



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Sixty-fifth session**

Summary record of the 1454th meeting

Held at the Palais des Nations, Geneva, on Tuesday, 8 November 2016, at 3 p.m.

Chair: Ms. Hayashi

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Bangladesh (continued) (CEDAW/C/BGD/8; CEDAW/C/BGD/Q/8 and Add.1)

1. *At the invitation of the Chair, the delegation of Bangladesh took places at the Committee table.*

Articles 7 to 9 (continued)

2. **Ms. Afroze** (Bangladesh) said that there were currently six women justices in the Supreme Court, and that 40 per cent of journalists were women.
3. **Mr. Mohammed Shafiqur Rahman** (Bangladesh) said that amendments to the Citizenship Act, which had previously discriminated against the foreign husbands of Bangladeshi women, had set the residency requirement for citizenship at four years for foreign spouses of either sex; however, a proposal to extend that period to five years was currently under consideration.
4. **Ms. Schulz** said that the Committee would welcome information on the acquisition of citizenship by children born to Bangladeshi citizens of either sex who were married to foreigners, particularly in the case of marginalized groups. Noting the improvements already achieved in birth registration, she asked when the Government expected to see 100 per cent of children registered at the time of their birth, rather than when they began to attend school.
5. **Ms. Gabr** asked what proportion of the Supreme Court membership the six women justices represented; and what proportion of Foreign Office staff were women.
6. **Ms. Zou Xiaojiao** asked when the period of residency for foreign spouses to acquire Bangladeshi nationality had been made the same for both sexes.
7. **Mr. Mohammed Shafiqur Rahman** (Bangladesh) said that the Citizenship Act had been amended to set equal requirements for men and women in 2008; the 2009 amendment extending the qualifying period of residence to five years had not yet been approved.
8. **Mr. Ahsan** (Bangladesh) said that approximately 25 per cent of Foreign Office officials were women.
9. **Ms. Afroze** (Bangladesh) said that information on the percentage of female judges in the Supreme Court, the acquisition of nationality by children with one foreign parent, and birth registration figures would be provided subsequently in writing.

Articles 10 to 14

10. **Ms. Bailey** asked when the new Education Act, which would introduce formal initiatives to improve the enrolment rate of girls in upper secondary education, was likely to be adopted. She would welcome further information on the number of institutions that had complied with the High Court guidelines on formulating a policy to counter sexual harassment; why such a policy was not developed centrally; and how effective the complaints mechanisms set up in schools were in upholding the rights of victims of sexual harassment. In that connection, she would like to know what a complaints box was. She wished to hear whether there was a policy to help girls return to school after pregnancy and what was being done to address the reported problem of teachers not being adequately trained to provide age-appropriate sexual and reproductive health education and, as a result, classes apparently not covering critical aspects of the subject for both girls and boys.

Although female enrolment in primary schools was high, the numbers declined in upper secondary, tertiary and vocational education, and the problem was compounded by the low level of female representation on school management boards. Were there data available to help the State party find solutions to the problem for all girls, including those from indigenous groups?

11. **Mr. Bruun** said that, given the very low employment figures for women, especially in the formal sector, and the very low minimum wages paid in female-dominated sectors, it was surprising that the Labour Act had not been amended to bring it into line with the standards on equal pay for work of equal value recommended by the International Labour Organization (ILO) and the Committee. He would be interested to know what was being done to enhance the opportunities available to women in all sectors of the economy. Despite recent positive changes in legislation on maternity leave, it was reported that employers ignored the law with impunity and that discrimination on pregnancy-related grounds was still common. Had the Government strengthened the labour inspectorate or attempted to address the problem in other ways? He would also welcome information on how the Government was promoting the establishment of effective workplace complaints mechanisms to address sexual harassment, which was clearly still a major problem despite the High Court directive that had been issued; and whether it was planning to introduce comprehensive legislation on the matter.

