographic changes.

- ✘ During rehabilitation and reconstruction men may benefit from land allocations, credit schemes etc. as part of resettlement and their reintegration in the society. Therefore, effective gender analysis can address the challenges that affect women in similar situations.
- ✘ CIC-BD observes that to prohibit extra judicial punishment in the name of fatwa, new laws should be enacted. Discriminatory provisions affecting access to justice e.g. character evidence, two finger test etc. must be repealed or ammended from the exixting laws.
- ✘ The National Action Plan to prevent violence against women and girls (2013-2025) was developed from the response perspective using welfare approaches with less attention to prevention. Therefore, the plan needs to put more emphasis on the prevention side of VAW and substantial resource allocation is crucial to implement the Plan.

## 5. Trafficking and sexual exploitation

### Summary of the observations

- *Incorporation of the SAARC Convention into the State Party's legislation;*
- *Intensification of international, regional and bilateral cooperation, including conclusion of bilateral agreements with neighboring countries, in order to prevent trafficking and to harmonize legal procedures aimed at the prosecution of traffickers;*
- *Adoption of a comprehensive action plan to address trafficking and sexual exploitation and ensure its effective implementation, as well as training of the judiciary, law-enforcement officials, border guards and social workers across the country; and*
- *Collection and analysis of disaggregated data on all aspects of trafficking in order to identify trends and priority areas for action.*

### Compliance

- Bangladesh has graduated from "Tier 2 Watch List" to "Tier 2" in the US State Department Report on Trafficking in Persons (TIP).
- Prevention and Suppression of Human Trafficking Act (PSHT), 2012 has been enacted to address all forms of trafficking (sexual exploitation, child labor, bonded labor, organ trade, etc). The content of the Act was finalized in collaboration with civil society.
- A new National Plan of Action 2012 -14 on combating Human Trafficking has been adopted.
- PSHT 2012 has been integrated as a subject in the regular training of the Judicial Administration Training Institute (JATI), the Special Branch Training Institute (SBTI) and the Forensic Training Institute (FTI).
- A policy on minimum standard of care for victims of trafficking and violence has been developed in collaboration with civil society and waiting for approval of Ministry of Social Welfare (MOSW).
- Trafficking in Human Beings Cell has been established in Criminal Investigation Department (CID) to monitor the trafficking cases. Web-based software Integrated Crime Data Management System has been installed at the Police Headquarters Monitoring Cell where all information of trafficking victims/survivors and other relevant statistics are preserved.
- An Inter-ministerial Committee functions under the Ministry of Home Affairs (MOHA) to coordinate the efforts in preventing human trafficking in collaboration with civil society organizations. Similar committees have been formed at district, upazila and union levels. The MOHA has set up a Taskforce for rescue, recovery, repatriation and reintegration of victims

of trafficking, especially women and children. MOHA has also set up a separate website for information on trafficking.

- MOHA has finalized a Standard Operating Procedure (SOP) for Rescue, Recovery, Repatriation and Integration (RRRI) to ensure support services for victims of trafficking.
- A series of sensitization and capacity building training have been organized by the Government in collaboration with development partners and civil society for law enforcement agencies (e.g. police, Border Guard of Bangladesh and coast guard). The Border Guard Bangladesh (BGB) conducted a good number of workshops and seminars with local chairman/member, police, magistracy, members of electronic and print media along with BGB personnel.
- The South Asian Association for Regional cooperation (SAARC) Convention has been reviewed and a proposal to expand the coverage of the SAARC Convention beyond prostitution has been initiated.

#### **Explanation/Challenges/Gaps**

- ✓ A separate tribunal has not yet been established or identified to deal with cases under PSHT Act 2012. The Tribunal under the Suppression of Violence Against Women and Children Act deals with cases filed under PSHT Act 2012. This Tribunal is already overburdened and disposal of cases under PSHT Act 2012 has been slow.
- ✓ Implementing and law enforcing agencies & public prosecutors are not well conversant with the PSHT Act 2012 yet.
- ✓ Rules of procedures for the implementation of the PSHT Act 2012 have not yet been approved.
- ✓ As of January 2014 only 4 cases were disposed off under the law. Unfortunately, all 11 accused were acquitted underscoring the need for more critically looking into the reasons of not being able to punish the criminals.
- ✓ Since agreements have not been finalized with all the destination countries of RRRI Taskforce, repatriation process has not taken place within the time frame. Absence of mutual legal assistance treaties between country of origin & country of destination makes RRRI difficult.
- ✓ The policy on minimum standard of care for victims of trafficking and violence has not yet been approved by MOSW.
- ✓ The number of safe homes for rescued and repatriated survivors of trafficking is insufficient and mostly project based. Services regarding economic empowerment of the survivors are inadequate, which makes them vulnerable to further trafficking or exploitation.
- ✓ Absence of technical system for using video conference for testimony of witnesses to resolve cases makes justice difficult.
- ✓ Staff of Bangladesh Consular offices in destination countries, including the labor attachés are not equipped to provide support services to victims of trafficking.

#### **Recommendation and Justification**

- ✘ It is necessary to immediately identify or establish a specific tribunal with human resources for quicker disposal of cases under the PSHT Act, 2012.

- ✘ The Government should take immediate action to incorporate the SAARC Convention into domestic legislation.
- ✘ The Government should immediately enact laws on victim and witness protection.
- ✘ Terms for mutual legal assistance treaties between country of origin and country of destination should be established.
- ✘ The Government should establish a comprehensive national data base on human trafficking incidents.
- ✘ National Plan of Action 2012-2014 should be updated and strengthened. Appropriate measures should be taken to orient and sensitize all implementing partners from union to national level for the implementation of the Plan Sensitization and training programs for relevant stakeholders especially for law enforcing agencies, judiciary and public prosecutors in collaboration with the civil society should be ensured.
- ✘ Ensure Government and-NGO coordination at all levels to avoid duplication of programs and data as well as take initiatives to adopt need- based programs.
- ✘ Strengthen coordination among national and international level networks.
- ✘ Sign and ratify the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
- ✘ Bilateral agreement within the SAARC region to expand the area of the SAARC Convention need to be reached soon.

## **6. Participation in political and public life**

### **Summary of the observations**

- *Adopt laws and policies to promote women's full and equal participation in decision-making in all areas of public, political and professional life.*
- *Ensure that elected women representatives are provided with institutional support and resources.*
- *Organize awareness-raising activities about the importance of women's participation in decision-making; and develop training and mentoring programs on leadership and negotiation skills for current and future women leaders.*

### **Compliance**

- The Women's Development Policy (WDP) 2011, advocates for ensuring 33% representation inside the political parties and recommends that political parties nominate women at increased rates as candidates in the election.
- The Representation of People's Ordinance' (RPO) 2013 (Third Amendment) must be followed, which specifies that a registered political party must incorporate internal democracy, non-discriminatory provisions and progressive reservation of positions for women in all committees including the central committee and reach 33% by the year 2020. The RPO also incorporates provisions to increase nomination of women by the political parties.
- Local Government Acts ensure 33% women's participation by reserving seats for women at union, upazila (sub-district), municipality and city corporation levels. Women can compete

for general seats as well. The Upazila Parishad Act 2009 reserved one position for women out of the 2 vice-chair positions.

- Bangladesh civil service has more than 1.1 million civil servants (BBS 2012). 10% of posts as officers are reserved for women. There is steady increase in the numbers of women officers in civil service at Class I from 18% in 2010 and 21% in 2013.
- There are 23% women in judiciary. Women in decision-making positions in the police, armed forces etc. are now being recruited and private sector has also started to increase women in such positions although data from private sector is limited.
- There are 50 Parliamentary Standing Committees with a total number of 509<sup>i</sup> members of whom 428 are male and 81 are female<sup>ii</sup>.
- The appointment of the first woman Speaker of the Parliament in 2013 is a significant step.
- Two women were appointed as the Vice Chancellors of public universities in 2014.
- Eight women are heading missions abroad out of 68 Missions and 2 of them are Ambassadors.

#### **Explanation/Challenges/Gaps**

- ✓ Despite provisions for reserved seats for several years women's participation in politics especially the number of women in regular seats has not increased because of the money, muscle and power required in politics. The violent conflicting political environment and the social norms and political practices do not encourage women to run for political positions.
- ✓ The provisions of the RPO on the participation of women have not been implemented by the political parties and the parties are also led by people with patriarchal mindset. Though the ruling party manifesto commits to ensure direct election of women to 1/3 reserved seats (100) in Parliament, it has not been implemented.
- ✓ The Fifteenth Amendment to the Constitution in 2011 provided for women's participation in 50 seats through selection and not by direct election by party leaders where women do not have to represent any constituency or be accountable to people.
- ✓ Unclear and overlapping responsibilities and distribution of powers and portfolios amongst the members of Parliament, local government institutions and administration have created conflicts amongst them making women's political participation more difficult.
- ✓ The responsibilities and duties of women representatives in the Parliament and local government institutions are not well defined, not disseminated to elected members and their constituency overlaps with that of male members. The authority of women elected to reserved seats and resources available to them are not equal to those who are in general seats. Their constituency is three times larger than that of their male counterparts. As a result, they cannot fully meet the expectations of their constituencies and therefore, are undermined in terms of capacity.
- ✓ The initiatives for developing capacity of the women representatives in local government is inadequate, project based and as a result, they are not aware of or capable of performing their duties and responsibilities.
- ✓ Women in public offices lack capability, institutional support and resources in order to function effectively.
- ✓ There is no woman member in the election commission.

