



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
6 September 2010

Original: English

Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-eighth session

17 January–4 February 2011

List of issues and questions with regard to the consideration of periodic reports

Bangladesh

The pre-session working group examined the combined sixth and seventh periodic reports of Bangladesh (CEDAW/C/BGD/6-7).

Legislative framework, definition of discrimination, reservations

1. Bangladesh continues to have reservations to articles 2 and 16 (1) (c) of the Convention despite the Committee's previous recommendations (see A/59/38, part two, para. 236) to urgently expedite the decision on the withdrawal of the remaining reservations within a concrete timeframe. In paragraph 68 of the report, it is stated that withdrawal of the reservations is under consideration. Please indicate when a decision will be taken.

2. In its previous concluding observations, the Committee requested the State party to bring its definition of discrimination into conformity with article 1 of the Convention and to ensure that the State party's responsibility to eliminate all forms of discrimination against women is extended to discrimination perpetrated by private actors in line with article 2 of the Convention (see A/59/38, part two, para. 238). Please explain what steps have been taken to implement this recommendation.

Access to justice

3. Paragraph 294 of the report states that a gender-sensitive system/mechanism is necessary in preventing violence against women and that ensuring effective access to justice is essential. What systems/mechanisms are in place to ensure women's access to justice not only in cases of violence but in all areas covered by the Convention?

Gender mainstreaming

4. In paragraph 175 of the report, it is stated that the Ministry of Finance has initiated gender budgeting in four important ministries and that there are plans to cover other ministries in the future. What has been the impact of gender budgeting in the four ministries and when will this be expanded to cover other ministries?

Violence against women

5. Recent studies indicate that 49 per cent of women who have ever been married have experienced physical violence at the hands of their husbands, and that women who pay a dowry at marriage are more likely to experience physical violence compared with those in marriages without a dowry demand. While national legislation exists, such as the Dowry Prohibition Act of 1980, the Prevention of Cruelty against Women and Children Act (2000 as amended in 2003) and the Acid Crime Control Law (2002 as amended in 2006), what measures are in place to ensure their effective implementation? Are women aware of the provisions of these laws and where they can report cases of violations?

6. Paragraph 89 of the report states that a draft of the Domestic Violence (Prevention and Protection) Law (2009) was to be presented before Parliament in its January 2010 session. Please provide information on the current status of the bill. Please also provide information on the key provisions of the bill.

7. The report in paragraph 90 refers to a landmark High Court judgment on sexual harassment and the guidelines for action formulated by the Court to deal with cases of sexual harassment. Kindly provide details of the guidelines. What measures have been taken by the Ministry of Women and Children Affairs to formulate a law on sexual harassment as directed by the Court?

Stereotypes and harmful traditional practices

8. In its previous concluding observations, the Committee expressed concern about traditional and cultural practices, including polygamy and child marriages, which negatively affect women's enjoyment of their rights (see A/59/38, part two, paras. 245 and 257). The Committee on the Rights of the Child, in its concluding observations (CRC/C/BGD/CO/4, para. 67), also noted the harmful traditional practices of girls being forced into early marriages, with these practices often resulting in gender-based violence. Please provide information on measures taken to modify or eliminate these practices and to address the concerns of the two Committees.

9. In what ways are the development activities and programmes referred to in paragraph 110 of the report engaging males to change their stereotypical attitudes and norms about the roles and responsibilities of men and women in the family and society? Are there any assessments from the monthly progress review and quarterly reporting system to measure initial success or lack thereof in these projects?

Trafficking and sexual exploitation of prostitution

10. What has been the impact of the inter-ministerial/inter-agency committee and the GO-NGO national coordination committee for combating trafficking?

11. Please provide details of the "draft guideline for Bangladesh missions abroad to combat trafficking in persons" referred to in paragraph 99 of the report. As discussed in paragraph 100 of the report, please explain in greater detail the coordination with the United Nations Children's Fund (UNICEF), the International Organization for Migration (IOM) and the United States Embassy to better approach the trafficking problem.

Education

12. In their joint statement on water and sanitation and on the question of human rights and extreme poverty (Dhaka, 10 December 2009), the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation and the Independent Expert on the question of human rights and poverty expressed concern about the high female drop-out rate from school, and encouraged improvements to be made in

training teachers and increasing the participation of women in higher education. How has the State party responded to these issues?