12. He wished to know when the Government was intending to ratify the ILO Domestic Workers Convention, 2011 (No. 189) to protect the largely female domestic workforce. It was a matter of concern that, in the ready-made garments sector, in which the workforce was almost exclusively female, there were almost no women in management positions. In the light of the Rana Plaza disaster, which had claimed the lives of over a thousand workers, how was the Government planning to improve enforcement of occupational safety and labour rights standards? Barriers to the formation of trade unions, such as the requirement that unions of agricultural workers should have a minimum of 400 members, should be reviewed to bring them into compliance with the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

13. **Ms. Arocha Domínguez** asked how the State party ensured that the harmonized guidelines for its health-care programmes were followed throughout the country. She would be interested to know the main causes of the still high maternal mortality rates, including among girls under the age of 18, in both urban and rural areas and particularly among the Dalit and Rohingya populations; whether quality data were available to demonstrate the impact of sex education and health service provision; and whether the State party had studied the effect of the prohibition on abortion, except where the mother's life was in danger, notably in terms of illegal abortions and their consequences. Had it looked at the situation in other countries where abortion was permitted in a wider range of cases? It would also be interesting to hear whether married women and teenage girls could access menstrual regulation, contraception and other services without the authorization of their spouse or parent and without the need for a medical prescription. There was some contradiction between official data on HIV/AIDS and unofficial estimates; was the whole population being targeted in information campaigns, or only vulnerable groups such as prostitutes and drug addicts? She would also like to know whether married women were able to negotiate safe sex with their husbands.

14. **Ms. Afroze** (Bangladesh) said that the Government's policy of providing education for all had brought improvements at all levels of education. Underprivileged children in primary schools received meals, school books, stipends and allowances, and special projects took primary education to children who had dropped out of school. Complaints of sexual harassment could be placed in the complaints box and were then considered by the

school committee, which took a decision on each case. The Ministry did not at present receive data on those complaints but would do so in the future. There was no law governing whether girls who had given birth should return to school.

15. **Ms. Roohi Rahman** (Bangladesh) said that the new Education Act would be submitted to the Cabinet in the near future and should be adopted by the end of 2016. A total of 1,478 complaints had been received through the complaints box system over the previous year; 1,010 of them had been resolved and 1,049 students had been punished. More serious complaints, of harassment or assault, were referred to the police. Schools also had democratically elected student councils to which any harassment could be reported immediately. The school curriculum included reproductive health, physical education and life skills and, while some teachers were not confident about teaching sexual education, especially in mixed sex schools, supplementary reading materials were available online. There was a teacher's manual on sexual education and 30,000 school heads had been trained under a programme funded by the United Nations Children's Fund (UNICEF), the forthcoming second phase of which would see an additional teacher from each school undergoing training. The Generation Breakthrough project was also helpful in the teaching of adolescent and reproductive health, and teacher training now included a module on that subject and on student counselling.

16. The Government was making efforts to increase the enrolment of girls and women in vocational and higher education. In its first year, for example, the Prime Minister's Education Assistance Trust Fund had provided financial assistance exclusively to women. Virtual classrooms, which were of particular use to female students, were offered by 31 universities, and the scholarships for higher education offered as part of the Higher Education Quality Enhancement Project were awarded primarily to women.

17. Ongoing efforts to establish universities throughout the country would also be of particular use to female students, as they tended to be less mobile than their male peers. The residence halls currently being built by the Government would provide accommodation for equal numbers of male and female students. Efforts being made to increase the percentage of women in technical fields of study included the establishment of hostels for women at polytechnic institutes in Bogra and Dhaka and the development of plans to open technical colleges for women and girls in eight divisional headquarters.

18. **Ms. Afroze** (Bangladesh) said that the Government had announced that women should be given six months' maternity leave. The Ministry of Women's and Children's Affairs had stated that all employers were to provide lactation rooms for breastfeeding mothers.

19. **Mr. Khondaker Mostan Hossain** (Bangladesh) said that Bangladesh received technical assistance from ILO for the implementation of a programme to promote decent work as a key component of development policies. The Bangladesh Labour Act (amendment) 2013 provided for a review of the minimum wage every five years; if necessary, however, the minimum wage could be revised upwards, as had recently happened, more frequently. Bangladesh had ratified the ILO Equal Remuneration Convention, 1951 (No. 100), and the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and made every effort to implement their provisions.

20. Occupational health and safety policies had been adopted in the wake of tragedies such as the devastating fire in the Tazreen Fashion factory. Sexual harassment in the workplace was duly addressed by labour inspectors, whose ranks had swelled after the Rana Plaza collapse. A policy for the protection of domestic workers had also been adopted. Technical assistance from ILO and the Governments of Sweden and Denmark had enabled the authorities to reach out to the women from rural areas who accounted for the majority of workers in some key sectors but often did not know how to form trade unions or assert

their labour rights. The pace of trade union registration had picked up after the adoption of the Bangladesh Labour Act (amendment) 2013. Bangladesh was not yet ready to ratify the ILO Domestic Workers Convention, 2011 (No. 189).