### **Recommendation and Justification**

- ✘ The Parliament should enact legislation to increase the seats for women from 50 to 100 and introduce direct elections to the reserved seats in the National Parliament in the next election due in 2019.
- ✘ Incorporate at least one woman member in the Election Commission (EC) before the next election and legislate for one third women's representation in subsequent ECs.
- ✘ Programmes including mentoring for capacity building, leadership, and negotiation skills for women candidates, women elected to public offices as well as for current and future women leaders should be institutionalized.
- ✘ Community awareness-raising activities should continue to inform about the importance of gender equality and women's participation in political decision-making. Training, orientation and information should provide clear and explicit justification and message of the Constitution and legislation of the State on gender equality and non-discrimination against women.
- ✘ Initiatives should be taken to incorporate at least one third women as members of every policy making committees/bodies in local government and other public sectors.
- ✘ Ensure compliance of the political parties with Representation of People's (Amendment) Ordinance, 2013 to incorporate one third women into all party committees.
- ✘ Promote effective participation of women representative in local govt. ensuring enabling environment, adequate logistics and developing their skills through providing them with
- ✘ Direct private sector to enforce the quota for women and monitor progress.
- ✘ Develop indicators for measuring women's participation in decision making other than the quota provisions.
- ✘ Implement the National Action Plan in line with CEDAW ensuring women's equal participation in politics.
- ✘ Government's commitment necessary to make political system free from muscle power and money game.
- ✘ The Government taking measures to implement the RPO and the commitments by ensuring constitutional amendment for 100 reserved seats through direct election for women.
- ✘ Roles, responsibilities and authority of the elected women representatives' of the local government should be made more explicit and familiar to them.

## **7. Nationality**

### **Summary of observations**

- *Amend the law on citizenship in order to bring it into full compliance with Article 9 of the Convention.*

### **Compliance**

- The Citizenship Act of 1951 was amended in 2009 allowing a Bangladeshi woman married to a foreigner to pass on her citizenship to their child but a woman's right to pass on her citizenship to her foreign spouse is still subject to unequal conditions.

#### **Explanation/Challenges/Gaps**

This law makes no reference to a woman's right to transmit her citizenship to her spouse. Citizenship of a foreign spouse is governed by the Bangladesh Citizenship (Special Provisions) Rules 1978 (Section 4) under which a foreign woman, married to a Bangladeshi man, can apply for citizenship after a residence of no less than two years and by renouncing her domicile and citizenship of another country. The residential requirement for a foreign spouse of a Bangladeshi woman is five years. The law is silent on the right of a woman to pass on her citizenship to an adopted child. The provision of renouncing ones domicile also deserves reconsideration. The report mentions that the Government is considering this but the civil society is not clear about the position of the government.

#### **Recommendation and Justification**

- ✘ Amend the Citizenship Act of 1951 and the Bangladesh Citizenship (Special Provisions) Rules 1978 (Section 4) to allow Bangladeshi women to transmit their citizenship to their foreign spouse, without condition of residence or giving up their nationality. The Law should also allow citizenship to an adopted child.

## **8. Education**

### **Summary of the observations**

- *Ensure access of girls and women to all levels and fields of education and take steps to retain girls in schools and adopt re-entry policies to enable girls to return to school.*
- *Encourage women and take special measures to pursue tertiary education and choose non-traditional fields of study;*
- *Reinforce training and recruitment of qualified teachers, allocate sufficient resources and required educational materials and facilities especially in rural areas;*
- *Raise awareness and training amongst teachers, students and officials and enforce a zero tolerance policy with respect to sexual abuse and harassment in schools.*

### **Compliance**

- The National Education Policy 2010 recommends to address gender inequality and violence against women through curricula and textbook reform and includes the issues of indigenous population and those of physically challenged communities.
- Primary education is compulsory and free textbooks for all upto secondary level is ensured. Primary education for all and for girls up to grade XII is free in public institutions.
- An Educational Assistance Trust Fund has been established to give financial support to poor and meritorious students.
- Stipend programs for girls at the secondary level, conditional to maintaining grades and remaining unmarried until the completion of Secondary School Certificate (SSC), has helped in reducing early marriages. Girls constituted 53.22% of Secondary School and 47.6% of all college students in 2014 and adult literacy rate, as of 2011, reached to 58.81% (62.5% for male and

55.1% for female) at national level. Secondary cycle completion rate was 51.62% for girls compared to 65.98% for boys in 2014..

- Stipend and food-for-education programme in support of students from underprivileged families has been introduced.
- National Curriculum and Text Book Board (NCTB) has revised seven core textbooks for secondary students to make them gender sensitive. Work is in progress on some other text books.
- A quota provision of 60% women in primary schools has raised proportion of female teachers in Government schools to 64.9% and 57.8% in all schools by 2014 . For secondary schools also, quota has been introduced as 20% for rural and 40% for urban schools. However, the total of female teachers at secondary level stands at around 25.31% in 2014.
- Training of primary teachers has been ensured through the second and third Primary Education Development Programs. Teaching Quality Improvement for Secondary Education Project has increased teachers' training.
- Participation by and collaboration with civil society was an important driver of improved schooling and education of girls.
- Skills for Employment Program has been undertaken to ensure marketable skills for the young people with special emphasis on women's participation in non-traditional technical education.

#### **Explanation/Challenges/Gaps**

- ✓ Despite these initiatives, the dropout rate of girls from secondary education remains high. High repetition and dropout rates are the major barriers for achieving the targets of survival rate across different levels. Early marriage, sexual harassment and VAW are major causes for girls' drop out from secondary level education.
- ✓ Owing to the above factors, women's entry into tertiary level education and in vocational education is low. Women have less access to marketable skills. Insecurity and lack of employment opportunity also hinder higher education for girls.
- ✓ Cases of sexual harassment in educational institutions are increasing (up to 76% in tertiary level<sup>5</sup>). Most educational institutions have not yet complied with the High Court directives to establish complaints committees or maintain complaint boxes to prevent sexual harassment.
- ✓ Quality of education is a challenge and learning outcomes are not as per expectation. School system curriculum is not consistent with the existing demands of the market. Despite provision of training, in all types of in-service training female teachers lagged behind. Inadequate infrastructural facilities for women and household responsibilities hinder their participation in training programs.
- ✓ A new challenge is the reduction of students in the science stream and girls' access to science stream is much less than that of boys due to social norms.
- ✓ Increase in adult literacy rate has slowed down and the MDG target of adult literacy could not be achieved.

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<sup>5</sup>Study conducted by HDRC and UN Women Bangladesh in 2013

- ✓ A large number of children with special needs, children from vulnerable groups, indigenous children and children in remote locations are still out of the school system.
- ✓ Continuation of three separate streams of education (Bangla, English and Madrassa) is a problem of maintaining uniformity and standard of learning as well as they are orienting children differently on women's rights and equality.
- ✓ Bangladesh has lowest female-male ratio in higher education in South Asia. Lower female access to higher education and IT skill based trainings limits women taking roles in leadership. Women's quota for teachers and school management committees are yet to be fulfilled.
- ✓ The share for incorporating gender sensitivity in the budget of the Ministry of Education catering to secondary and tertiary level is below one third.

#### **Recommendation and Justification**

- ✘ Immediate enactment of Law as per High Court Directives for prevention and protection from sexual harassments in the educational institutions including setting up of complaint mechanisms and committees thereof. The Ministry of education should introduce regular monitoring and evaluation of the functioning of the sexual harassment prevention procedures in the education institutions.
- ✘ In order to secure quality education, there institutional arrangement regarding promotion of 10 rights in schools (right to free and compulsory education, right to non-discrimination, right to adequate infrastructure, right to quality trained teachers, right to relevant education, right to know rights, right to participate, right to transparent and accountable schools and right to quality learning) should be streamlined in order to address concerns of girl students.
- ✘ Expedite revision of curricula and all text books of primary and secondary level education to identify and eliminate stereotypes. Regular and thorough process of review and monitoring of curriculum and other services by gender experts should be instituted to ensure gender perspectives in the curriculum.
- ✘ In order to promote inclusive education, there should be modifications in the existing teacher education curriculum, teacher education institutions, teacher educators and practicum schools.
- ✘ To discourage early marriage, provide more incentives to parents and girls who want to continue education including the enactment of the Early Marriage Restraint Act 2014. The educational system and mechanism should address government's commitment on eliminating child marriage and sexual harassment.
- ✘ Special facilities including hostel, separate toilets should be increased in all higher education institutions and child care facilities in teacher training institutions and ensure conducive learning environment for teachers and students.
- ✘ Increase budget for technical and tertiary education addressing girls' needs and to promote inclusive educational curriculum.
- ✘ A special budgetary provision for Gender Responsive Public Service in girl's education should be in place.

- ✘ Girls' access to science, technology and vocational education in non-traditional subjects (Electronic, Computer Science, Mechanical) should be promoted through incentives to the institutions and ensuring social mobilization.
- ✘ The gap in trained women teacher should be reduced to ensure that they perform their roles effectively. Ensure teacher's capacity and classroom learning environment and include sexual and reproductive health rights.