13. Please indicate whether the New Education Policy (2009) referred to in paragraph 111 of the report has been finalized. Please explain the stereotypes and attitudes that exist towards women and whether a specific curriculum will be adopted under the New Education Policy to address these problems.

14. Paragraph 18 of the report states that differences exist in the quality of education between rural and urban areas, and that there is a gender gap at the technical/vocational and tertiary education levels. What measures have been taken by the State party to improve the quality of education in rural areas and to close the gender gap at the technical/vocational and tertiary education levels?

Employment

15. Regarding the Bangladesh Labour Act (2006) referred to in paragraph 43 of the report, please specify what protection women have against sexual harassment.

16. Referring to paragraph 124 of the report, which is in response to the Committee's previous concluding observations, please provide information on the mechanisms in place to monitor implementation of the Bangladesh Labour Act (2006). Do women in the private sector enjoy the same 16-week maternity leave?

17. It is stated on page 96 of the report that women's wages are only 58.2 per cent of men's wages, and that this wage differential is partly due to social attitudes, education and skill differentials. In what ways is this issue being addressed?

Health

18. Paragraph 63 of the concluding observations of the Committee on the Rights of the Child states that, "Of urgent concern for adolescent health are issues arising from violence against girls and early marriages, as well as under-nutrition, access to health education and facilities, including separate and appropriate sanitary facilities in schools. The Committee is further concerned about the inadequate facilities and counselling services for mental health and reproductive health for adolescents." Please provide detailed information about efforts made to address these concerns and to develop progressive health policies that are particularly attentive to female adolescents. Have separate sanitary facilities now been provided for adolescent girls?

19. Referring to paragraph 20 of the report, please explain whether health services provided by the community clinics are adequate, accessible and affordable. Do these clinics also exist in rural areas? Please provide information on the operation of the village health committees and their impact on women's access to health services in rural areas.

20. While the report states in paragraph 19 that the maternal mortality ratio decreased from 3.65 per 1,000 live births in 2004 to 3.51 in 2007, there is no further information on the current situation. Please provide information on maternal mortality rates disaggregated by rural and urban areas and minority and indigenous factors.

Economic and social life

21. The introduction to the report mentions reducing feminized poverty by providing support for Small and Medium Enterprise (SME) initiatives and credit facilities. Are there any data to show the success or lack thereof in these financial initiatives? Are these initiatives also accessible to rural and ethnic and other minority women? Please provide information on how many women have benefitted from this scheme disaggregated by rural

and urban areas, as well as by different minority and ethnic groups. Please also comment on the rates of success in the establishment of cooperatives and skill development training.

22. Are there any data to measure the success of the following programmes: Widow Allowance; Elderly Persons Allowance; Maternity and Lactating Mothers allowances and allowances for persons with disabilities?

23. Referring to paragraph 22 of the report, in what ways are market information and facilities for women, both for farm and non-farm related activities, being made gender sensitive?

Equality before the law and in civil matters

24. Under the new Citizenship (Amendment) Act (2009) referred to in paragraph 85 of the report, please clarify whether a woman can transmit her citizenship to her foreign husband.

25. The report in paragraph 143 states that enactment of the Child Marriage Restraint Act (2002) is under consideration. Please explain the delay in the State party's adoption of the draft law.

26. Concerning State property laws, please provide information on whether women have the right to administer property without interference or consent by a male, regardless of whether they acquire it during marriage, bring it into marriage or are unmarried. Please also provide information on any restrictions to women's right to administer property and how these have been addressed by the State party.

Rural, older and other disadvantaged women

27. The report lacks information on the situation of rural and other disadvantaged women, including older women. Please provide information on their situation in relation to their access to health, education and social benefits, as well as all other areas covered by the Convention.

Minority and indigenous women

28. The report does not provide any information on the situation of minority and indigenous women, especially those living in the Chittagong Hills. Please provide information on their access to land and other social services.

Marriage and family relations

29. It is mentioned in paragraph 114 of the report that the National Strategy for Accelerated Poverty Reduction (NSAPR) II has included the adoption of a Uniform Family Code in its current policy agenda. What steps have been taken towards the development of the draft law? Please also further explain the Family Courts Ordinance (1985), its elements and why it does not cover all citizens throughout the country.