

BANGLADESH

CEDAW A/42/38 (1987)

503. The Committee considered the initial report of Bangladesh (CEDAW/C/5/Add.34) at its 96th, 97th and 99th meetings, held on 7 and 8 April 1987 (CEDAW/C/SR.96, 97 and 99).

504. In her introduction, the representative of Bangladesh presented historical and geographical data on the country. Women represented 48.5 per cent of the total population of about 100 million, a high percentage of which were under 14 years of age. Muslims constituted 85 per cent of the population. The economy of Bangladesh was reported to be mainly based on agriculture, with only 4.66 million people engaged in the non-agricultural labour force. The level of literacy of the population was very low: 14.3 per cent for women and 32.9 per cent for men, and about 81 per cent of the female population over 15 years was illiterate. It was estimated that from one quarter to one third of the female labour force was unemployed or underemployed, and women were paid little or less than men for the same work. The Government of Bangladesh had reserved 20 per cent of all Government jobs for women. The representative said that all services were open to women. Thirty of the 330 seats were directly elected. The representative reported that Government land was being distributed to female heads of households and also jointly to husband and wife.

505. She stated that the Third Five-Year Plan of the Government was aimed at providing education, equality and employment, and 20 per cent of the entire budget had been allocated to education.

506. The representative presented details on the Bangladesh Constitution and the legal reform and policy measures taken by the Government. With regard to education, she reported that 47 per cent of the education budget had been earmarked for primary education. Forty per cent of scholarships were reserved for girls, and 1,200 women had been given intensive training to become primary school teachers. The Third Five-Year Plan was also aimed at reducing the gap in educational opportunities between the sexes.

507. The representative said that the Government had developed a comprehensive employment policy and had established hostels and day-care centres for children. Credit facilities were extended to landless women in order to generate self-employment.

508. As part of the comprehensive health policy, the Government was aiming at a drastic reduction in fertility and an improvement in services and the overall nutrition of women. The representative said that nearly 37 per cent of hospital beds were for women, and there were nearly 2,500 rural medical centres. The major achievements of the health service were a reduction in morbidity and mortality rates and an improvement in the life expectancy level. Family planning programmes had been expanded and currently included vocational training programmes to improve the status of women. The representative said that it was planned to adopt a rural-oriented health service for women in which maternal and child health care, family health, education and environmental sanitation were major components. It was reported that 21,000 field workers in rural areas offered family planning, maternity and child health care services to women in family welfare centres, which were expected to increase in number to 3,000 in the current Plan.

509. The representative reported that the objectives of the Third Five-Year Plan were to reduce the imbalance in the development of women and men, to motivate greater participation of women in education and skill training, to expand credit facilities for working women, to provide leadership and managerial training, to take measures for the moral, physical and cultural development of women and to train and rehabilitate socially handicapped and deserted women. In order to achieve those objectives, a Supreme Council for Children and Mothers had been set up and strategies to promote organizations and programmes had been planned. She also informed the Committee on the work of non-governmental organizations, particularly in respect of health care programmes.

510. The representative concluded that, although the Government of Bangladesh had taken legal steps, women could not fully benefit from the laws to protect their rights because of a lack of education, the traditional values in society and the economic situation for women. It was necessary to change social attitudes in the country and realize the potential of Bangladeshi women. The Government had accepted the challenges and was committed to eliminating all forms of discrimination against women.

511. Members of the Committee thanked the representative of Bangladesh for the comprehensive and frank presentation. It was obvious from the presentation and the report that Bangladesh was taking its commitments to the Convention seriously and was making great efforts to implement it. Bangladesh faced the obvious problems of a developing country that had a large population, widespread poverty and a high level of illiteracy. Illiteracy was one of the obstacles to an understanding of Islamic law. It was suggested that Bangladesh should undertake a study to identify the exact obstacles to help the Committee to understand the problem. The Committee commended the emphasis on the development of women in the five-year plans and the establishment of the Ministry for Women's Affairs. A comment was made on the structure of the report, and it was asked if the Government of Bangladesh had been aware of the guidelines set by the Committee. It was commented that the quality and presentation in the English version were poor.

512. Experts were very concerned about the reservations made by Bangladesh upon ratification of the Convention, particularly to article 2. The experts found that difficult to understand why a reservation had been made to that article, since equality was granted in the Constitution, and it was hoped that Bangladesh would reconsider and withdraw all reservations if possible.

513. There was an apparent contradiction in the Constitution: on the one hand, it provided for equality but, on the other hand, it allowed certain groups to prevent the effective recognition of the rights of women, for example, in the Muslim population. Experts asked if the family law was governed by the Koran and whether any constitutional reforms would apply to all the population.

514. It was recognized by the Committee that there was a great difference between the de jure and de facto situation in Bangladesh owing to current social problems. Clarification was requested of the constitutional, criminal and personal laws in Bangladesh. It was asked how much information filtered down to the grass-roots level.

515. It appeared that policies were directed more towards improving the welfare of women and towards women in connection with children than to the development and equality of women as individuals.

516. It was asked if consideration had been given by the Government and non-governmental organizations in Bangladesh to separating the issue of the rights and status of women from the religion of the country. Information was also sought on the rights and duties of religious groups other than Muslims.

517. It was suggested that the part of the report on Islamic law could have been more clearly presented and that there was not sufficient emphasis on the effect of the Islam on the situation and rights of women in Bangladesh. It was considered that Islam had often been misinterpreted by men in their own interests and that that could be dangerous in a country with a high level of illiteracy such as Bangladesh; new developments in the world should force a new interpretation of Islam to be made.

518. It was noted that women were in the minority in Bangladesh, and background information was requested as to why. More information was also requested on the five year plans and on all government structures. Comments were further invited from the Government of Bangladesh on the link between the growth rate of the population and the level of education.

519. The high number of non-governmental organizations in respect of health-care programmes was queried, and it was asked how those were co-ordinated with the Government.

520. It was asked whether in practice the dowry prohibition act helped. With respect to the amendments to the Penal Code in cases of violence against women, it was asked if offenders were executed in reality.

521. More concrete details were requested on the facts given for article 3 of the Convention.

522. Information was requested on other measures, either temporary or permanent, that had been implemented to educate and inform the public and women about their rights. It was also asked if there were any provisions for maternity benefits. Details were requested on the Shishu Academy, which was a proposed project under the Third Five-Year Plan. Experts asked about the results of implementing the quota system in political bodies and about the total number of parliamentarians.

523. Experts asked if social programmes existed to make rural women aware of their rights and about the social background and the instances of murder in connection with dowry payments, rape or disfigurement. They further asked whether policies were being developed to prevent recurrence of the acts or only to punish the offenders and if rape was a punishable offence. A question was asked about the law in regard to cases of violence against men.

524. More details were requested on the steps taken to create awareness of and eliminate prejudices based on ideas of inferiority of women.

525. Experts requested statistics on the proportion of women in the legal profession and on the number of men who were magistrates or civil judges for comparison purposes. It was asked if anything was being done to encourage women to qualify in that field and if the conditions were the same for women and men to qualify as judges in the Supreme Court, civil courts or as magistrates.