## 9. Employment

### Summary of the observations

- *Continue to monitor measures in the formal labor market to eliminate occupational segregation, narrow and close the wage gap between women and men, and apply the principle of equal remuneration and equal opportunities at work in accordance with ILO Convention.*
- *Provide a regulatory framework for women in informal labor sector to ensure their access to social security and other benefits and monitor and take measures against the exploitation of girls involved in child labor.*

### Compliance

- After the tragic Rana Plaza building collapse, a National Tripartite Plan of Action on Fire Safety (NAP), drawn in November 2012 and was expanded to include structural building integrity.
- An agreed action plan developed in May 2013 supported by International Labour Organization (ILO) focuses on short and medium terms steps including a labour law reform package to improve protection rights to freedom of association, rights to collective bargaining, occupational safety and health. In this Action Plan 3 fundamental area have been identified:
  - Legislative and policy related issues;
  - Administrative issues; and
  - Issues relating to Practical activities implementation.
- A Cabinet Committee on Garments Sector' has been formed headed by the Honorable Minister, Ministry of Labor & Employment.
- A committee headed by a Director General of the Prime Minister's office is functioning to establish a 'Garments Industry Village.'
- Bangladesh Labor Act, 2006 has been amended in 2013 to consolidate and enhance the safety measures in work place. The amendments cover workers' right to trade unions, introduction of insurance scheme, setting up of a central fund to improve the workers' living standards, and requiring employers to deposit five percent of annual profit in employee welfare funds. It also includes provision of at least 10% participation of women in trade union.
- Unofficial band on formation of trade union has been withdrawn so the trade union activities have been made a bit easier.

- National Occupational Health and Safety Policy have been approved with provision of Formation of National Industrial Health and Safety Council.
- Minimum wage for the RMG Sector has been declared. The Government announced a new wage board in 11 May 2013 for fixing minimum pay for garment workers.
- The Ministry of Labor & Employment has taken the initiative of formulating rules to implement the Bangladesh Labor (Amendment) Act, 2013 where more women issues are incorporated. Strengthening of the capacity of Labor Inspection Department is also on the agenda.
- A National Wages and Productivity Commission were established in 2010 One Labor Appeal Tribunal and seven labor courts were established A National Social Security Strategy has been approved with a lifecycle based approach.
- Women Technical Training Centers have been established in six divisional headquarters.
- Technical Training Centre (TTCs) for women workers seeking employment overseas has been strengthened and new ones set up by Bureau of Manpower, Employment and Training (BMET).
- A program titled “Lactating mother support fund” for working women in urban areas has been initiated.
- Draft of the “Domestic Worker Protection and Welfare Policy 2016 has been approved.
- Maternity leave has been extended to six months from four months in the public sector.
- The EPZ Labour Welfare Association and Industrial Relations Act, 2010 ensures EPZ workers’ well-being.

#### **Explanation/Challenges/Gaps**

- ✓ Women are still majority as unpaid family labourers.
- ✓ Women’s participation is concentrated in the agriculture sector in rural areas and their participation in non-farm employment has not increased. Women’s limited access to information, time burden, low access to technology, traditional gender roles etc. constrain women from shifting towards non-farm activities.
- ✓ Low concentration of women staff in significant managerial positions. In the public sector institutions, women’s presence is low at lower levels even far below the 15% quota provisions though most of these positions do not require high technical education. This shows clear lack of monitoring of implementation of quota provisions.
- ✓ Women receive almost two thirds of men’s wages. Minimum wages have not been set for all sectors.
- ✓ Inadequate allocation for women’s self-employment opportunities.
- ✓ Weak monitoring and deterrence of administrative corruption affect women.
- ✓ Garment factories do not yet allow formation of trade unions/bargaining agents.
- ✓ Absence of women friendly working environment with compliance of women’s rights in labour laws is limited with regard to health, safety, security, maternity, child care, etc. by the private sector and enforcement mechanism is almost absent.

- ✓ Contradictory plans and strategies by different ministries, e.g. between agriculture and labor ministry on the issue of legal support to agricultural workers create problems.
- ✓ Women as majority of the workers in the informal sector have no-recognition of their work and they do not have legal protection against abuse, discrimination, irregular employment, low wages, and long work hours are normal.
- ✓ Women's skills and education level are not suitable to respond to the need of employment market both at home and abroad. Additionally, traditional segregation of work also discourages women from entering non-conventional job areas
- ✓ The provision of 6 months maternity leave is often not followed by the private sector and remains a compliance issue for effective implementation.
- ✓ The unemployment rate in the country is high.
- ✓ Enforcement of labour and other related laws is weak and the women's movement has limited voice on general issues. Weak monitoring and administrative corruption also affects women negatively.

#### **Recommendation and Justification**

- ✘ Minimum wage for all labor intensive sectors especially with women workers should be established and implemented. Labor courts should be increased in number. Labor courts/tribunals should meet regularly and deliver timely decisions in response to workers' demands.
- ✘ Develop women's technical capacity for higher level employment.
- ✘ Information on training facilities for women including those for migrant workers should be disseminated widely through print and electronic media. Regular skills development program for women should be undertaken based on assessment of job market through research.
- ✘ Trade unions in garment factories to be set up in compliance with Bangladesh Labor Law 2013.
- ✘ All work in the informal sector should be included in the labor law or separate laws should be enacted for informal sector workers. All informal labor should be classified to ensure better services/opportunities and protection.
- ✘ Create employment opportunities for rural women workers throughout the year.
- ✘ Women workers should be included in all social safety net programs based on appropriate targeting and in skill development trainings of all ministries.
- ✘ Steps should be taken to recognize women's contribution to the economy through unpaid family labor and the invisible status of women's labor both formal and informal sector.
- ✘ Establish and ensure national compliance mechanism to ensure safety, security and rights of all factory workers.
- ✘ Ensure monitoring of the compliance on maternity leave by the private sector.

- ✘ There should be specific periodic targets and concrete follow up mechanism on a long-term basis in relation to fire safety and structural building integrity. Government should strengthen existing coordination committee/tripartite initiative with particular focus on the role of CSOs. Gender policy and its effective implementation should be ensured in the private sector.

## 10. Health

### Summary of the observations

- *Take concrete measures to improve women's access to quality health care facilities and services including reproductive health care with special attention to poor and disadvantaged women.*
- *Take necessary measures to reduce maternal mortality rate through establishment of a comprehensive intervention plan.*
- *Strengthen and expand efforts to increase access to safe and affordable contraceptive services throughout the country.*

### Compliance

- The Health Policy 2011 approved which commits health for all. E-health services have been introduced as part of the digitization program of the Government. More than 13,000 community clinics have been activated in rural areas to expand healthcare services for all, introducing Citizens' charter in service centers. More nurses, paramedics and other pre-medical staff have been deployed.
- Registration of women of pregnant women and children under 5 are being conducted and monitored based on 11 internationally agreed indicators at the community clinic level. A Health Management and Information System (HMIS) have been introduced and an accountability framework has been developed.
- The Government has introduced Demand Side Financing (Voucher Scheme) for pregnant women in 56 upazilas and 25 women friendly hospitals established.
- Maternal mortality rate and malnourishment amongst children and women reduced. Vaccination coverage for women and children has also increased.
- 300 centers are providing services for screening of breast and cervical cancer for women. Fistula screening has been introduced in 10 medical colleges. A women cardiac center and a diabetic care center for women are in the process of establishment.
- About 96.7% households use tube-well or piped water for drinking purposes and about 76% Households have access to improved latrines which has reduced diahoerreal diseases.
- A gender assessment of HIV /AIDs situation and a legal assessment of HIV/AIDs prevention have been conducted.
- Urban primary healthcare facilities for the low income urban communities have been expanded in the city corporation areas.
- Maternal and tertiary health care service facilities have increased in collaboration with private sector.

### **Explanation/Challenges/Gaps**

- ✓ Bangladesh is lagging behind in MDG 4 and 5 with other 75 countries and is developing an accountability framework led by Ministry of Health and Family Welfare (MOHFW).
- ✓ Rates of use of maternal and antenatal care, skilled birth attendance, and facility-based deliveries are still low.
- ✓ Community clinics are run under project whose continuity depends on political commitment of the Government and development partners. These clinics lack equipment, specialist treatments and surgical support facility.
- ✓ Doctors deployed at Union Health and Family Welfare Center (UH&FWCs) often remain absent and return to UHCs (Upazila Health Complex) for better working and living facilities. Despite the Citizens' Charter, service centers cannot perform due to non-availability of budget allocation and absence of trained service providers. Lack of accountability and efficiency of health care service providers aggravates the situation.
- ✓ Despite improvement, nutritional deficiency among women is high. About 18% of women are severely and moderately underweight and nearly half of pregnant women are anemic. Obesity is emerging as new challenges.
- ✓ Affordable and accessible health care services for the poor is a concern. Inequalities remain in terms of access and utilization of tertiary level health services owing to high expense.
- ✓ According to a study conducted in 2014 by Action Aid Bangladesh, there is a lack of consolidated persons with disabilities (PWD)s due to coordination gap between MOSW and MoHFW.
- ✓ Lack of basic knowledge/skills and mandatory module on disability issue in healthcare worker pre-service training are still constraints to support Person with Disabilities (Action Aid Bangladesh, 2014).
- ✓ Health insurance covers only a few of those employed in the government and corporate houses. Climate change related tropical diseases and catastrophic health care expenditure increased.
- ✓ Demand for health care and family planning services in urban poor communities is increasing due to rural-urban migration but the coverage is limited compared to the needs. Overall, 12 percent of currently married women have an unmet need for family planning services.
- ✓ Lack of gender sensitivity among health care providers especially who deals with VAW issues.
- ✓ The lack of knowledge on reproductive health, and unprotected sex resulting in STDs and HIV/AIDS risks etc. is becoming a serious concern.
- ✓ Women's knowledge on HIV/AIDS is low and they mainly acquire HIV/AIDS from their spouse. Women suffering from HIV/AIDS face social stigma,
- ✓ Resource constraint is severe for ensuring quality of healthcare services for all.
- ✓ Geriatric care is very limited despite increase of life expectancy.
- ✓ Teen age pregnancy is still a concern.
- ✓ VAW related healthcare needs are increasing.
- ✓ Access to health care services by vulnerable women especially physically challenged women, sex workers, dalits etc. is still limited and under stigma and discriminatory.