21. **Ms. Afroze** (Bangladesh) said that the current Government had made many improvements to the country's health sector. In an attempt to lower the maternal mortality rate, for example, pregnant women were now given a maternal allowance.

22. **Mr. Saha** (Bangladesh) said that the maternal mortality rate was very high for a number of reasons, including early marriage and pregnancy, unsafe abortions, home delivery and the lack of antenatal care. A sector programme that was set to begin in January 2017 would include an operational plan to improve maternal, neonatal, child and adolescent health. More than half of the people in Bangladesh living with HIV/AIDS had proper access to antiretroviral therapy.

23. **Ms. Afroze** (Bangladesh) said that the Government had plans to set up 20 facilities for the provision of free HIV tests, counselling and antiretroviral therapy. A number of NGOs were involved in outreach campaigns to prevent the spread of HIV/AIDS and other sexually transmitted diseases.

24. **Ms. Bailey** said that she wished to know whether the State party would consider adopting a school readmission policy for adolescent mothers. She also wished to know whether any of the complaints collected in the complaints boxes made available by schools involved allegations of sexual harassment serious enough to warrant the involvement of officials other than school administrators. If so, data on those cases would be appreciated. Lastly, she asked whether the education authorities intended to make comprehensive sex education a school subject in its own right.

25. **Ms. Arocha Domínguez** said that efforts to reduce teenage pregnancy and child marriage would require teachers and other authorities to overcome their reluctance to discuss matters involving sexual and reproductive health in schools and elsewhere. In that connection, she wondered whether officials from the State party had studied the experience of other countries with similar cultures that had largely decriminalized abortion.

26. **Ms. Schulz** asked what efforts the State party made to help female victims of violence overcome the ordeals they had suffered. She wished to know whether the plans to make hospitals friendly to women included a component ensuring that they would be made friendly to all women, regardless of their background or circumstances; and when women and girls in all areas of the country would have access to effective contraception and the method of abortion known as menstrual regulation. Lastly, she wondered whether it was not contradictory for officials from one government agency to distribute free condoms to sex workers, while officials from another arrested them on suspicion of sex work, in part because they were carrying condoms.

27. **Ms. Afroze** (Bangladesh) said that although Bangladesh did not have policies focusing specifically on adolescent mothers, many issues related to such girls and their situation were addressed by the National Women's Development Policy. Menstrual regulation was available in clinics throughout the country. Support to female victims of violence was provided by the one-stop crisis centres run by the Ministry of Women's and Children's Affairs.

28. **Ms. Roohi Rahman** (Bangladesh) said that reproductive health education was part of the school curriculum. Life skills were taught in physical education, which was a required class in grades 6 to 10. Pregnant girls could take school examinations, and it was possible that in the future changes would be made to allow them to continue receiving the education stipend paid to many students.

29. Most incidents of sexual harassment of schoolgirls occurred as they were on their way to or from school. Those incidents, which were more serious than those reported to the schools, were dealt with by the police rather than by school administrators. Male teachers in private tutoring centres sometimes subjected their girl students to sexual harassment, but such behaviour was not at all common in schools.

30. **Mr. Abul Hossain** (Bangladesh) said that the Ministry of Health and Family Welfare had recently taken a major step, involving the creation of 31 posts for clinical psychologists and the drafting of provisions for a bill on mental health, to improve mental health care in public hospitals. Another relevant bill had been developed by an association of clinical psychologists working in partnership with Ministry officials and academics from the Clinical Psychology Department of the University of Dhaka. That bill would facilitate the provision of psychological support services in the hospital system.

31. **Ms. Afroze** (Bangladesh) said that although there were differences from one area of the country to another, contraceptive use had increased slightly in recent years. Some 12 per cent of married women had an unmet need for family planning services. A goal of the Health, Population and Nutrition Sector Development Programme had been to reduce that figure to 9 per cent by 2016.

32. **Ms. Zou Xiaoqiao** said that although Bangladesh had a number of commendable social welfare programmes, it was not clear whether the most disadvantaged groups, in particular women from religious and ethnic minorities, benefited from them. She therefore wished to know whether social welfare programmes incorporated a gender perspective and what steps had been taken to ensure that they reached the most disadvantaged women. She also wished to know what mechanism had been developed to ensure that the distribution of benefits was carried out in transparent fashion.