526. It was felt that the reserved places in elected bodies might be discriminatory, and it was asked whether women had to meet special conditions to be eligible for them or if those were the same as for men. The actual figures on the participation of women in political parties were requested, and it was asked whether there was any link between programmes of the non-governmental organizations and political parties with regard to political participation.

527. Clarification of the term “non-gazetted” posts was requested, and it was asked if the quotas might be restrictive in view of future education levels.

528. Experts asked if there was a difference in the maximum age limit for recruitment for government posts for women and men and, in that connection, whether women over 30 years of age would be considered for the government service and whether there was an age limit for men to enter the government service.

529. It was asked if the reserved posts were low-level posts and, if so, whether women were really being given an opportunity to show their capabilities. It was also asked whether there were reserved posts for women in the diplomatic and consular services.

530. Clarification was requested as to children’s nationality when a Bangladeshi woman married a foreigner, and experts wanted to know if a Bangladeshi woman could confer nationality on a foreign husband.

531. As there was no mention in the report as to whether primary or basic education was compulsory, experts wanted to know whether plans were being introduced, if it was not compulsory, and whether fines were imposed on parents when children did not attend school, if it was compulsory. Information was requested on vocational training and the level of participation by women. Experts asked if education was free at all levels to all people, whether any services were provided in connection with education, for example textbooks, what the curricula was for girls and boys and whether those were of the same level.

532. Experts wished to know which type of work was considered unsuitable for women, and who classified it as such and on what grounds. They asked if there were any plans to raise the present quota of 20 per cent for women in the public sector and was there any prospect to fill it.

533. Experts asked under what conditions all people were gainfully employed, whether women over 30 years of age would be considered for the government service and if there was an age limit for men to enter government service.

534. Experts wanted to know if any study had been carried out on the working conditions, the kind of work and any special hazards that might be encountered by children entering the work-force.

535. It was asked whether the lower salaries received by women were for work requiring fewer qualifications. It was further asked how other international conventions were applied in Bangladesh and under what conditions all workers were employed, particularly women in the textile industry.

536. It was asked whether the Government of Bangladesh had implemented in-depth measures to

increase the number of medical personnel to meet the needs of the country and whether women received priority treatment in that regard.

537. More details were requested on technical and training programmes in the agricultural sector.

538. Experts asked if polygamy still existed and whether, in cases of separation or divorce, there were problems of custody, and a clear explanation was requested of the family law on polygamy. It was asked if single mothers were protected by law in regard to guardianship and child support. Experts asked what the Government's commitment was to implement the Forward-looking Strategies in regard to equal rights for women and men in divorce and the custody of any children.

539. It was asked whether women were accepted as witnesses in court in the same way as men.

540. Experts asked if the conditions of the Islamic shariah applied in Bangladesh to land tenure, polygamy or a girl's ability to stipulate her right to divorce in her marriage contract, and clarification of the inheritance laws sought.

541. It was asked which laws applied to the family courts.

542. The representative of Bangladesh thanked the Committee for its concern and encouragement.

543. In replying to the questions and comments made by the members of the Committee, the representative of Bangladesh informed the Committee that their comments on the reservation to article 2 had already been conveyed to the Government and assured them that there would be positive action to be reported in the next periodic report. She stated that the Government was aware of the problems and moves were being made to remove discrepancies in the Constitution and discrimination against women.

544. She informed the Committee that women formed the minority in every age and religious group. They were less well-nourished, more likely to be ill, married younger, had many children and mostly lived in rural areas. She stated that, in 1983, infant mortality was higher for girls than boys, which translated into a life expectancy at birth of 52.8 years for men and 48.1 years for women. She reported that children who reached the age of four years could expect to live on the average until the age of 64, with no marked difference between the sexes.

545. She referred to data on child mortality which showed that 29 per cent of all recorded deaths were of children under one year and over 50 per cent were of children of four years and under.

546. With regard to questions raised on growth rate of the population related to the level of education, she reported that in 1980 the fertility rate in Bangladesh remained close to 7 per cent. However, in 1983, it had dropped to 5.6 per cent overall and 5.0 per cent in cities, which provided encouraging evidence that family-planning programmes were beginning to have an effect on national fertility rates. She stated that there were indications that primary education was associated with higher fertility and higher the education, the lower the fertility.

547. The representative said that there was a strong connection between education and a lower

death rate.

548. Media facilities such as television and radio had helped create public awareness in family planning and education.

549. The representative said that women were eligible for public offices. She considered that the practice of reserved seats in Parliament might not be continued as women had been elected outside the quota. She gave data on the number of women representatives at various levels of public office.

550. In response to questions regarding non-governmental organizations, they were reported to be oriented towards welfare or community development. Activities by non-governmental organizations in technical and service areas were not promising yet, but they were extremely important in creating job opportunities. A 1981 study by the United Nations Children's Fund revealed that the organizational structures of non-governmental organizations in Bangladesh were weak and their effectiveness was limited.

551. Data from the Grameen Bank study indicated that the beneficiaries of their programme were able to increase the family income, and that was supported by data from other training and credit schemes. No information was available as regards employment levels and income for women with primary education.

552. With reference to comments on education and employment, a 1972 study showed that only 17 per cent of children from families with less than five bighas of land attended school, compared to 62 per cent of children from families with more than five bighas.

553. There was a tendency for girls to leave school and start work in the home or in the fields at 8 to 10 years of age, earlier than boys. The distance of the schools from the home and the number of female teachers were considered negative factors in the attendance of girls at school.

554. Most primary schools were reported to be co-educational. Education was not free, but textbooks were. The curriculum was the same for girls and boys, although the relevance of that curriculum might also contribute to girls not continuing in school. Few girls' schools offered instruction in agriculture and related topics or prepared students for nursing, paramedical work or nutrition-related work.

555. On questions regarding employment opportunities for women in Bangladesh, she referred to the Government's new Industrial Policy, which had given sufficient attention to women involved in various crafts and cottage industries in order to train them and to improve the quality and markets for the products.

556. She stated that a bank was to be set up to benefit women entrepreneurs in the small and cottage industries who currently received training and loans from the Ministry of Industry.

557. The representative stated that the maximum age level for men to enter government service was 27 years. The age limit had been raised to 30 for women to accommodate those who had completed their education later.

558. Women were found only at the middle level of government service, owing to the fact that they had been admitted to public service only since 1972. Training and promotion prospects were identical to those for men. The quotas of posts reserved for women had not yet been filled in some areas, but were over-subscribed in others. The reserved posts were competitive, and women had to fulfil certain conditions for employment.

559. The representative of Bangladesh referred to maternity benefit laws.

560. She pointed out that land was the basic resource in rural Bangladesh; 18 to 40 per cent of households were landless and more than 50 per cent had less than one half an acre. She stated that women could own property in Bangladesh under both secular and religious law.

561. She reported that the constitutional guarantees of equality were supplemented by special provisions that favoured women with regard to criminal law. For example, if they kept purdah, they might be exempted from appearance in court. Women were allowed to enter into contracts, but, in the case of a dispute over a contract, men might argue that women did not understand its provisions.

562. Bangladesh was a secular State and all religions were tolerated. The non-Muslim population was governed by its own laws, and she pointed out that the dowry tradition also affected Hindu marriages. More information was to be provided in the next report.