## Recommendation and Justification

- ❖ Affordable lifecycle based healthcare system including tertiary care should be accessible to women especially the poor with proper registration system for quality services. Remote and vulnerable areas should be covered by low cost health care and immunization services. Ensure presence and services of medical doctors and clinical staff at community clinic, union and upazila level healthcare facilities.
- ❖ Undertake intensive information and motivational campaigns for universal knowledge about immunization, nutrition, reproductive health, communicable diseases like HIV/AIDS and available health screening and care services and ensure the services.
- ❖ Promote maternal health voucher scheme for poor pregnant mothers countrywide.
- ❖ Women friendly hospitals should be expanded in all districts with reproductive health care services including counseling. Develop more new skilled birth attendants for safe motherhood. Develop and deploy new Family Welfare Visitors (FWVs)/ Paramedics.
- ❖ Establish special department for emergency and high risk common diseases for women i.e. cervical cancer, breast cancer, SRHR issues and counseling for female patients.
- ❖ Geriatric care should be available at the community level at a low cost.
- ❖ HIV testing and counseling should be scaled up among key populations and high risk groups free of cost.
- ❖ There is a need to facilitate collaboration between MoHFW and MoSW to address the issue of financing for rehabilitation services for PWDs. For this purpose, functional coordination committees at national, district, upazila levels should be formed and activated.
- ❖ It is recommended to establish and/or slowly increase numbers of rehabilitation (health and allied) health professionals for under-served areas, such as speech therapists. Increasing provision of in-service training of health care workers on basic disability identification and support through experienced NGOs can be a short term option. In the longer-term, options to establish pre-service training modules on disability for medical graduates should be explored.
- ❖ There is a need to assess whether a disability module could be included in the next Demographic Health Survey and also explore with MoHFW to determine whether and how the ICF could be used as the framework for disability classification and integrate disability-disaggregated data into Health MIS for mainstream health services.
- ❖ In the longer-term, options to establish pre-service training modules on disability for medical graduates should be explored.
- ❖ The services, regardless of whether they are provided by the government health sector, health-related NGOs or disability-focused NGOs, need to be integrated as part of an overall strategic plan.
- ❖ Monitor committees at different tiers (e.g. health advisory committee at sub-district level; union health, family planning and epidemic control committee) regularly and involve Local Government representatives in monitoring process.
- ❖ Establish well developed referral and linkages with tertiary care givers for healthcare services.

- ✘ Access to safe water and sanitation should be promoted through awareness, support to the poor and establishing required infrastructures in offices, public places and educational institutions.
- ✘ Coordinate implementation of policies and programs between the ministries of Finance, Women and Children Affairs, Health and Family Welfare to avoid wastage of funds. Strengthening of coordination between Health and Family Planning Directorates especially on MCH is also needed.

## 11. Economic empowerment of women

### Summary of the observations

- *Intensify the implementation of gender-sensitive poverty reduction and development to ensure the participation of women in the development of such programs;*
- *Amend discriminatory laws limiting women's ownership, control and usage of land and identify and address obstacles to the development of women's entrepreneurship; and*
- *Strengthen initiatives aimed at encouraging women's economic empowerment and to establish mechanisms to monitor regularly the impact of social and economic policies on women.*

### Compliance

- Industrial policy, 2010 supports entrepreneurial capacity development and access to finance for women.
- Quota provision for women has been introduced in allotment of plots in Bangladesh Small and Cottage Industries Corporation (BSCIC) industrial estates.
- Bangladesh Bank (BB) established refinancing schemes and encouraged all banks and financial institutions to provide loans to women entrepreneurs at 10 percent interest rate. Commercial Banks can give collateral free loans to women entrepreneurs for up to Tk. 2.5 million. BB has instructed banks to reserve 15% of total Small and medium Enterprises (SME) funds for women. Every bank and non-bank financial institution has introduced "Women Entrepreneur Desk" as it has been made mandatory by Bangladesh Bank. Additionally, according to the budget (2014-2015) the minimum income for tax ability for women has been set at a higher amount than men.
- Vocational skills training are being provided to women by about 10 ministries and the NGOs for scaling up women's income. The Government has provided training to women on ICT through several projects to become entrepreneurs and freelance outsourced ICT workers.
- Access to micro-credit and SME finance for self-employment and entrepreneurship continued through banks and Palli Karma Shahayak Foundation (PKSF) in collaboration with NGOs.
- The Government has set up a maternal allowance for poor working mothers. Monthly allocation per beneficiary has been raised from Tk.350 to Tk. 500 during the current budget.
- The Government has adopted gender responsive budget initiative and made it mandatory for all the ministries for the economic and social development of women. In the Gender Budget (2014-2015) the Government committed to provide financial assistance to women entrepreneurs.

- The SME Foundation has launched a separate wing to provide assistance to the women including a loan at 9% interest.
- The Government's social protection programs including Vulnerable Group Development Program (VGD) support women living below poverty line for their protection from poverty and malnutrition and also for the economic empowerment of women.
- The Government has introduced several Food and Livelihood Security (FLS) projects for women with extreme poverty.
- Under the Joyeeta Foundation initiative of MOWCA, the women entrepreneurs at the grass root level are organized to improve their products and develop their marketing capacity.
- The Ministry of Environment and Forest (MOEF) in Bangladesh has enacted Climate Change and Gender Action Plan 2013 which recognizes women's contribution in GDP from agricultural sector. It also envisages women's access to land tenure / leasing for cultivation, enhanced knowledge of women and access to financial instruments.

### **Explanation/Challenges/Gaps**

- ✓ The expectations, attributes and behaviors appropriate to women or men are shaped by culture, tradition and history. Women are still challenged especially in the rural areas while pursuing non-traditional livelihood options. Women's lower access to resources and the lack of attention to gender in macro-economic policy add inequity and also perpetuate gender gaps.
- ✓ Economic policies have always denied and overlooked the informal labor market where the majority is women. They face challenge in absence of legal frameworks and hostile working environment. Domestic workers in Bangladesh are mostly women and belong to informal labor force. A Draft Domestic Worker Protection law 2013 is still waiting to be finalized at the ministry level.
- ✓ Lack of education and training for women is a main reason of women's economic subordination.
- ✓ Right to information is not effective for women who have little access to information regarding the Government's provisions taken for them.
- ✓ Two major engines of national economic growth: export and remittances are both hugely served by women. However, major limitations are seen in women's poor working environment, exposure to violence in the workplace, and poor investment in appropriate skills enhancement.
- ✓ Having less control over women's own income and earnings is another dimension of women's economic disempowerment. Even women have no or less control over own income or profit gained from both their own income as well as the micro-finance investments. Absence of women-friendly laws for women's ownership, control and usage of land is a concern.
- ✓ Lack of enforcement of rules and regulations that protect women's economic rights.
- ✓ Provision for health, life and disability insurance for workers, especially in informal sector is missing.

### **Recommendation and Justification**

- ❌ Regulatory and incentive based measures are needed to ensure that both public and private sector follow the regulatory provisions.
- ❌ Increase and utilize budget allocation for women's livelihoods.
- ❌ Strengthen monitoring of enforcement of the mechanisms for promoting employment and entrepreneurship opportunities for women.
- ❌ The Draft Domestic Worker Protection law 2013 should be enacted and enforced.
- ❌ Review and amend discriminatory laws limiting women's ownership, control and usage of land especially those on inheritance.
- ❌ Formulate policies for development of women's entrepreneurship and regularly monitor the impact of social and economic policies on women.
- ❌ Time use surveys and household labor force surveys should be conducted by the Government for collecting/compiling accurate data and information on women's share of growth. It is imperative to build leadership of women even in the economic sector as well as recognize the Contribution of women to the formal and informal economies, including the care and unpaid services.
- ❌ Creation of workplace security, and a healthy culture of socio-economic practices is required to enable women in poorest and marginalised communities to realise their rights and claim an equitable.
- ❌ Gender friendly marketing channels should be ensured for women entrepreneurs providing equal access to market. Increased women's access to finance by developing women friendly policy/procedures is also a need of the hour.
- ❌ Government should take measure to bring change to the existing laws to eliminate discriminations regarding inheritance and property rights.

## **12. Rural women**

### **Summary of the observations**

- *Take necessary measures to increase and strengthen the participation of rural women in the designing and implementing of local development plans, and to pay special attention to the needs of rural women, in particular women head of household.*
- *Establish a clear legislative framework to protect women's rights to inheritance and ownership of land; and*
- *Introduce a comprehensive strategy to modify or eliminate negative customs and traditional practices which affect the full enjoyment of the right to property by women, in rural areas.*

### **Compliance**

- Most of the projects in rural areas are implemented in partnership with NGOs. The budget of 2015-16 included an amount of Taka 1000 million for micro-credit through PKSF for disbursement by NGOs for social empowerment of the poor.

