

## **Annex 4**

### **(Women Rights)**

The Global Gender Gap Report released in December 2015 by the World Economic Forum ranked Bangladesh 64 of 145 countries, with a score of 0.704. On 'Political Empowerment' Bangladesh ranks 8<sup>th</sup> in the world due to many years with a woman head of state, some women in ministerial positions and 20% representation of women in parliament. On 'Health and Survival' Bangladesh ranks first in South Asia and since 2006 is the second most-improved country in the world.

Despite many achievements the country has a declining trend in economic participation and opportunity for women scoring 130<sup>th</sup> less than 35% of women are in the labour force (compared to more than 80% of men), they earn only 52% of what men do, and more than 70% of unpaid family workers are women. The representation of women in the senior civil service and as managers in the private sector is extremely low, and women's participation in higher education lags (university: women are 33% of students and 13% of teachers; Technical and Vocational Education and Training: women are 29% of students and 20% of teachers). These low indicators of women's economic opportunities are linked with other issues of women's rights, particularly child marriage and violence against women.

According to the latest national Violence Against Women Survey conducted by the Bangladesh Bureau of Statistics in 2015 (hereafter, the Survey), three out of four ever-married women in Bangladesh (73%) have experienced a form of gender-based violence by their current spouse. And among those women and girls who are not married, one out three (35%) experienced either sexual or physical violence from a non-partner. Further, one out of eight women or girls who have ever married (13%) has experienced sexual violence perpetrated by their own husband in the last 12 months.

In Bangladesh, among 20 to 24-year-old women 18% were married before they turned 15, and more than half (52%) were married before their 18th birthday (compared to 5% of boys married before 18). These figures are a significant improvement from 1997 to 2011 rates for girl child marriage hovered between 69% and 65% but are still one of the highest rates of child marriage in the world. Only 2.6% of victims of physical violence take legal actions and less than 1% of GBV cases result in convictions. The High Court's directives on enactment of laws against sexual harassment in public places and institutions have not been acted upon.

The government is implementing the National Women Development Policy-2011 but the implementation needs to be strengthened. The National Action Plan of National Women Development Policy,2013 should be updated considering new and emerging needs and priorities. Newly adopted Child Marriage Act has formalized marriage under the age of 18 in difficult circumstances. There is a fear that the act will provide legitimacy for child marriage in the country. The CEDAW concluding observation has recommended not to adopt any law that permits marriage under 18.

Removal of reservations from Article 2 and Article 16.1(c) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has been remaining undone. The Government justifying that the society is not ready to accept the clauses and for this reason it might

take more time to withdraw these reservations. The CEDAW concluding observations have recommended the country to adopt a uniform family code within a time-frame. Till date, no steps have been taken by the government to enact such important law in the country.

The Government yet to take a comprehensive legislation to stop violence against women and girls. The CEDAW concluding observations recommended to adopt, without delay, legislation criminalizing all forms of violence against women and girls, including marital rape irrespective of the age of the victim, domestic violence and all forms of sexual abuse, and ensure that the perpetrators are prosecuted and adequately punished. Till date there is no steps taken by the Government to adopt legislation on sexual harassment.

In Bangladesh, harmful and discriminatory practices like child marriage, abandonment, dowry, and gender based violence persist, largely rooted in discriminatory social norms that privilege men and devalue women. Violence against women and girls takes place at home, in schools, workplace and public spaces. According to the Survey, one out of two women (49.6%) experienced physical violence in their lifetime and more than 20% reported physical violence in the last 12 months. More than 70% of women affected never reported the violence to anyone. One of four married women also reported violence from a non-partner. 14% of maternal death has been associated with GBV.

The Government has introduced a number of laws criminalizing violence against women, including the Domestic Violence Prevention and Protection Act, 2010 and the Domestic Violence Prevention and Protection Rules, 2013. However, a systematic effort from the Government to train law enforcement agencies on proper use of these laws and specific budget allocation for this purpose is needed. Some initiatives have been introduced to train the police on Gender Based Violence (GBV) in both development and emergency settings with the support of development partners, but this initiative should be mainstreamed in Bangladesh Police in-service and foundational training as well as reaching other judicial actors.

Women seeking justice are often stigmatized. This combined with the limited resources and poor infrastructure for the justice system (as noted by the Special Rapporteur on Violence against Women) makes accessing justice complicated, costly, and lengthy and negatively affects women's capacity to seek redress through the judicial system. The Survey found that only 2.6% of women took legal action after experiencing partner violence. The most common reasons for not taking legal action were 'did not consider it necessary' (11.5%), followed by being 'afraid of husband' (8.3%), 'afraid of children's future' (8.3%), and 'would bring bad name to the family' (8.1%).

Other than legislation, Government's efforts to reduce violence against women include the Action Plan for the National Women Development Policy (NWDP) 2011 with short, medium and long-term actions to tackle VAW. The NWDP National Action Plan has been developed to facilitate implementation, which needs effective monitoring and reporting on the progress. The MoWCA also led and approved a National Action Plan on Violence Against Women (NAP-VAW). However, the plan was developed with very little consultation, is not as well articulated, is not costed, does not include appropriate M & E framework and gives very little attention to addressing factors that cause or enable violence against women. The NAP-VAW addresses violence against women as a welfare issue, responding to the needs of victims rather than including steps to uphold

their rights or prevent the violation in the first place. Services to women affected by violence are essential, but given the number of women affected and how few of those report their experience to anyone, response after the fact is inadequate. Based on the Survey (2015), more than 10 million married women experience physical violence in any 12-month period. This is far beyond the capacity of shelters, one-stop centres or the justice system to address.

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