563. She said that family laws were guided by personal laws based on Islam. With regard to the custody of children, she explained that under Islamic law the mother had physical custody of children and the father had the obligation to support his children. The courts could expand on a mother's custodial rights, and she could apply to be made a guardian under the Guardian and Ward Act.

564. The Muslim Family Laws Ordinance covered succession, polygamy, divorce, dissolution of marriages by means other than divorce, maintenance and dowry. She also said that there were 404 family courts in the country.

565. The representative reported that disagreements over dowry, which was not allowed under Islam, were a significant source of violence, which sometimes resulted in death. The Government of Bangladesh had enacted severe punishments, including execution for murder of the wife. Those recent laws followed sensational media coverage of some cases of disfigurement by acid and violence and had considerably decreased instances of abuse against women.

566. She reported that the latest amendment to the Child Marriage Restraint Act made any adult person who contracted a child marriage punishable by law.

567. The Shishu Academy was for children and was organized down to the district level.

568. The representative suggested that reports submitted by States parties to the United Nations specialized agencies under other Conventions should be made available to the Committee to avoid duplication. She thanked the Committee for their interest.

569. The representative of Bangladesh was thanked for preparing the replies in such a short time and for her frankness and sincerity. The idea of co-operation between the specialized agencies of the United Nations was reported. The need for the Government of Bangladesh to withdraw the reservations to the Convention was again stressed. The attention of the representative was drawn to the guidelines formulated by the Committee to aid States parties in the preparation of their reports.

570. It was hoped that the next report would include a special section on family law and the Islamic shariah, and it was recommended that research work should be carried out on the rights of women under Islamic law.

571. Concerns with regard to cases of violence reported since 1985 were repeated, and it was asked whether many people had been punished for committing that offence. It was asked whether it was true that international non-governmental aid organizations discriminated against women who were employed in road-maintenance projects.

572. In replying to one of the questions raised, the representative of Bangladesh said that it was a fact that poor divorced women were undertaking such non-traditional work as building and maintaining roads, which involved hard physical labour, and that they received less pay than men doing equivalent work.

CEDAW A/48/38 (1993)

248. The Committee considered the second periodic report of Bangladesh (CEDAW/C/13/Add.30) at its 220th and 227th meetings, on 26 January and 1 February (see CEDAW/C/SR.220 and 227).

249. In his introductory statement, the representative of Bangladesh said that an updated version of the country's second periodic report had been drafted in order to comply with the general guidelines regarding the form and content of reports and an attempt had been made to provide more information.

250. He explained that, from childhood to old age, women in Bangladesh had been discriminated against by parents, husbands and sons. Social taboos and norms played a decisive role and, from their childhood, women had been considered mainly as child-bearers and housewives without any decision-making power. However, the situation had changed after independence. Women had come out of their households for reasons of economic solvency and survival. The country's per capita income of US\$ 170 was one of the lowest in the world and women's income was much lower than that of men.

251. He indicated that only 24.6 per cent of the population had attained a measurable degree of literacy and of that proportion 32 per cent were males and 68 per cent females. Owing to the lack of control over the growing population, employment was affected. Women's employment was often limited and did not receive the required impetus. Nevertheless, the employment of women in traditional occupations, home-based and otherwise, and in the garment sector had witnessed significant progress in recent years.

252. He explained that since most women lived in rural areas, it was necessary to bring them into the mainstream of the national development process. In 1976, the Government had created the Office of the President's Special Assistant on Women's Affairs, which had helped establish the Bangladesh Jatiyo Mohila Sangha (National Women's Organization) as a Government-instituted non-governmental organization and women's affairs cell in the Department of Social Welfare. The process of placing women in the mainstream of national development had gained further momentum when the Government set up a separate Ministry of Women's Affairs, in 1976, and when it established focal points in 15 ministries to work closely with the Ministry of Women's Affairs.

253. The representative said that the First Five-Year Plan (1973/78) had emphasized a welfare-oriented rehabilitation approach; the subsequent Two-Year Plan (1978/80) had emphasized women's development as a central force; and the Second Five-Year Plan (1980/85) had emphasized more dynamic and diversified programmes. Emphasis had been put on women's participation in development activities, expansion of opportunities for specialized training, skill development, provision of credit for income-generating activities, better protection of children and entrepreneurship development programmes. The Third Five-Year Plan (1985/90) had strengthened the activities of previous plans. To achieve the overall integration of women into the development process, the Plan had specific objectives to reduce imbalances between the development of men and women. More emphasis had been given to the expansion of employment and credit facilities, provision of accommodation for job-seeking women, development of men and women. More emphasis had been given to the expansion of employment and credit facilities, provision of

accommodation for job-seeking women, development of leadership and managerial skills, and training. Primary health care, employment and skill training were linked with population control. Implementation strategies had included the establishment of the Supreme Council for Mother and Child, rehabilitation programmes for prostitutes, provision of legal aid for women and strengthening of non-governmental organizations. The year 1990 had been declared “Year of the Girl Child” in order to increase consciousness about the situation of girls in the family. The Fourth Five-Year Plan (1990/95) was aimed at accelerating economic growth, alleviating poverty and increasing self-reliance. Implementation strategies had also included the integration of women into the mainstream of sector-based planning in order to reduce gender disparities. The fourth Plan also gave greater priority to human resource development, including a women’s credit programme, promotion of female entrepreneurship, skill development training programmes for different trades, a poverty alleviation programme for women to become involved in income-generating activities, and a vulnerable group development programme of involving destitute women in income-generating activities through the provision of a food subsidy.

254. The representative indicated that positive steps had been taken by the Government to enhance the role of women in agriculture; for instance in the crop diversification programme. In the industrial and manufacturing sectors, women were emerging as a greater force on account of economic pressures and the expanded scope created in various manufacturing industries, such as garments, textiles, electronics, frozen food, packaging and processing.

255. The representative outlined the significant policy measures that had been taken by the Government concerning the equal participation of women in development, which demonstrated the Government’s concern in promoting women. The Minister of Women’s Affairs was a permanent member of the National Economic Council, which approved all major development projects to ensure that the legitimate and feasible participation of women was not denied in the development projects and programmes that came before the Executive Committee of the National Economic Council for examination and approval. He explained that the role of non-governmental organizations was to address issues specific to women and to contribute to awareness-raising, technology transfer, development and training for target groups in the country’s development process. He named some of the 500 non-governmental organizations concerned.

256. The representative confirmed that the Government of Bangladesh had ratified the Convention with some reservations as some domestic laws were not in conformity with the provisions of the Convention. He also outlined some laws that provided for the special rights of women and that were intended to eliminate discrimination against women, namely, the Muslim Family Law Ordinance of 1961, amended in 1986; the Dowry Prohibition Act of 1980, amended in 1986; the Cruelty of Women (Deterrent Punishment) Ordinance of 1983; The Family Court Ordinance of 1985; the Child Marriage and Divorce Registration Act of 1974; and the Anti-Terrorism Ordinance of 1992.

257. Concerning the provisions of the Convention and their implementation, the representative said that the Government of Bangladesh attached due importance to the provisions of the Convention and had taken measures to ensure, to the extent possible, the implementation of the Convention.