33. Clarification as to whether maternity leave was available to women working in the informal sector would be welcome, as would information on whether such women, including those working in agriculture, were entitled to basic social security benefits. In addition, she wished to know whether the State party had access to disaggregated poverty statistics for men and women, the urban and rural populations and the country's ethnic and minority groups. What efforts had been made, or were planned, to tackle poverty and malnutrition, which affected women and girls disproportionately?

34. Lastly, noting that Bangladesh suffered from severe natural disasters and the effects of climate change, which created particular hardships for women living in marginal and disaster-affected areas, she asked whether gender perspectives were integrated into the Disaster Management Act of 2012 and whether women from disaster-affected areas received institutional support to ensure their participation in policymaking on disaster management and climate change mitigation.

35. **Ms. Gbedemah** said that she commended the State party for its social safety net programmes, initiatives to tackle malnutrition among women and children, efforts to promote biogas use in rural areas, and the provision of allowances to widows, Dalits and transgender and elderly people. However, it was not clear from the report whether the State party had complied with the Committee's previous recommendation (CEDAW/C/BGD/CO/7, para. 36) that women should be involved in the design and implementation of local development programmes. Furthermore, the report provided no statistics relating to women's participation, access to health, education, income-generating projects or rights of inheritance that might enable the Committee to assess the State party's progress.

36. With regard to disadvantaged groups of women, she wished to know what measures were in place to enable Dalit women to overcome the discrimination they faced at multiple levels and the impact of that discrimination on their personal dignity, physical integrity,

safety and access to education, housing and resources such as water and land. Information should be provided about the expected timetable for enactment of the proposed anti-discrimination law, which would protect the rights of Dalits, and about the mechanisms through which their rights could be enforced at present, including figures on the number of lawsuits brought by members of the Dalit community. The delegation should also state what measures had been taken to guarantee women's access to health care, psychological assistance and other forms of support, including the strategies used to combat stigmatization and discrimination, and should explain how those measures were implemented and assessed. She would also welcome information on the situation of women with disabilities. In particular, she would like to know how women with disabilities were able to exercise their reproductive rights and what financial support was available to facilitate the provision of reasonable accommodation.

37. Expressing concern at reports that rural land-grabbing and tourism had led to the pollution of water sources and that arsenic poisoning had affected groundwater supplies and wells in rural Bangladesh, forcing women to travel farther to collect safe water, she invited the delegation to describe the measures that the State party planned to adopt to mitigate and remedy that situation, and the time frame for their implementation. In view of the high proportion of women that worked on the land, she had been troubled to learn that women were unable to access credit facilities for agricultural production unless they had able sons. The Committee considered that to be a discriminatory provision in that it deprived single, widowed and other female heads of household of access to land. Did the State party envisage taking measures to ensure the non-discriminatory application of the law?

38. **Mr. Alam** (Bangladesh) said that the Local Government Division was working vigorously to eliminate all forms of discrimination and to empower women. Women candidates were automatically allocated three reserved seats on councils at the union level of local government while, at the *upazila* level, one of the vice-chair positions was always reserved for women. Over 800 women had been elected in the urban municipal elections, and one of the seven City Corporations was currently chaired by a woman. To empower rural women in the decision-making process, the Division had issued directives requiring union and *upazila* councils to have at least four female-headed committees. As a result, women now chaired at least a quarter of all committees and fully participated in the development activities undertaken by local government bodies.

39. Arsenic contamination was indeed a problem in Bangladesh, and the Department of Public Health Engineering had been tasked with examining the water supply and closing any contaminated wells. Some 83 per cent of rural areas had safe water supplies at present and, through massive investment in rural areas, the Government was determined to raise that figure to 100 per cent by 2021.

40. **Mr. Mizanur Rahman** (Bangladesh) said that the Government had developed social safety net programmes for poor women that offered social protection, food security and microfinance and were designed to promote women's empowerment. Benefits had been distributed to millions of women, including poor, widowed and displaced women, elderly women and lactating working mothers, through various initiatives. The land rights of ethnic minorities living in the Chittagong Hill Tracts were protected by a dedicated ministry, which was run by ethnic minority representatives, in accordance with a kinship system, and oversaw all land transfers. Although the current situation was amicable, the Government had formed a land commission to oversee and resolve complaints received from certain quarters, which was expected to announce its conclusions in the near future. Bangladesh also had a dedicated ministry responsible for disaster preparedness, management and relief. Rural women were closely involved in that ministry's work at the grass-roots level and were represented on a number of its committees.

41. **Mr. Abul Hossain** (Bangladesh) said that the Government was well known for its generous budget allocations to disaster mitigation and victim assistance. The National Women's Development Policy adopted in 2011 addressed specific issues related to the protection of women and children before, during and after disasters, including through joint governmental and NGO initiatives, while the Ministry of Disaster Management and Relief had developed specific disaster relief mechanisms and published various manuals.

42. **Ms. Afroze** (Bangladesh), responding to Ms. Gbedemah's request for information on Government measures to address the multiple discrimination suffered by Dalit women, said that the Constitution prohibited discrimination against any and all social groups and that the Government was endeavouring to achieve the economic inclusion of all population groups as part of its effort to attain middle-income status for the country by 2021. To that end, it had launched several programmes designed to bring economic and social benefits for rural women, for example, by informing them of their legal rights, improving gender equality in economic, social, cultural and political spheres, developing poverty alleviation, employment and empowerment policies with a focus on women, and assigning government land to landless families.

Articles 15 and 16

43. **Ms. Halperin-Kaddari** said that religious and customary law, whether written or unwritten, remained patriarchal and discriminatory and established absolute control over family relations. The fact that women in Bangladesh had the right to divorce was not sufficient protection for the rights set out under article 16 of the Convention and in the Committee's general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution. Religious sentiment was the reason given for the lack of progress in that area; however, it was known that there was no single school of Islamic jurisprudence and there was scope to develop Islamic law in line with women's rights. Indeed, it appeared the Law Commission itself had indicated that sharia law could be accommodated with the provisions of the Convention. Therefore, since, in Bangladesh, religious laws were implemented through the general civil courts rather than a separate court system, she urged the Government to continue using legislative measures to encourage such accommodation and harmonization. Recalling in that connection that the Prime Minister had called for women's property rights to be revised to recognize the fact that women were often the main earners, she suggested that all economic consequences of marriage should be redefined in law as civil contractual matters. Such an approach was fully compatible with the principles of Islamic law.

44. Recalling also that the draft of the Child Marriage Restraint Act included a clause that allowed for girls to be married at the age of 16 years with parental or judicial consent, despite extensive advocacy against the inclusion of such a provision by civil society and development partners and the fact that other laws set the age of majority at 18 years, she invited the delegation to comment on the view that adopting such a clause would be tantamount to legalizing child marriage, since few marriages took place in Bangladesh without parental consent and more than half of all girls were married before reaching the age of 18 years. Noting lastly that the State party had no excuse for not taking action on issues that fell outside the scope of religious law, she asked why it had not introduced compulsory universal marriage registration — a system which would afford at least some protection for married girls and women — and why it did not provide social and legal assistance to victims of child marriage.

45. **Ms. Afroze** (Bangladesh) said that the Child Marriage Restraint Act would be enacted in the near future and would clearly enhance the rights of girls. The minimum marriageable age remained 18 years and it was not generally the case that 16-year-old girls were permitted to marry with parental consent. However, the Act did contain a clause that

permitted such exceptions in cases of social need, such as, for example, when pregnant girls had no family or other means of support.

46. Marriage registration was in fact already compulsory for the majority Muslim population; however, no such requirement existed for the Hindu minority. Under recently introduced legislation, any person wishing to register their marriage could do so but, because of religious influences, achieving universal registration would be a gradual process.

47. **Ms. Gbedemah**, noting that she had not received answers to all of her questions, said that she was particularly anxious to learn the time frame for enactment of the draft anti-discrimination law, which had been submitted to the Law Ministry in 2014.

48. **Mr. Das** (Bangladesh) said that, as mentioned earlier, the Ministry of Law, Justice and Parliamentary Affairs was working on the anti-discrimination legislation and consultations with stakeholders were ongoing.

49. **The Chair** said that the delegation should provide written responses to all remaining unanswered questions within 48 hours.

50. **Ms. Afroze** (Bangladesh) said that, since its independence, Bangladesh had seen rapid growth in its population, budgetary resources, gross domestic product and per capita income and the Government had taken giant strides towards achieving food security and eliminating poverty. Improved educational and employment opportunities for women had helped to increase their participation in Parliament and had made them increasingly aware of their rights. However, formulating and implementing policies to further women's development was no easy task: Bangladesh was a Muslim country in which abrupt breaks with long-standing social conventions would not be well received, and the Government did not wish to be perceived as imposing policies on its citizens against their will. She trusted that the Committee would recognize the sincerity and tirelessness of her country's efforts and would take note of its successes in many fields.

The meeting rose at 5.10 p.m.