- Social protection programs of the Government include specific programs for rural women. VGD program for poor village women includes awareness, self-employment, income generating trainings and food assistance for 750,000 women for two years per cycle.
- Rural Employment and Road Maintenance Programme-2, Integrated Rural Employment Support Project for the Poor Women, Rural Livelihood program and many such other projects have ensured employment for rural women. Rural infrastructure projects have ensured open space and shops in rural markets for women. Post Literacy and Continuing Education Project has served 552,828 women in gaining literacy and vocational skills. Union Information and Service Centers serve community where women constitute 50% of e- service providers. Both the Department of Livestock Services and Department of Agriculture Extension engage rural women in livestock rearing, crop diversification and agribusiness development programs.
- Use of improved cooking stove (ICS) in rural areas reached to 750,836 in 2013 from 45,667 in 2009 only by Grameen Shakti (GS), and there are other organizations working in rural areas and women were trained to make, sell and repair ICSs. For rural households, solar power system has been introduced in collaboration with NGOs, which implies productivity, income, connectivity and education for women. Women are also involved in assembling and repair of solar home systems.

#### **Explanation/Challenges/Gaps**

- ✓ The WDP 2011 does not specifically mention anything about rural women.
- ✓ Despite their significant role in agriculture, women still are not recognized as farmers' in the national budget or in agriculture extension program. Around 65 percent of rural women directly or indirectly are involved in agricultural works, but are not recognized as 'farmers'. As a consequence, they are not able to benefit from public services for agricultural development, subsidy and other facilities.
- ✓ Due to male out-migration, women are taking responsibility of agriculture. As a result, women's participation in non-farm areas have not increased as expected. Therefore, women's participation as unpaid family labor is high and they continue to face the double burden.
- ✓ The Government has taken a challenge to ensure food security by 2013 that cannot be met without ensuring more effective role of rural women in agriculture sector. Budget allocations for farmers often do not specify specific targets for women in programs (e.g. farmers' club, farmers' assemble centers, farmers' card, etc.)
- ✓ Women's lack of ownership of land often excludes women as being considered as farmers and limits their access to extension services.
- ✓ The initiative of disbursing agricultural credit though is a very good initiative, but women receive very little. Some proportion must be allocated to women farmers. It should be ensured that ownership of land is not a barrier for agricultural credit for women.
- ✓ The Government provides traditional and stereotyped training which enforces women's stereotyped livelihoods.
- ✓ The Government declares that spending on Social Protection as a share of GDP will be increased to 2.2%. An assessment of the existing budget shows that 30% of the total social

protection fund is allocated for the pension of Government servants, who actually form a very small proportion of the total population.

#### **Recommendation and Justification**

- ✘ The WDP 2011 should include specific attention by adding a separate section on rural women.
- ✘ The Government must introduce policy to recognize women as farmers and provide support.
- ✘ Ministry of Agriculture and Ministry of Livestock and Fisheries must restructure its extension services to meet the needs of women farmers/agricultural workers and prioritize recruitment of women as agriculture extension workers.
- ✘ The Government should create employment opportunities and provide comprehensive package of social protection services to face development challenges and combat poverty at the rural level.
- ✘ Tertiary level health care should be made accessible for rural women.
- ✘ Secondary education services should be made accessible for all girls living in remote rural areas.
- ✘ Encourage and promote training on non-traditional livelihood measures for rural women.

### **13. Disadvantaged groups of women**

#### **Summary of the observations**

- *Collect disaggregated data on the situation of disadvantaged groups of women facing multiple forms of discrimination and adopt pro-active measures to eliminate such discrimination and protect them from violence and abuse; and*
- *Consider ratifying the UNHCR Refugee Conventions 1951 and 1967.*

#### **Compliance**

##### **a) Elderly women:**

- The Government has decided to increase the monthly allowance of Tk.300 for elderly women to Tk. 500 in the national budget under the social safety net program and allocated Taka 1440.00 crore in the 2015016 budget.
- The National Social Security Strategy 2015 was approved with a lifecycle based protection system.

#### **Explanation/Challenges/Gaps**

- ✓ Existing human rights movement in the country does not focus on older people. There are seven million people over the age of 60 years in Bangladesh, half of whom are women. Transport and other services do not consider elderly people as a special group. Besides, there is variation of negligible services available for the elderly people between rural and urban areas. Most of the hospitals do not have geriatric departments. Besides, there are inadequate home/shelter facilities for the elderly. Only one old home is run by the Government in Gazipur district. There are only a few run by private initiatives.

- ✓ No age desegregated data on care services is available even in national statistics and elderly women are not included in vulnerability mapping. Violence against elderly has been noticed despite having a law for caring the parents.
- ✓ The present rate of old age allowance is too meager to cover any basic need like food or treatment.
- ✓ Older people's issues and their participation is not considered in development planning and programs other than the limited allowance under social protection.

### **Recommendation and Justification**

- ✘ Allowance for elderly should be increased to cover basic livelihood needs and the coverage should be expanded.
- ✘ Low cost and subsidized health care system for the senior citizens should be arranged in all public hospitals and clinics throughout the country.
- ✘ All policies should consider the needs of the elderly people as appropriate.
- ✘ Declaration of the elderly or senior citizens as social capital and issuance of special ID cards can raise their self-esteem.
- ✘ Elderly people should be given subsidized transportation facility.
- ✘ Promote public-private partnership for establishing inexpensive Senior Citizens Home in all the divisions with healthcare and entertainment facilities for both women and men.
- ✘ Disseminate information on available services for the elderly.

### **b) Women with disability**

#### **Compliance**

- The National Women's Development Policy (NWDP) 2011 and the subsequent action plan envisaged developing and implementing 'special activity for women with disability' but these are yet to take shape.
- "One Stop Physiotherapy Unit" established in different parts of the country.
- The GoB enacted Persons with Disabilities Rights and Protection Act 2013. Another act named Neuro Development & Disabled Protection Trust Act, 2013 has been enacted for ensuring guardianship and rehabilitation of people with Neuro-developmental challenges. Currently, rules for this act are being formulated.
- The Government runs several projects for the disabled persons under the social safety net programs, which include allowances for disabled persons with financial insolvency, stipends for disable students, grants for schools for disabled persons, establishment of an Autistic Academy.
- The Government has established 103 "Disabled Service and Assistance Center" in 64 districts
- 1% quota is reserved in the Public Service Commission (PSC) for persons with disabilities
- A few number of women with disabilities (WWD) s got job in the GOs, NGOs corporate, banking s and garments sector.

- The WDP, 2011 incorporated a specific clause for the rights of women with disabilities in the light of UN Convention on the Rights of Persons with Disabilities (UNCRPD)
- The Government has undertaken a survey for accurate data on persons with disabilities.
- Ministry of Social Welfare (MSW) established a National Disability Complex and a women's hostel for new women employees with disabilities.

### **Explanation/Challenges/Gaps**

- ✓ The coverage of human development and economic empowerment services and safety net programs for the physically challenged people are limited and more so for women. In Bangladesh, about 10% populations are physically challenged and the rate is 8.77% for women.
- ✓ Although the SME fund for women highlights promotion of women's entrepreneurship, no standalone provisions are made in the relevant policies for women with disability and/or marginalized groups of women.
- ✓ The survey on VAW by Manusher Jonno Foundation (MJF) found 47% WWDs reported having experienced any type of violence in the previous 12 months.
- ✓ Women with disabilities face a complex discriminatory situation, where their access to education and productive employment become more limited as women and also they are subjected to social stigma. WWDs are more vulnerable to gender-based violence. Economic opportunities are also very limited for them.
- ✓ No integrated educational programs exist for girls with visual and hearing impairment.
- ✓ Mainstreaming women development program did not address the special needs for WWDs such as in employment, vocational training, sports and culture, Reproductive health and housing.
- ✓ Though the rights of WWDs have been mentioned in the policy of MOWCA, WWDs are not getting access in their programs and activities.
- ✓ Women and Children Repression Suppression Act 2003 and existing legal aid framework did not address the special need of WWDs' issues for ensuring justice.
- ✓ Challenges still remain to integrate WWDs from remote locations and socio-economic background in mainstream development. The budget allocation for welfare and assistance for women with disabilities is very low. Victim Support Centers for example do not have the resources or financial means to better support such survivors of violence. Therefore, support such as sign language interpreters at Thanas or even in Courts cannot be provided.
- ✓ The budget allocation for welfare, assistance and development for women with disabilities is very limited
- ✓ The inaccessible transportation restricts WWDs' mobility for integration in the mainstream of development and their political participation.
- ✓ Health service centers and educational institutions are inaccessible (environmental, informational and attitudinal) for receiving education and health service by WWDs. Even most of the 103 "Disabled Service and Assistance Centers" in 64 districts are inaccessible and do not provide appropriate support to WWDs.

- ✓ No initiative has been taken to produce and provide different types of assistive devices to WWDDs.
- ✓ Persons with Disabilities Rights and Protection Act 2013 did not separately address issues faced by women with disabilities. There is no disaggregated data on the number and the condition of women with disabilities or on violence against them. Government should take steps regarding these.