258. With regard to article 2, the representative said the Constitution had granted equal rights to women in all spheres of life, although some degree of inequality was still recognized. Some

provisions of Muslim Personal Law had been modified, but it would not be easy to modify Hindu Personal Law because of the complex religious issues involved.

259. The representative said that the legal system of the country ensured human rights, but some infringements occurred owing to taboos prevalent in society. The representative informed the Committee further that, owing to the increased incidence of poverty, economic aspirations and urbanization, traditional values were disintegrating fast, compelling women to come out of seclusion in order to seek work.

260. Regarding the role of non-governmental organizations, he said that the Government and some non-governmental organizations had undertaken programmes for creating social awareness about the change in women's roles. All training institutions had introduced gender and women-in-development concerns in their training programmes.

261. The representative stated that trafficking in women and children had become a major concern for the Government, which had taken firm steps and made the law severe for such offences. Poverty was one of the main reasons for such trafficking and the Government had introduced programmes designed to alleviate poverty, particularly in the rural areas.

262. The representative said that, under the Constitution, women were granted equal opportunities for participating in public life. The current Prime Minister and the Leader of the Opposition were both women. He explained that 30 seats in Parliament were reserved for women, as well as seats on all municipal and local government bodies.

263. Regarding equal opportunities for women to represent Bangladesh at the international level, the representative said that such a need had been recognized by the Government. The law allowed women's representation at the national and international levels. A quota system ensured women's participation in Government service; for example, a quota of 10 per cent of gazetted, and 15 per cent of non-gazetted, posts had been reserved for women.

264. The representative said that nationality in Bangladesh was determined by birth. According to the Citizenship Act, citizenship could be transmitted from a father to his children. Concerning the equal rights of women in the field of education under article 10 of the Convention, the representative said that equal rights for education were highly prominent in Government policies, and one of the objectives of the Fourth Five-Year Plan was universal primary education, non-formal primary education and the reduction of mass illiteracy.

265. Concerning equal employment and training opportunities for women, the representative said that employment opportunities remained unequal, although in the public sector there was a 10 per cent quota of gazetted posts and a 15 per cent quota of non-gazetted posts for women at the entry level. The age-limit for the entry of women into Government service had been raised from 27 to 30 years.

266. Under the fourth Plan, the representative said that efforts were being made to eliminate discrimination against women in health care by strengthening, planning and managing the capabilities for utilizing existing facilities. He also said that under the Plan women's participation

in all games and sports was encouraged.

267. With reference to equality before the law, the representative said that the Constitution upheld equal rights for men and women. The fourth Plan emphasized legal education and legal aid to assist women in exercising their rights. The Family Court had helped women to exact justice, and special projects were operating under the Ministry of Women's Affairs to create legal awareness and provide legal aid.

268. The representative explained that issues such as marriage, child custody and property were governed by religious laws and some discriminatory provisions still existed. He stated further that the Council for Mother and Child coordinated child welfare activities, and a number of non-governmental organizations, including International Federation Terre des Hommes, Save the Children, Underprivileged Children's Educational Programme, and Bangladesh Rural Advancement Committee, were working to promote literacy and the health of children, and to impart vocational training. The non-governmental organizations had established a Child Rights Forum to protect children's rights.

269. The Committee noted that, while the Government of Bangladesh was to be congratulated on the preparation of its second periodic report and on its frankness concerning the many problems facing women in Bangladesh, there were a number of problems with the report. When the initial report had been presented, many questions had been posed to the government representative. Some of those had been answered but many had been left unanswered on the understanding that the second periodic report would provide the information needed. The unanswered question had not been commented on in the second periodic report nor had it followed the general guidelines regarding the form and content of reports and there were many gaps in the information provided. Members of the pre-session working group said that they had had some difficulties in reviewing the second periodic report because the information provided was inadequate. They indicated further that they might be overcritical of the report but they had no other means owing to the gaps in the information provided.

270. In replying to the comments of the Committee, the representative regretted that, at the time of the Committee's review, the updated second periodic report, which had been formulated according to the guidelines of the Committee and provided more information, had not been available.

271. The representative said that the Government was reducing the gender gap and putting women in the mainstream of the economy; namely, allowing the access to employment in all sectors of the economy, both traditional and non-traditional, which was the major strategy for increasing their contribution. He indicated that the gender gap could gradually be reduced by giving women appropriate training to improve their skills; providing them with employment on a priority basis and with credit on easy terms for self-employment in house-based and out-of-home activities; improving medical and other ancillary facilities for women; making men and women aware of the need and justification for elevating women's position in society; influencing public opinion in their favour; and enacting laws to halt discriminatory practices.

272. Replying to the questions compiled by the pre-session working group, the representative said that his Government had pledged, both at the national and local levels, to remove gender disparities, on the basis of not only humanitarian considerations but also sheer economics. He added that the

contribution of women to the economy had to be increased in order to accelerate the pace of development.

Questions of general nature

273. A question was raised whether the Government of Bangladesh intended to avail itself of the assistance available from national and international women's organizations in the preparation of its periodic reports. The representative said that the updated second report had been prepared by the experts of the Government machinery. The Government would endeavour in future to avail itself of the assistance of other local experts for the preparation of similar reports.

274. In replying to the question whether the Fourth Five-Year Plan had had an impact on the status of women in Bangladesh, the representative said that the Plan had been referred to in the updated second periodic report of Bangladesh and policy measures regarding the placing of women in the mainstream had been incorporated in the Plan. The need to reduce gender disparities had been stressed, and the implementation of projects concerning women had been outlined. The implementation of projects along those lines had had a definite impact on the status of women in Bangladesh.

275. The Committee noted that, during the presentation of the initial report to the Committee at its sixth session, the representative had told the Committee that the reservations to article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), of the Convention would be dealt with and it wished to know what had been done about that. The Committee also asked the Government to study article 2 of the Convention with a view to including in its subsequent reports its comments on the legislation or other structures that were preventing it from implementing that article. The Committee asked what proposals the Government had for withdrawing its reservation, which appeared to contravene articles 27, 28 and 29 of the Constitution of Bangladesh. The representative explained that the Government had ratified the Convention with some reservations on article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), because the provisions of personal law could not be changed easily, as they were based on religion. However, some provisions of Muslim personal law had been modified.

276. Concerning measures to improve the situation of women, the representative pointed to the ministries for agriculture, industry, health and family welfare, rural development and cooperatives, local government, social welfare and labour and manpower, which all had their own projects on women's issues. He concluded by saying that, through the collective efforts of the Government, non-governmental organizations and international bodies, the goal of eliminating discrimination against women would soon be realized.

Questions related to specific articles

Article 2

277. The Committee observed that the application of personal laws based on the different social and cultural practices of ethnic and religious groups, which appeared to result in discrimination against women in health, education, inheritance and before the law. The Committee asked whether the State

had made a move to identify all personal laws that were discriminatory. The representative stated that no discriminatory practices existed in providing facilities in the areas of health education and all persons were equal before the law. Discriminatory practices due to personal law had been identified.

278. The representative said that the reasons for discrimination because of personal laws had been explained earlier and such practices had been identified.

