



REFERENCE: AA/follow-up/Bangladesh/57

8 April 2014

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined sixth and seventh report of Bangladesh at the Committee's forty-eighth session, held in February 2011. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/BGD/CO/7). You may recall that in the concluding observations, the Committee requested Bangladesh to provide, within two years, further information regarding the specific areas of concern identified by the Committee in paragraphs 12 and 20 of the concluding observations.

The Committee welcomes the follow-up report received in September 2013 (CEDAW/C/BGD/CO/7/Add.1), although it was received with a seventh-month delay, under the CEDAW follow-up procedure. At its fifty-seventh session, held in February 2014 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 12** of the concluding observations that the State party “expedite its efforts towards the withdrawal of its reservations to articles 2 and 16, paragraph 1 (c) within a concrete timeframe”: The State party indicated that the withdrawal of the reservations relating to article 2 and article 16 (1) (c) is under consideration by the Government. The Committee considers that it **did not receive sufficient information** on the steps taken by the State party towards the withdrawal of the reservation to assess the level of implementation of the recommendation.

The Committee recommends that, in relation to paragraph 12 of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to withdraw its reservations to articles 2 and 16, paragraph 1 (c) within a concrete timeframe.

Regarding the recommendation made in **paragraph 20** of the concluding observations “to give priority attention to combating violence against women and girls and to adopt comprehensive measures such as a national action plan to address all forms of violence against women and girls, in accordance with its general recommendation No. 19 (1992)”: The State party indicated that the Ministry of Women and Children Affairs takes a coordinating and capacity development role to make a national action plan on violence against women and children, which will focus on legal arrangements, social awareness and mental transformation, advancement of social-economic

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status, protective services, curative and rehabilitation services and Inter-sectoral cooperation (para. 12 of State party's follow-up report). The Committee notes that the State party took a first step towards the adoption of a national action plan on violence against women. The Committee considers that the recommendation has been **partially implemented**.

Regarding the recommendation to “ensure that all forms of violence against women and girls, including domestic violence and all forms of sexual abuse, are criminalized, and that perpetrators are prosecuted and punished”: The State party indicated that, for a given period and up to August 2013, out of 17,587 women and children victims of violence who stayed in the One-Stop Crisis Center, 3,969 filed criminal cases, 614 judgments were pronounced, and punishments were meted out in 90 cases (page 3 of State party's follow-up report). The Committee considers that the figures provided by the State party reflect very low rates of punishment of perpetrators of violence against women. In addition, the State party failed to provide information on measures taken to ensure that all forms of violence against women, including domestic violence and all forms of sexual abuse, are criminalized. The Committee considers that the recommendation has **not been implemented**.

Regarding the recommendation to “ensure that the women and girls who are victims of violence have access to immediate means of redress, rehabilitation and protection”: The State party mentioned the establishment of Victim Support Centres (VSC) in June 2011, in January 2012 and in October 2013 (para. 20 (a) (iii) of the State party's follow-up report). It also indicated that 60 One-Stop Crisis Cells have been established since December 2012 (para. 20 (a) (ii) of the State party's follow-up report) and that a National Helpline Centre for Violence Against Women and Children was established in 2012 to provide information on the services available (para. 20 (a) (v) of the State party's follow-up report). The State party also mentioned other measures taken but it failed to indicate whether they were taken after the issuance of the COBs. The Committee considers that the State party took significant steps towards the delivery of services to victims; however it notes the lack of information provided by the State party on access of victims to immediate means of redress. The Committee considers that the recommendation has been **partially implemented**.

Regarding the recommendation to “remove any impediment faced by women in gaining access to justice and ensure that shalish decisions do not violate laws and do not lead to extrajudicial penalties”: The State party indicated that the High Courts are advocating and taking measures regarding the misusing of the shalish and they are sensitizing stakeholders to improve women's access to justice (para. 20 (b) of the State party's follow-up report). The Committee notes the lack of precision and dates regarding the measures mentioned by the State party and considers, therefore, that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation to “enact legislation on sexual harassment”: The State party indicated that it incorporated provisions in the Mobile Court Act 2009 to prevent sexual harassment (para. 20 (c) (i) of the State party's follow-up report). The Committee notes the absence of information received on whether the State party adopted legislation on sexual harassment after the issuance of the Concluding Observations. The Committee considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation to “take effective measures to ensure the implementation of the existing legal framework”: The State party indicated that, in recent years, the High Court has given some landmark judgments and directives to prevent sexual harassment both at working places and in educational institutes, prevent harassment in the name of religious verdict, and protect domestic workers (para. 20 (c) (i) of the State party's follow-up report). While welcoming the High Court judgements and directives to prevent sexual harassment, the Committee notes that it did not receive information on measures taken by the State party to ensure effective implementation of other legislation related to violence against women. It considers that the recommendation has been **partially implemented**.