### **(c) Indigenous Women**

#### **Compliance**

- In the FY 2015, 13,000 families are covered under CHT Food Assistance Programme under the Social Safety Net Programme.
- Chittagong Hill Tracts (CHT) Development Facility has supported communities across CHT to be empowered through formation of 3,257 Para (local communities) Development Committees and 1,686 Para Nari Development Groups (Women's Groups), and provision of micro-grants for community projects.
- Tribal women are involved in social forestry, have been trained on modern vegetable cultivation techniques. Women of CHT have been introduced to microfinance for self-employment and bank financing for SME enterprises.
- A model for community-based health services in remote areas developed through a network of 1,000 Community Health Service Workers, backed by 16 Mobile Health Teams with 80 Satellite Clinics across 15 Upazilas (lowest tier of the government) for CHT.
- CHT women's organization network has been established and women are systematically participating as peace makers.

#### **Explanation/Challenges/Gaps**

- The CHT area often remained outside the purview of mainstream development due to persistent yet low level conflict. The area is often perturbed by forced displacement, land rights disputes extending to violence against women among different tribes.
- International agencies working in the area reports of an enhanced feeling of peace consolidation.
- Hilly women have limited livelihood options which call for intensive skills enhancement programs, finance and other supports.
- Indigenous women in the CHT and the plains remain less represented in the mainstream development paradigm. They have low representation and voice of in the national development planning dialogues, policy formulation/reformulation and in the national parliament. The needs of indigenous and minority women of other areas remain unnoticed and their specific needs are not addressed rather they are expected to gain from the mainstream development, which is difficult for them. They often remain outside the purview of mainstream development due to persistent conflict. Indigenous women in the plains confront socio-economic discrimination due to their ethnicity and lack of education and support.
- Contradictory identity of indigenous people in the constitution is a problem.

- Violence against women among different indigenous communities, land disputes both in the CHT and the plains, limited access to health care, education and economic activities hinder indigenous women and girls empowerment. Challenges still remain in access to justice for the cases of sexual, gender and physical violence.
- Language barrier, lack of strong administrative and legal action, lack of access to medical and psychological support for the indigenous women hinder their empowerment.
- There is lack of recognition of indigenous women's traditional knowledge and economic activities for promotion and protection. There is no policy mechanism, legislative measures to protect indigenous knowledge and economic activities in which women have greater contribution to preserve native knowledge and reserve forests to reduce environmental degradation.
- Disable women of tribal community bear triple burden of discrimination being women. Disable as well as tribal with less opportunity to access mainstream services.

**(d) Other disadvantaged groups:**

**Challenges and achievements**

- Despite the acknowledgement of sex workers with the issuance of national ID cards, the human rights of women affected by HIV/AIDS are not protected.
- Women with HIV/AIDs are given free treatment.
- Transgender people have been recognized recently by the Government as specific group.
- Refugee women, particularly the Rohingya and Bihari women get very limited services in collaboration with development partners and NGOs as the Government has not ratified the Refugees Convention and its Protocol of 1957. In 2011 approximately 29,000 Rohingya refugees from Myanmar were in the refugee camps in Cox's Bazar district.

**Recommendation and justification for disadvantaged groups**

- ❖ Sex disaggregated data on types of disability, older women, ethnic and hilly women, transgender people, refugee and their needs should be collected and the national plans and budgets should address the identified needs.
- ❖ Separate and specific sector wise budget allocation for WWDs, ethnic and hilly women, women with HIV/AIDs, and transgender people should be ensured.
- ❖ Separate service and assistance counters should be established for disadvantaged women's groups without further stigmatizing them and addressing their specific needs of mobility, transportation, education and other services.
- ❖ Existing rights protection and service providing institutions such as OCC, victim support centre, safe home staff should be trained for handling disadvantaged persons and their needs with sympathy.
- ❖ Existing legal framework such as: Suppression of Women and Children Repression Act, (2000), Domestic Violence (Protection and Prevention) Act (2010) should address concerns of women with disabilities and all vulnerable groups. The Government should incorporate the disability and all relevant vulnerability issues in the rules of Domestic Violence Act of 2013 and ensure enforcement of the Act addressing the needs of these groups.
- ❖ Reserve seats in the National Parliament to ensure representation of disadvantaged women including indigenous, women with disabilities and such others.

- ❌ Ensure enforcement of the Disable People's Rights and Protection Act-2013.
- ❌ Enhance life skill education /special employment opportunities, social safety net for women of different disadvantaged groups.
- ❌ Scale up OCC services at the local level to provide service to the survivor of sexual/physical violence.
- ❌ Constitutional recognition of transgender population should be given through exempting derogatory language and provide socio-economic services for them.
- ❌ Advocacy and awareness rising on the rights of the transgender, sex workers and other disadvantaged groups should be ensured to enforce their human rights.
- ❌ Special development measures should be taken for the protection and development of refugee women and all other disadvantaged groups. Ensure access of the indigenous women's and women of other disadvantaged groups to education, health care, more specifically reduce maternal and child mortality.
- ❌ Ensure indigenous women's rights to land and forest and acknowledge their role in preserving forest and natural resource.
- ❌ Initiative need to be taken to address the systematic and forced displacement of Indigenous peoples from their ancestral land.
- ❌ Effective mechanism need to be set by the state to stop communal violence and physical abuse against religious minority and indigenous women and children.
- ❌ Provide constitutional recognition to the Indigenous Peoples as per international human rights instruments ratified by the Government of Bangladesh.
- ❌ Enhance leadership of women of all disadvantaged groups through training and advocacy.
- ❌ Full implementation of the CHT Accord. Reform the biased land commission law 2001 in the CHT and activate the land commission to prevent land grabbing, forced land occupation of indigenous population in CHT.
- ❌ Establish a high powered land commission to prevent grabbing of occupied land of indigenous people of the plains.
- ❌ Ensure a quota system for indigenous and other disadvantaged women in social protection programs.
- ❌ Create separate chapter for indigenous women in the WDP 2011 and consult with the leaders of indigenous women and other disadvantaged groups prior to making any national policy.
- ❌ A mechanism should be established for collection data of violence against girl and women with disabilities within the existing structure.
- ❌ The hostel for working WWDs run by Ministry of Social Welfare should extend residential time for boarders for at least 5 years.
- ❌ Specific issues of WWDs should be incorporated in the rules of the Persons with Disabilities Rights and Protection Act 2013.
- ❌ Seven Integrated schools for the female students with visual and hearing disabilities should be established in 7 divisions.

## 15. Marriage and family relation

### Summary of the observations

- *Take all necessary measures for adopting a uniform family code which provides equal rights for men and women.*
- *Take appropriate measures to end the practice of child marriages.*

### Compliance

- In April 2011, the High Court issued a directive (through amendment of the Muslim Marriages and Divorces Registration Act, 1974) to ensure verification of birth certificate and/or national ID card during marriage registration so as to prevent early marriage.
- The draft Child Marriage Restrain Act 2013, has provision of punishment for the parent /guardian in charge of the minor who would indulge in child marriage. The punishment will be 2 years of imprisonment and/or a fine of Tk. 50,000.
- In 2012, the Cabinet approved Hindu Marriage Registration Act -2012 making registration of marriage optional.
- In 2013, the Government adopted Domestic Violence (Prevention and Protection) Rules.

### Explanation/Challenges/Gaps

- ✓ Bangladesh has one of the highest numbers of under-15 child marriages in the world, and UNICEF found that 74% of Bangladeshi girls under 18 years and an alarming 39% of girls under 15 years had been married off. Due to absence of strong monitoring mechanism, child marriages continue to take place. The High Court has directed that birth certificates or national ID cards be shown at the time of marriage registration, but there is no provision to file the same with the marriage registration form. This allows for manipulation of age of the bride or groom.
- ✓ No initiative has been taken by the Government to adopt Uniform Family Code. Personal laws, derived from religious precepts which are discriminatory to women in respect of marriage and family relation remain unchanged.
- ✓ Marriage registration for Hindu community remains optional which allows them to evade registration.
- ✓ Child marriage is a concern for disabled girls as there is tendency to marry off girls with disability.

### Recommendation and Justification

- ✘ The Government should establish a monitoring mechanism to prevent child marriage. A circular should be issued to ensure that birth certificates or national ID cards are filed with the marriage registration form. In addition, a thorough review of the existing marriage registration form and system should be done to find out and minimize gaps and loopholes.
- ✘ The draft of Child Marriage Restraint Act is yet to be approved. By now there has been a debate on the Government's position regarding change of minimum age at marriage of girls from 18 to 16 under special circumstances. The women's movement is vocal against the position of the Government and the change is unacceptable as it legalizes child marriage. CIC-BD wants the law to be modified and enacted without any such condition.

- ✘ Hindu marriage registration system should be made compulsory, not optional. The Act should also expand on provisions for divorce. There needs to be amendment in the Special Marriage Act, 1872 to withdraw the requirement for renouncing faith by those registering under the Special Marriage Act.
- ✘ The Government should approve a uniform family code and withdraw its reservations to Article 16.1(c).