279. Referring to the system of redress for women covered by personal law, the representative confirmed that any aggrieved woman could turn to the court to assert her rights regarding divorce and custody of a child.

280. In answering the question whether personal law was the only area in which religious and ethnic laws remained intact and whether in other legal fields (criminal, contractual and civil) women's rights were governed by a single general law, the representative stated that men and women were governed by the same laws in respect of criminal, contractual and civil laws.

281. The Committee wished to know how the Government of Bangladesh intended to reconcile its constitutional guarantees of equality before the law to all citizens and its ratification of the Convention with the exception of the discriminatory practices remaining under personal laws. The representative replied that the Parliament and the Supreme Court were competent to resolve any conflict between the constitutional provision of equality and personal law.

282. The Committee noted that all measures taken to establish family courts, dowry prohibition, the Muslim Family Law Ordinance, the Child Marriage Act and other legislation were important for the promotion of equality for women. Questions were raised as to whether those measures had improved the situation of women in Bangladesh and whether the establishment of a high-powered advisory council was intended to facilitate that process. The representative explained that accurate data had not yet been compiled; however, he confirmed that such legislation had improved the overall situation of women and that the high-powered advisory council, headed by the Prime Minister, was intended to give strong support to the process.

Article 3

283. In replying to questions concerning the measures taken to ensure the full development and advancement of women, such as separating the issue of the rights and status of women from religious practices, the representative said that sufficient measures for improving the status of women had been adopted and were outlined in the Fourth Five-Year Plan, which was the responsibility of all development ministries. Non-governmental organizations were also involved in similar work.

284. Referring to measures to protect the legal rights of the 15 per cent of non-Muslim women in Bangladesh, the representative said that non-Muslim women were treated on a par with Muslim women except in areas covered by their respective personal laws.

Article 4

285. The Committee noted that 10 per cent of all gazetted and 15 per cent of all non-gazetted public service posts were reserved for women and asked to what extent those quotas had been filled. The representative explained that, in order to increase women's participation in the public sector, the Government had introduced a quota system in 1976, at the entry level in the public sector. Currently however, women occupied about 5 per cent of the officer positions, 12 per cent of the staff positions and 3 per cent of the lower blue-collar-worker positions.

Article 5

286. The Committee observed that the Government of Bangladesh was to be commended on its enactment of laws to prevent violence and trafficking in women. In information from non-governmental organizations, however, it had been stated that, according to research, women were more likely to die from violence than from childbirth. Questions were asked on the extent to which the problem of violence against women contributed to the diminished life expectancy of women. The representative explained that the incidence of such crimes was not so high as to have a strong impact on the average life expectancy of Bangladeshi women. The life expectancy of women was lower than that of men because women suffered more than men from the scourge of poverty, particularly in the rural and poor remote areas.

287. The Committee asked whether the incidence of death or injury in dowry disputes had been reduced since the enactment of the Cruelty to Women (Deterrent Punishment) Ordinance of 1983, whether those committing such offences were routinely tried and whether the rate of prosecution had changed since the presentation of the initial report. The representative said that, after enactment of the Ordinance, the incidence of death or injury had decreased. Those who committed such offences were tried in court and the rate of prosecution had increased.

288. In replying to a question on female circumcision, the representative said that circumcision was never part of Bangladeshi culture and it had never been practised in the country.

289. Concerning the level of violence against women in Bangladesh, the representative stated that accurate data were not available; however, a few sample surveys had been conducted in order to calculate the probable number of cases. Concerning the measures introduced to protect women against violence in the home, the representative said that a pilot project entitled "Support to battered women" had been launched by the Ministry of Women's Affairs to provide shelter and legal assistance for battered women.

290. Regarding the measures taken in schools and at the workplace to depict women as equal to men, the representative indicated that equality in all respects was maintained in schools and workplaces for both men and women.

291. Replying to the question whether the quota system of reserving posts for women was not reinforcing sex-stereotyping in employment, the representative indicated that the quota was applicable to all posts at the entry level; however, there was no bar to the employment of women in any posts on a merit basis. The quota system had not led to sex-stereotyping in employment. Asked about plans to introduce a quota system in other fields of employment, he explained that there was currently no plan to introduce a quota system in the private sector; women were employed in large

numbers in the private sector, particularly in the garment, fish processing, packaging and electronic industries.

292. In answering a question on measures to rehabilitate prostitutes to reduce the numbers of women who were compelled to earn their living through prostitution on account of poverty and unemployment, the representative indicated that there were a few programmes for giving prostitutes, salvaged from red-light areas, skill training for gainful employment and ultimately to rehabilitate them in society. The programmes had been undertaken by both the Government and some non-governmental organizations, but their success had been very modest. In reply to a question on rehabilitation programmes, he said that a proposal for making the scheme more effective was on the anvil. He said that people guilty of exploiting women for prostitution were charged under the Cruelty to Women (Deterrent Punishment) Ordinance of 1983.

Article 7

293. The Committee noted that 30 seats in the national legislature were reserved for women and wished to know whether that provision had been effective in increasing respect for women politicians and whether those women were given reasonable tasks in Government. The representative confirmed that both the Prime Minister, who was the head of Government, and the Leader of the Opposition were women. In addition to the Minister of State, two women had been appointed to the present Cabinet.

294. Questioned about the total number of seats in the national legislature and how many of them were held by women, the representative said that there were 330 seats in the national parliament, of which 37 were held by women.

295. Concerning the age of franchise, the representative said that any person aged 18 years or more, irrespective of sex, colour and creed, was entitled to register as a voter. About 40 percent of the eligible women voters cast a vote, and there was no traditional opposition to their doing so.

296. With regard to the proportion of women to men in the legal profession and in all branches of the judiciary, and positive measures to train and recruit women in those professions, the representative indicated that there were approximately 400 to 500 women lawyers in the country. The number of women in the judicial service was also increasing gradually. Positive measures had been taken to train and recruit women in the legal professions.

Article 8

297. In answering a question on the number of women diplomats, the representative said that there were about 10 career women diplomats.

Article 9

298. The Committee noted that it had received information from a non-governmental organization to the effect that a child born in a foreign country to a Bangladeshi woman and a non-Bangladeshi man could not be given the nationality of the mother, whereas a child born in a foreign country to

a Bangladeshi man and a non-Bangladeshi woman could be given the father's nationality. The Committee wanted to know whether measures were planned to amend that provision so as to comply with article 9 of the Convention. The representative replied that some women's organizations had taken up the issue.

Article 10

299. Asked whether primary education for girls was compulsory, the representative said that primary education for girls was compulsory. He further indicated that, to encourage girls to study beyond the primary level, there were provisions for the free education of girls up to class VIII in all parts of the country except for the metropolitan areas. The Government had also increased educational facilities by providing more girls schools in rural areas; 60 per cent of Government primary-school teachers' posts were reserved for women.

300. Concerning the percentage of scholarships granted to girls rather than boys, the representative explained that girls were receiving a higher percentage of scholarships compared with boys at all levels of education; however, an accurate figure was not available. He said that a separate development scheme for the allocation of scholarships to secondary schools would be implemented during the Fourth Five-Year Plan to encourage the education, 40 per cent were reserved for girls. In 1992, that scholarship programme had succeeded in almost doubling female enrolment in secondary schools, as well as in promoting a higher level of women's participation in the labour force leading to later marriage and lower fertility.