Regarding the recommendation to “organize training and awareness-raising programme for the judiciary and public officials, in particular law enforcement and health service personnel, in order to ensure that they are sensitized to all forms of violence against women and can provide

adequate gender-sensitive support to victims”: The State party indicated that there is a close collaboration among the government departments, development partners, NGOs and CSOs to raise awareness on issues related to violence against women. It further mentioned a range of activities undertaken in this regard (para. 20 (c) (i) of the State party’s follow-up report). The Committee notes that the State party provided a lot of information on training and awareness-raising programmes carried out to sensitize officials to all forms of violence against women. However, the State party failed to indicate whether it undertook these activities and whether the programmes and initiatives were developed after the issuance of the Concluding Observations. Therefore, the Committee considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation to “establish counselling services and sufficient number of shelters for victims of violence in all parts of the country, including in rural areas”: The State party mentioned the existence of a National Trauma Counselling Centre, seven safe custodies for women, girls and adolescents, and seven women support centres. The Committee notes that the National Trauma Counselling Center was established before the issuance of the Concluding Observations and that the State party failed to provide information on whether the other services and support centres were established after the issuance of the Concluding Observations. The Committee considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation to “establish a database to collect data and information on the implementation of the laws and policies in place to deal with all forms of violence against women and girls and on the impact of such measures”: The State party indicated that a National Database was established on July 2009 to collect data and information on violence against women. The Committee considers that the State party failed to indicate whether it has established a database or integrated in the existing database data and information on: a) the implementation of the laws and policies to deal with all forms of violence against women and girls, and b) the impact of such measures. The Committee considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation to “undertake studies and/or surveys on the extent of such violence and its root causes”: The State party mentioned the report on Violence against Women and Children made by the Bangladesh Bureau of Statistics in 2011 and the 2013 National Survey on Child Marriage in Bangladesh made by Plan International Bangladesh. The Committee considers that the State party took significant steps to study the extent of violence against women. The Committee considers that, for the period under review, the recommendation **has been implemented**.

The Committee recommends that, in relation to paragraph 20 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1) Finalize the national action plan to address all forms of violence against women and girls, in accordance with its general recommendation No. 19 (1992);
- 2) Ensure that all forms of violence against women and girls, including domestic violence and all forms of sexual abuse are criminalized, and that perpetrators are prosecuted and punished;
- 3) Continue its efforts to ensure that the women and girls who are victims of violence have access to immediate means of redress, rehabilitation and protection;

4) Remove any impediment faced by women in gaining access to justice and ensure that shalish decisions do not violate laws and do not lead to extrajudicial penalties;

5) Amend legislation to prohibit sexual harassment and provide for adequate sanctions;

6) Continue its efforts to ensure the implementation of the existing legal framework on violence against women;

7) Organize training and awareness-raising programme for the judiciary and public officials, in particular law enforcement and health service personnel, in order to ensure that they are sensitized to all forms of violence against women and can provide adequate gender-sensitive support to victims:

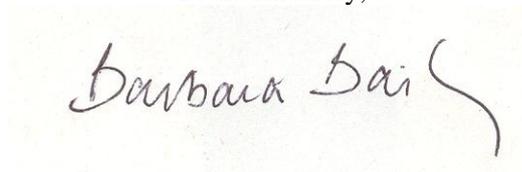
8) Continue its efforts to establish sufficient number of shelters for victims of violence in all parts of the country, including in rural areas; and

9) Establish a database, or improve the existing one, to collect data and information on the implementation of the laws and policies in place to deal with all forms of violence against women and girls and on the impact of such measures.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Bangladesh on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



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