## 16. Migrant Women

### Summary of the observations

- *The Committee expressed its concern on various aspects of female labor migration ranging from availability of limited information and statistics to access to services and resources, capacity building including need based pre-departure orientation and reintegration program in view of the changing gender roles upon return.*

### Compliance

- Overseas Employment Act 2013 has been enacted but yet to be fully implemented. The subsequent rules are to be framed for effective implementation.
- The Overseas Employment Policy has been reviewed and revised and was at the Cabinet awaiting final approval. The Policy has integrated women migrant workers' issues widely.
- Percentage of women migrant workers (WMW) rose from 6% to 13% in 2014.
- The Government undertook a nationwide registration for outgoing migrants to facilitate government to government (G2G) arrangement for labor migration. For women migrant workers the registration was done only for Jordan. However, this G2G arrangement has not been a full proof case against abuse.
- A help line is established at the Probashi Kallyan Bank (PKB) to attend to all migrant workers, especially WMWs' issues. The PKB is playing active role in giving service to migrant workers especially women migrant workers. However much more publicity is needed for making use of this provision.
- Capacity building of labor attaches and others is continuing on a regular basis. Ministry of Expatriate Welfare and Overseas Employment (MOEWOE) has set up 16 labour wings to provide services to migrants, ensure their safety and security and promote overseas employment. However, the labour wings are yet to be functional for services to migrant workers especially to WMWs.
- Recently, BAIRA (the apex body of recruiting agencies) has established a Standing Committee for female migration with the prime focus on monitoring the recruiting agencies. The committee will undertake specific initiatives for campaign or program against illegal recruitment, human trafficking, or activities that violate human rights of migrants' workers, particularly women migrant workers.
- A document verification center has been established in BMET to verify travel documents of migrant workers. A cell has been established at the Hazrat Shahjalal International Airport.

- Programs have been strengthened for skills up gradation of WMWs. Private Sector is also investing in imparting quality training to women workers on new skills and for new destinations.

### **Explanation/Challenges/Gaps**

- ✓ Migration itself is a complex nexus of multiple stakeholders within which the concerns and issues of WMW deserve a special attention. For a labor sending country like Bangladesh, promotion and protection of women workers' rights deserve a strong commitment from the Government through its laws, policies and programs. While the relevant policies are being reviewed and revised, the gender dimensions are not adequately highlighted as the processes followed for this purpose are often devoid of representation from women's groups and women migrant workers. A comprehensive legal reform and advocacy mechanism is needed for protection of women's rights.
- ✓ Women migrants from this country overwhelmingly migrate to the low paid 3D jobs. As a result of which the opportunity for higher level policy advocacy remains limited. Statistics show that only 3% of all migrants go to work in professional categories while the rest fall under non-skilled workers.
- ✓ In order to provide access to services to the women domestic workers abroad, there is a strong need for networks of CSO in both countries of origin and destination.
- ✓ Aspirant women workers need to be imparted with skills through quality programs to help them equip themselves for creating a niche in the overseas labor market. The state needs to ensure job market research plan and bigger investments in this context.
- ✓ The Government also needs to explore new skills and new destinations for women workers going beyond the gulf countries especially in the developed countries.
- ✓ Statistics on women's migration is very limited especially in terms of how many women return every year, how much they pay for going, and how much of remittance is sent by them etc. As a result, data for designing reintegration program as well their right to protection and services cannot be correctly ascertained from a contribution perspective.
- ✓ Upon their return after a long stay in a different cultural context, the returnee migrant workers often find it difficult to reintegrate into the society that has gone through changes in his/her absence. Changing gender norms in families is a serious issue for both men and women that are largely unaddressed. They also find it difficult to access suitable employment opportunities.
- ✓ Women's contribution to the national remittance pie is not assessed. Promotion and protection of rights of migrant workers following the implementation of General Recommendation (GR) 26 still remains superficial. Quality of pre-departure training, exploration of new job market with new skills, high migration cost and no support for return and reintegration all remain the heavy challenges for safe migration of women workers. Even the government to government (G2G) initiatives that were introduced failed to reduce violence against women workers.

### **Recommendation and Justification**

- ✘ Review and modification needed of the Bangladesh Overseas Employment Policy (2006), the Emigration Ordinance 1982 policies/ programs related to labor migration to address the

complex dynamics of female labor migration, particularly social discrimination that exacerbates gender inequalities.

- ✘ Include specific provisions for protection of female migrant workers particularly from sexual harassment and violence in the Memorandum of Understanding with destination countries. Establish a separate unit in the embassies to protect female migrants from violence and sexual harassment in those countries.
- ✘ Provide easy access to women workers to authentic information for an informed choice, provide opportunities for skills development through training and enter into an employment contract that ensures dignity and protection as migrant workers. There must be the required interfaces among the various national policies (e.g. women's development, overseas employment, skills development policy and even the social safety net programs, if required) as well as a strong coordination between relevant ministries like MOWCA, MOEWOE and Ministry of Foreign Affairs.
- ✘ Ensure accountability of responsible persons/agencies both at home and abroad and enforce the PSHT Act, 2012.
- ✘ The Overseas Employment Act 2013 needs to go through a revision to ensure the right of FWMs.
- ✘ The Government should take proper initiative to recognize the women migrants' contribution in GDP and create a positive image of them through media.
- ✘ Discriminatory migrant right registration Act should be reformed.

## **17. Millennium Development Goals**

### **Summary of the observations**

- *Integration of a gender perspective and an explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals.*

### **Compliance**

- The Government regularly reported on the implementation of the globally agreed targets of MDG. Attempts were made to achieve the targets through the national development plans and monitoring was ensured. Gender perspectives were integrated and reflected in the Government reports in some specific MDG goals particularly those on gender equality, education and health.

### **Explanation/Challenges/Gaps**

- ✓ Gender perspectives were missing in reporting and the achievements were not shown in a sex disaggregated manner in most of the MDG targets other than the one on gender equality. Therefore, progress for women and achievement on gender equality was not always clear in those areas. Although other MDGs were relevant for gender equality, MDG as a whole did not include a gender perspective in areas such as environment or diseases.
- ✓ Availability and use of sex of disaggregated data and gender based analysis in all areas was missing which is important for efficient planning, implementation and assessment of results of development initiatives.

- ✓ No public private partnership mechanism or action plan was established for implementation and assessing the achievement of MDG targets.

#### **Recommendation**

- ✘ Ensure collection of sex disaggregated data at all levels, and reporting based on gender analysis should be made compulsory in all reports and sectors especially for reporting on the Sustainable Development Goals (SDG).
- ✘ Gender equality, women's empowerment, and women's human rights perspectives incorporated in the SDG (must be implemented in the spirit of the Beijing Platform for Action and the CEDAW).
- ✘ There is a need of a national level research group for assessing the success and gap of MDG to forward linking the learning to SDG implementation.

### **18. Dissemination**

#### **Summary of the observations**

- *Wide dissemination in Bangladesh of the concluding observations in order to make the people, government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure the de jure and de facto equality of women, as well as of the further steps that are required in this regard.*

#### **Compliance**

- There was limited dissemination of the Concluding Observations by the Government despite the fact that many important national planning and strategic documents were prepared during this period.
- In 2011, from the CSOs side, the CIC-BD translated the UNCEDAW Concluding Observations as well as the Combined Sixth and Seventh CEDAW Alternate Report 2011 into Bangla for wider public awareness, especially amongst the grass roots activists and even the government officials.

#### **Explanation/Challenges/Gaps**

- ✓ Women's rights have remained a sensitive issue in the political arena of the country for long. The successive governments in power have always preferred to somewhat align with religious groups in the course of which securing women's rights have suffered the most. While the tenures of relatively progressive government has taken steps for promoting women's rights indirectly in important sectors, the tenures of conservative governments have set examples of either a status quo or regressive steps even in the form of political alliance. Even the progressive governments have been reluctant to share the observations considering that it would reflect its weakness to the people/ it would generate wrath of the religious groups. It has been unfortunate for the country that despite a vibrant and active CSO group, none of the political parties owned the women's agenda in clear terms and indoctrinated the rest of the stakeholders on the same. Therefore, all the reservations on the critical Articles still remained.
- ✓ MOWCA has remained a weak organ of the Government to take the lead in this area.

#### **Recommendation**

- ✘ The Committee should assign time frame for dissemination of the Observations and reporting on dissemination should be made compulsory.

- ✘ There must be concrete action plan for one year following the receipt of the concluding observations from the UN CEDAW committee in which both the government and the CSOs will work together.

## **19. Ratification of other treaties**

### **Summary of the observations**

- *Encourages the State party to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.*

### **Compliance**

- The Government has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families in 2011.

### **Explanation/Challenges/Gaps**

- ✓ The International Convention for the Protection of All Persons from Enforced Disappearance has not been ratified and disappearance of persons by law enforcing agencies has become a phenomenon of concern.

### **Recommendation**

- ✘ The Convention should be ratified and implemented.

## **Other emerging issues needing attention**

A few other issues require attention of the Government, which are presented below.

### **1. Women and Climate Change**

#### **Summary of the issues**

Bangladesh being one of the countries vulnerable to climate change impacts and frequent natural calamities need to take necessary measures to increase and strengthen the effective participation of women in all sectors related to climate change adaptation and in disaster management program and plan. Adaptation and implementation of effective and participatory climate change adaptation policy and ensuring women's role recognizing their struggle to cope in disaster situation.

#### **Compliance**

The Government of Bangladesh developed an action plan named 'Bangladesh Climate change strategy and action plan (BCCSAP)' in 2009. This action plan focused on community participation, in disaster management, equitable development of all vulnerable groups. The National Adaptation Program of Action (NAPA), 2005 was revised in 2009. Bangladesh wildlife preservation and security act 2012', Social forestry Rule, 'GI act 2014' are in place. A Climate Change and Gender Action Plan (ccGAP), Bangladesh 2013 was approved with 4 priority areas: Food Security, Social Protection and Health; Comprehensive Disaster Management (CDM); Infrastructure and Mitigation And Low Carbon Development.

#### **Recommendations**

CIC-BD considers that the Government should ensure implementation of all the clauses of the ccGAP and ensure participation of women in climate change as well as disaster management related discussions, negotiation and planning. More resources should be invested in ensuring a climate adaptive livelihood for the women of the climate hot spots (flood, cyclone, draught prone areas) of Bangladesh. This should include infrastructure, water, sanitation, continued income, food and energy security, freedom from violence and developing the ability to respond and adjust to actual or potential impacts of changing climate conditions in ways that moderate harm and/or to take advantage of any positive opportunities that the climate may afford.

### **2. Girl Child**

#### **Summary of issues**

Despite the laws, perilous practice of child marriage still continues leading to vulnerability to ill health, childhood pregnancy, malnutrition and violence. This has a negative intergenerational impact as well as significant demographic impact like dependency, fertility, as well as on labor market and economic growth. A study released by the Bangladesh National Woman Lawyers' Association (BNWLA) found that 91 percent of Bangladesh's women and girls are victims of sexual harassment at some point in their lives, and 87 percent of girls ages 10 to 18 years have been victims of eve-teasing and sexual harassment (Kristan J Bakker, February 2013, p. 6). Adolescent girls are ignorant of sexual and reproductive health and rights. Recently adolescent girl has been subjected to harassment and abuse due to the expansion of use of ICT and social media. The dropout rate of girls from secondary education remains high. Absence of girl friendly

educational institutions, health care services and the vulnerability of girl children to the disaster and post disaster casualties are some of the major concerns that need addressing.

### **Compliance**

Bangladesh Government has enacted the Children Act, 2013 in line with Convention on the Rights of the Child repealing the Children Act of 1974. The National Children Policy 2011 formulated incorporating principle of elimination of all forms of abuse of and discrimination to girl child. In 2014, Ministry of Women and Children Affairs (MoWCA) ordered for 1% allocation of Vulnerable Group Development Program for adolescent girls. The Child Marriage Restraint Act has been approved by the Cabinet, which proposed an exception for marriage of girls' upto age 16 under special circumstances.

### **Recommendations**

The civil society is against reduction of legal age at marriage under 18 in any circumstances and recommends that the Act should be enacted without any change of minimum age at marriage of girls under any special circumstances from 18. The Government should establish monitoring mechanism to prevent early marriage. Training should be conducted for adolescent girls at community clinics, satellite clinics, family welfare centers, and Upazila health complexes regarding SRHR. Action against ICT related violence of girl children should ensured and enforce compliance with High Court Division directives in educational institutions on sexual harassment. Girls' access to tertiary, technical and vocational education should be encouraged through social mobilization and incentives to the institutions and families. The Social Safety Net programs should include programs for vulnerable girls.

## **3. Peace and conflict**

### **Summary of issues**

Rape, trafficking of women and children, sexual enslavement, and child abuse, often co-exist alongside keeping the military camp in the Chittagong Hill Tracts (CHT). In CHT, with an increasing number of Bengali settlers, and in an absence of rule of law, girls and women remain vulnerable to sexual violence.

During election especially in the post election situation several attacks were made against the minority groups. These kinds of attacks put women in most vulnerable position and often justice is denied or the government remains silent. Incidents of sexual harassment on women during the celebration of festivals or rape in public places are subjects of concern. There are growing events of child abuse and killing as a result of political or personal rivalry. The raising of fundamentalism in the name of "*Hifajot-e-Islam*" directly threatens women's emancipation and mobility in public life. Sexual abuse is also used as weapon for land grabbing. In recent time killing of expatriates and minority religious priests is a major concern. Bangladesh has been hosting Rohingya refugees as a result of conflict in Myanmar in the refugee camps in Cox's Bazar district. Refugee women and girls live in precarious condition in camps who should be taken back to their country.

### **Recommendations**

The principal of peace building and conflict resolution should be developed and rule of law should be ensured. Personal security and safety of women in conflict areas should be taken, and involuntary displacement of Indigenous Peoples from their ancestral lands should be stopped.

Effective mechanism need to be set to stop communal violence and abuse against religious minority and indigenous women and children. Bilateral agreement need to be reached for return and support of the Rohingya refugees.

#### **4. Women in Media**

##### **Summary of issues**

Women's participation in electronic media has increased but in the print media the ratio is too poor. It is not clear whether electronic media selects women as professionals or for projection. Most of the time women are involved as a program presenter not the manager or planer or producer. A clear legislative framework to protect women's rights and ensure their recognition in the media is absent. Women are often used as subjects of commercial benefits by media. Effective gender policy is absent in all media and communication sectors.

##### **Compliance**

A broadcasting Policy has been developed and Pornography control Act has been approved. Access to Internet facility and mobile phones has increased. Access to social media, especially among the young generation has opened new mode of socialization, services and catering to the needs of young women.

##### **Recommendations**

The work environment in the media needs to improve. Women should be trained to accept all types of work in media. Mass awareness among the media personnel at all levels, including for the owners should be ensured to promote positive portrayal of women's roles and images. The corporate houses need orientation and capacity on the positive portrayal of women in media. Government should establish principles and ethics for all media. Screening bodies should be established to increase positive portrayal of women. Cyber crime should be prevented and punished. ICT should be used for the country's advantage at the same time minimizing women's risks.

#### **5. Water Sanitation Hygiene**

##### **Summary of Issues**

Water, sanitation and hygiene are the basic building blocks of improved health and overall wellbeing of all citizens. Despite significant improvements in services in the sector; water and vector born diseases continue to be the source of large scale new and chronic morbidities, mortalities, and malnutrition among children of the country. While women play the primary role as collectors, managers of water, household health and food security are best placed to manage and raise awareness on these important issues they are deprived of their right to health, privacy and safety matters.

##### **Compliance**

WATSAN Action Plan has been established. The efforts to increase access to safe water and sanitation facilities brought the percentage of households having no toilets to 3% (from 11.31% in 2005) and 86% urban and 84% rural households have access to safe water. About 96.7% households used tube-well or piped water for drinking purposes.

##### **Recommendations**

In order to bring a farsighted sustainable change in the WASH sector it is urgent that women are engaged in local government offices, in respective ministries, autonomous bodies with adequate decision making power for influencing respective functional and hierarchical administration of WASH management. This includes policy making, agenda setting in planning meetings, functioning in regulatory bodies, recruitment, and budget allocation for ensuring safe water and improved sanitation and hygiene for all citizens.

## **Conclusion**

CIC-BD is of the view that to achieve the policy and position of the Government of Bangladesh on equal participation and rights of women there is no other alternative to implementation of the provisions of CEDAW withdrawing all reservations. The Government has identified the challenges in each area, which shows the positive intention of the Government, but it is essential to identify and take necessary actions considering women's potentials to face the challenges. CIC-BD has a few points of concerns, as has been raised below and these have also been shared with the Government.

1. The Government is taking a back step on withdrawal of reservation and in fulfilling its commitments and using the pressure of the fundamentalist groups against withdrawal of the reservation as a new reason. This is not acceptable. The CIC-BD wants a clear indication of the Government's intention and action on the withdrawal of the reservation of the two CEDAW articles: 2 and 16.1(c).
2. The Government's position on modifying the discriminatory laws in confidence with the religious leaders has no rationale. Change of any discriminatory laws never took place in agreement with religious leaders rather many laws have been modified with the support from women and human rights movements. Therefore, the Government should proceed to amend the existing discriminatory laws.
3. The Government should recognize the women's increasing contribution in all spheres of national development, and take joint initiatives of GO-CBOs and media to eliminate existing harmful practices and negative and stereotyped attitude and behavior towards women in the society, institutions and the family.
4. The High Court verdict on enactment of Laws against sexual harassment in public place has not been addressed by the Government and a culture of impunity has been spread in terms of enforcement of existing laws. Relevant ministry should play an active role to implement national action plans to eliminate violence against women, trafficking and sexual exploitation.
5. Election Commission, Government and the political parties should take immediate measures to implement the provisions of RPO e.g. 33% representation of women in all tiers of the political parties and the commitments for 100 reserved seats for women through direct election.
6. Considering that women are main contributors in the economy and earners of the family, the Government should establish strong legal measures to ensure women's control over their own earnings and wealth, as well as their right to inheritance.
7. The Child Marriage Restraint Act, 2014 should be approved and enacted without any change of minimum age at marriage of girls under any special circumstances from 18.

8. There should be round the year and regular disseminations for sharing the challenges as well as collection of information on the steps taken and progress made through establishing a strong working team engaging the government ministries and civil society, led by MOWCA.
9. The Government should take measures to raise awareness and develop capacity for government officials of all level to implement the recommendation of the UNCEDAW committee and the commitments of the Government of Bangladesh.
10. The Government should take necessary steps to develop and implement special plans to improve status of women with disability, elderly, indigenous, rural, minority and disadvantaged groups. In addition, GOB should take measures to ensure rights of women with disability under the Persons with Disabilities Rights and Protection Act 2013.
11. The Government has to ensure rights and safety of migrant women workers.

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<sup>i</sup> Total higher than total of MPs are some MPs may be members of several committees.

<sup>ii</sup> Compiled from the Bangladesh parliament Website: <http://www.parliament.gov.bd/index.php/en/parliamentary-business/committees/list-of-committees/name-of-committees-for-10th-parliament-banqla>