301. The Committee noted that, in 1984/85, 66 per cent of females compared with 49 per cent of males had no access to education. One fifth of females and one quarter of males had education up to class IV but only 9 per cent of females, compared with 18 per cent of males, went beyond class V. Members asked what the comparable figures were for girls in education for the period 1997-1992. The representative indicated that a comparative figure for girls in education for that period was provided in annex III to the updated second periodic report.

302. In replying to a question on the current literacy rates for females and whether it had improved from the 19 per cent recorded in 1985, the representative said that the current literacy rate for females was 16 per cent, and the figure of 19 per cent, recorded in the report of the pre-session working group, was not correct.

303. Regarding the percentage of women students in traditional male-dominated courses and the measures taken to encourage women to enrol in those courses, the representative said that women were currently participating in all traditional male-dominated courses.

304. Referring to a question on the provision of information on family planning to girls at school, the representative indicated that indirect information was provided regarding the population of the country.

305. The Committee noted that urban women had a greater chance (20 per cent compared with 8 per cent of rural women) of continuing their education to class X. It wanted to know whether the Government had introduced measures to improve rural women's access to education. The

representative indicated that free schooling for girls up to class VIII had been introduced in rural areas. Moreover, scholarships were also awarded to encourage the education of girls.

306. The Committee inquired whether, given the high rate of female illiteracy, which had reached 90 per cent and which did not make it possible for women to improve their status, the Government was developing, or planning to develop, a national literacy campaign aimed specifically at women. The representative explained that there was no such campaign, but there was a national mass education programme. However, the Government planned to educate all its citizens by the year 2000. The representative explained further that non-formal education had been introduced under the Ministry of Women's Affairs, other government departments and some non-governmental organizations to improve women's access to better jobs.

Article 11

307. In replying to the question whether the Constitution forbade discrimination against women, the representative said that women had equal access with men to employment, and equal pay for equal work was granted by the Government.

308. Asked whether government policy guaranteed maternity leave to women, the representative confirmed that, in the Government and formal sector, women were allowed to take paid maternity leave for three months twice during their period of service (up to the age of 57). However, in the private and informal sector, that provision had not yet been ensured as those sectors were not bound to follow government regulations. He indicated further that women employed in the food-for-work programmes in construction, repair and maintenance work were paid the same as men. He also informed the Committee that the disproportionate under representation of women in wage employment was decreasing gradually, and there had been an increase in the number of women engaged in higher paid employment since 1987.

Article 12

309. The Committee noted that rural women's life expectancy was much lower than that of urban women. The Committee wished to know what measures were being taken to improve health standards for rural women. The representative explained that health-service coverage had been extended and health awareness on the part of women had been increased because of the expansion of health infrastructure facilities, particularly at the rural level, and the dissemination of information on health through various channels. Maternal and child health care through the establishment of health complexes and family welfare centres had been strengthened and family planning programmes had been expanded.

310. The Committee noted further that the Government had identified the overwhelming problem of population explosion as one of the factors precluding the achievement of equal rights for women. It wanted to know whether the objective of a population growth rate of 1.8 per cent by 1990 had been achieved. The representative replied that it had not; however, the Government had given due emphasis to health and family planning programmes and services. Population control programmes were separate from the health services so as to intensify the activities to control the rapid population growth. He also confirmed that the birth rate for rural women was different from that of urban

women. The representative stated further that family planning information was offered to all Bangladeshi women and the measures used were scientific. The practice of abortion was not yet permissible but, under special circumstances, menstruation regulation was allowed.

311. Concerning the annual per capita health expenditure and whether the money was spent equally on women and men, the representative indicated that the annual per capita health expenditure currently stood at 29 taka. Health expenditure was equal for men and women, and no extra allocation in the health sector was made for women. He indicated further that small land holdings, low levels of education, small incomes and large families were the underlying general causes of malnutrition affecting both women and children. Other causes included poor sanitation, lack of proper health education, non-availability of safe drinking water, poor cooking practices, general misconceptions about food and bad eating habits. He also said that malnutrition was linked with poverty and efforts were being made to raise the level of household income. The Government had created additional opportunities for the gainful employment of females, through promoting cottage industries, food-for-work programmes and, where possible, redistributing productive resources. The Government also organized appropriate training programmes for rural women, teaching them the techniques of kitchen gardening, pond fishery, backyard poultry farming, plantation of fruit trees, goat and cattle raising, and the small-scale preservation of various food items, such as fruit and vegetables. Nutrition education was also imparted through primary and secondary schools and the mass media. Rehabilitation centres for severely malnourished children had also been established. Such centres were providing nutrition education and food supplements to pregnant women and lactating mothers and supplying suitable weaning food to the children.

312. The representative said that there was no problem with the health system because, even in the remote areas, there were enough doctors. Concerning the discrimination of the girl child, he said that the preference for boys did exist but, with more education, such a tradition was changing gradually.

313. The representative noted that there was no incidence of AIDS in Bangladesh, either among men or women.

Article 13

314. The Committee noted that the Government of Bangladesh had made a reservation on article 13 (a) of the Convention and wished to know what measures had been taken to withdraw it. The representative indicated that the wives and children of government personnel and other pensionable employees were entitled to receive the gratuity, pension, group insurance, benevolent fund etc. of husbands or fathers who had completed 10 years of service.

Article 14

315. The representative informed the Committee that women had equal access to credit for their economic activities. The Government had a mandate to distribute land equally between men and women. The Committee wished to know what measures had been taken to ensure that women obtained their equal share of land in view of reports that almost all newly reclaimed land was going to male owners. The representative said that no such information had been received. He stated

further that where ideal villages had been set up by allocating government land to poor landless families, such land was jointly registered in the name of the husband and wife.

316. Asked what measures had been introduced in the past five years to improve the health education of rural women and what specific measures were being taken to increase rural women's access to education, the representative said that the Government was taking all the measures within its resources to improve the health and education of rural women. The Committee noted that rural women's access to education was only 30 per cent and that of urban women was 64 per cent.

Article 15

317. The representative informed the committee that women were able to give evidence in court.

Article 16

318. The Committee observed that there were different laws for Muslim, Hindu and Christian women concerning inheritance. According to the Hindu religion, a woman had no right to property, financial independence and to be self-supporting. The Committee wished to know whether there was a proposal to ensure that all Bangladeshi women had equal rights in inheriting property. The representative replied that no proposal had been initiated by the Government to change the personal laws of different religious communities.

319. The Committee also observed that the Government of Bangladesh had enacted progressive legislation in the area of marriage and family law; however, there appeared to be provisions under religious laws for polygamy, easier access to divorce for men and discrimination against women in the right to the custody of their children. The Committee inquired whether there were proposals for the enforcement of equal rights in marriage and family law for women and men. The representative replied that men and women had an equal right to seek redress in a court of law regarding their rights in marriage, polygamy and the custody of children according to the existing law of the country.

320. In answering the questions concerning how many cases of murder and attempted murder for dowry, rape, violence against and disfiguration by acid had been reported, the representative stated that accurate figures were not available. However, the Anti-Terrorism Act recently passed by the Government had helped in reducing those crimes.

321. Asked whether polygamy was accepted by Muslim people and whether there was a movement against it, the representative indicated that it was not generally accepted and there was a strong movement by women activists against polygamy.

322. The Committee observed that since the Child Marriage Act of 1984, the age for marriage of Bangladeshi women was 18 years. The 1981 census showed that 7 per cent of girls in the 10-14 age group were married and the mean age of marriage was 17.9 years. The Committee wanted to know whether the Government had prosecuted those men marrying girls under the age of 18 years, and whether there had been an increase in the man age of marriage. The representative stated that, owing to illiteracy and poverty, child marriage was still to some extent prevalent but the Government was taking all possible measures to punish the offenders.

323. Concerning the right of unmarried mothers to the custody of their children and to obtain support from the father of the children, the representative indicated that the children of unmarried women were not recognized in Bangladesh. He also informed the Committee that husbands were legally bound to provide maintenance to their wives for up to three months after the pronouncement of divorce.

324. Regarding the question whether Bangladeshi men supported their children as required by personal law, and whether measures could be taken to obtain and enforce support for children during and after marriage, the representative said that, according to personal law, fathers were obliged to support their children. In the case of fathers failing to give support to their children, the guardian of the children could go to court for their legal rights.

Concluding observations

325. The Committee thanked the representative of Bangladesh for providing detailed and frank explanations. The Committee noted that some problems being faced by women in Bangladesh were based on personal laws, which included religious and customary practices. Members of the Committee expressed their concern over the reservations made on article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), of the Convention. Others requested more information on issues concerning the awareness of women regarding their legal rights, legal aid, the effective measures taken concerning personal laws of the Hindu religion or of other minority groups, the participation of women in the public sector and violence. Emphasis was placed on issues such as education, illiteracy, health (especially infant mortality), the role of the Ministry of Women's Affairs, its budget and responsibility concerning the projects, and the temporary measures taken to improve the situation of women.

326. In its concluding observation, the Committee commended the efforts the Government was making, despite its difficulties, to strengthen the role of women in the development process. The Chairperson expressed her concern regarding the health situation of women in Bangladesh and the way in which the Government provided health services to the affected women and children. She emphasized health education, including family planning and literacy. She hoped that the Government of Bangladesh would be able to show the best possible results in its third periodic report.

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409. The Committee considered the combined third and fourth periodic reports of Bangladesh (CEDAW/C/BGD/3-4) at its 357th and 358th meetings, on 23 July 1997 (see CEDAW/C/SR.357 and 358).

410. In his opening statement, the representative of Bangladesh confirmed his country's commitment to the advancement of women, which was a priority commitment of the Prime Minister. The Minister informed the Committee that a number of constitutional and policy measures had been introduced, including the adoption of a National Policy for Women's Development and the elaboration of a National Action Plan for the Implementation of the Beijing Platform for Action. These were both ground-breaking documents and would make real changes in women's status and position. The Minister noted that his country had been able to achieve considerable progress in the advancement and empowerment of women, despite serious obstacles.

411. The Minister announced that Bangladesh was withdrawing its reservations to articles 13, paragraph (a), and 16, paragraph 1 (f), of the Convention.

412. Another member of the delegation presented the combined third and fourth periodic report, recalling that the fourth periodic report had been submitted ahead of time as an expression of her country's commitment to the Convention and the promotion of women's rights. She indicated that the report had been formally presented to more than 150 representatives of non-governmental organizations at a day-long workshop organized by the Ministry of Women and Children Affairs.

413. The representative noted that, according to development indicators relating to life expectancy, education and health, women's status in Bangladesh was lower than that of men. Forty-eight per cent of the rural and 44 per cent of the urban population lived below the poverty line, with women suffering chronic nutritional deficiencies that were aggravated during pregnancy and lactation. A birth rate as high as 4.6 live births contributed to a cycle of high maternal mortality, malnutrition, low birth weight babies and infant mortality. The maternal mortality rate was one of the highest in the world (450 deaths per 100,000 live births). Progress in the removal of disparities was slow since women were subject to discrimination both in cultural practice and in personal law.

414. The representative described interventions and strategies to improve the status of women. The Government, assisted by non-governmental organizations, had taken special measures to promote girls' enrolment and retention at the primary and secondary levels of education, to target girls in non-formal education and to direct them towards non-traditional fields of study. A quota system had been introduced to accelerate recruitment of female primary school teachers.

415. In the field of employment, the representative informed the Committee of the quota system applicable to all types of public employment, reserving 10 per cent of recruitment to gazetted posts and 15 per cent to non-gazetted posts, with a view to facilitating entry and thereby increasing the number of women.

416. The Committee was informed about increases in women's economic participation as a result of self-employment-generating credit programmes run by the Government and non-governmental

organizations. The Bangladesh experiment of providing women access to credit, and notably the Grameen Bank model, had been replicated abroad.

417. The representative pointed out that Bangladesh had made history by having two women succeed each other as Prime Minister and Leader of the Opposition in Parliament. The phenomenal turnout of women in the 1996 parliamentary elections showed that women as voters were gaining visibility and political strength. However, very few women had been elected to Parliament through the direct electoral process. Thirty seats had been reserved for women in Parliament, in addition to the 300 seats elected directly from territorial constituencies. The Constitution provided reserved seats in all municipal and local government bodies for women, and this had had a positive effect in ensuring a minimum representation of women.

418. With regard to violence against women, the Committee was informed about the incidence of violence, such as murders of wives as a result of non-payment of dowry, custodial rape, including rape by members of law enforcement agencies, and violence at the community level by pronouncing fatwas and misinterpreting religion. The representative described the multisectoral action programme being undertaken by the Ministry of Women and Children Affairs to address violence against women, including trafficking in women and girls.

419. Turning to the legal framework, the representative pointed out that the disparity between de jure and de facto rights was due to legal illiteracy of women and men and various weaknesses in law enforcement. A Permanent Law Commission had been established by the Government to review existing laws and enact new ones to safeguard women's rights and to prevent violence against women.

420. The representative described the national machinery and institutional framework to combat gender inequality. The National Council for Women's Development, a 44-member body, was headed by the Prime Minister and comprised ministers and secretaries from several line ministries, public representatives and eminent individuals. The establishment of an Interministerial Coordination and Evaluation Committee, headed by the Minister for Women and Children Affairs, was envisaged. She noted that Bangladesh had been one of the first countries in the world to establish a full-fledged Ministry of Women and Children Affairs, which included a Department of Women Affairs as its implementing arm.

421. The representative informed the Committee that her country had taken serious steps to implement international commitments in the follow-up to the Fourth World Conference on Women and the International Conference on Population and Development, as well as legal obligations enshrined in the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. She concluded by saying that the Convention and the Platform for Action had been translated into Bangla and widely disseminated. The National Action Plan offered detailed action programmes to implement the Platform for Action in Bangladesh.

Concluding comments of the Committee

Introduction

422. The Committee commended the Government of Bangladesh for its comprehensive, frank and clear written and oral presentations, which followed the guidelines of the Committee and responded to most of the questions raised by experts.

423. The Committee also welcomed the high-level delegation headed by the Minister for Women and Children Affairs, assisted by several distinguished experts from other agencies, academe and non-governmental organizations, which reflected the importance accorded by the Government to the Committee.

424. The Committee especially welcomed and applauded the decision of the Government of Bangladesh to withdraw its reservations to article 13, paragraph (a), and article 16, paragraph 1 (f). It commended the initiative of the Government in leading the way for other countries with similar reservations to also consider lifting their reservations.

425. The Committee noted and appreciated the close collaboration between the Government and non-governmental organizations in the course of the preparation of the report, as well as the efforts of the Government to disseminate its report to a wide range of women's groups and organizations.

Positive aspects

426. The Committee noted with satisfaction the existence of constitutional guarantees of equality between women and men.

427. The Committee expressed satisfaction at the high status accorded the Ministry of Women and Children Affairs in the Government.

428. The Committee appreciated the inclusion of women's concerns in all of the development plans of the Government. This was strengthened by the declaration of the Policy on Women's Advancement, the main blueprint of the Government for the implementation of the Beijing Platform for Action.

429. The Committee noted the positive impact of the presence of 30 reserved seats for women in Parliament and local bodies, as well as in the public sector. It especially appreciated the fact that Bangladesh was one of the few countries in the world with a female Prime Minister and a female Leader of the Opposition.

430. The Committee noted with appreciation the emphasis placed by the Government on increasing literacy among women and girls, with the aim of achieving education for all by the year 2000.

431. The Committee applauded the Government's efforts to popularize and disseminate the Convention by translating it into Bangla.

432. The Committee appreciated the Government's willingness to collaborate with women's non-governmental organizations in implementing its programmes on women.

Factors and difficulties affecting the implementation of the Convention

433. The Committee expressed its concern over the Government's remaining reservations to articles 2 and 16, paragraph 1 (a). The Committee noted that it regards article 2 as a fundamental and core provision of the Convention, while article 16 is critical to the full enjoyment by women of their rights.

434. The slow economic growth of the country coupled with frequent natural calamities such as typhoons and floods posed serious constraints to the ability of the Government to provide adequate resources for women's programmes and projects.

435. Prevailing stereotyped attitudes and practices justified on social grounds create a social environment for the acceptance of discrimination against women, thus impeding the full implementation of the Convention.

Principal areas of concern

436. The Committee expressed serious concern about the alarming levels of violence against women in all its forms and especially its most cruel forms, such as acid throwing, stoning and dowry death, and the inability of the Government to enforce existing laws effectively, or to provide immediate relief and justice to victims of such violence.

437. The Committee noted with concern that while education programmes had increased the level of literacy among girls and women since the last report, a very large percentage of women and girls still had no access to education.

438. The Committee was concerned about the fact that maternal mortality and infant mortality rates remained high and that available primary health and reproductive health services were still inadequate and often inaccessible to poor, rural and marginalized women. Moreover, family planning services still mainly targeted women, and not enough education on male responsibility in reproduction had been introduced.

439. On the matter of migrant women, the Committee noted from the report the lack of discussion and measures to protect women migrant workers from Bangladesh at all stages of the migration process.

440. The Committee expressed its concern about the continuing prevalence of stereotyped and patriarchal attitudes towards women in society reflected in such practices as son preference that undermine the Government's efforts to achieve equal status of women.

441. The Committee was seriously concerned about the poor working conditions of women workers in both the private and the public sector. It was particularly concerned with the non-implementation of minimum wage levels and the lack of social and health benefits, including paid maternity leave, and the lack of adequate child-care facilities in the manufacturing sector. It noted the lack of government monitoring of the conditions of women in the informal sector.

442. The Committee was concerned at the lack of disaggregated statistical information and the lack of systematic data gathering on birth and marriage registration and incidents of violence against

women.

443. The Committee expressed serious concern at the absence of special prisons for women, which posed serious threats to the security and protection of women committed to prison.

444. The Committee noted that although economic and micro-credit programmes existed for rural women, the trend towards globalization and liberalization of trade policies might have an adverse economic impact on the poorest of the poor, especially women in the rural areas.

445. The Committee was concerned about the fact that, while all development plans had included gender concerns and issues, their impact on women had not been adequately monitored and assessed.

446. The Committee noted the absence of adequate information and analysis, as well as programmes, directed at addressing prostitution in general.

447. The Committee noted with serious concern the reported imposition of fatwas, using religious justification to punish women.

448. The Committee was concerned at the fact that despite affirmative action measures to encourage women's political participation, the number of women in decision-making positions was still small.

Suggestions and recommendations

449. The Committee urged the Government of Bangladesh, in order to comply both with its own Constitution and the Convention, to review its remaining reservations to articles 2 and 16, paragraph 1 (a), with a view to eventually withdrawing them.

450. The Committee encouraged the Government of Bangladesh to strengthen its primary health and reproductive health services aimed at substantially improving the health and well-being of women.

451. The Committee strongly urged the Government of Bangladesh to strengthen its enforcement and monitoring of existing laws, policies and mechanisms on violence against women so as to provide victims and survivors of violence with responsive and effective measures of protection and to prevent further violence.

452. The Committee strongly urged the Government of Bangladesh to set up a separate prison facility and comprehensive programme of rehabilitation for women prisoners.

453. In view of the impact of globalization on rural economics, the Government should give high priority to the issues and problems of rural women, especially their ownership of land and access to credit, loans and skills training in new agricultural technologies, with a view to strengthening their productive and employment capacity.

454. The Committee recommended the strengthening of gender sensitization and training

programmes for the judiciary, police and health professionals, particularly those relating to violence against women.

455. To combat social attitudes, prejudices and social and traditional practices that discriminate against women, the Committee strongly recommended that the Government strengthen education and public information programmes geared towards reinforcing more positive images and roles of women in society.

456. The Committee recommended that the Government pay particular attention to improving the wage levels and the terms and conditions of women workers in the export processing zones, as well as in the informal sector.

457. The Committee urged the Government to strengthen its mechanisms to protect migrant women workers from exploitation throughout the migration process, inter alia, by actively exploring bilateral and multilateral initiatives addressing this issue.

458. The Committee recommended that birth and marriages be systematically registered so that laws prohibiting child marriage and polygamy might be rigorously enforced.

459. In responding to the problem of trafficking of women and girls, the Committee recommended the stronger enforcement of the Women and Child Repression Act 1995, as well as provision of adequate assistance to women and girl victims of trafficking. The regional resolution on trafficking agreed to by the South Asian Association for Regional Cooperation in Maldives should be sustained and concretized into actual programmes.

460. The Committee recommended that the Government undertake an impact assessment of development plans for women.

461. The Committee strongly recommended more proactive measures to hasten the implementation of education programmes to eliminate female illiteracy.

462. The Committee recommended that research on the root causes and consequences of prostitution be conducted to enable Governments to respond accordingly.

463. The Committee recommended the continuance of affirmative action measures such as quota seats for women in Parliament, in local bodies and in the civil service. This should be accompanied by capability building and skills training to enable women to participate actively in electoral politics as well as in the civil service.

464. The Committee requested wide dissemination in Bangladesh of these concluding comments so as to make individuals aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard.