Research Monograph

on

Positive Discrimination In Favor of Women under the Constitution and Other Statutory Provisions Bangladesh Perspective

Research Paper submitted in partial fulfillment of the requirements of the degree of LL.M (1 year) under Sonargaon University

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LETTER OF TRANSMITTAL

To

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Subject: Submission of research paper.

Dear Sir,

It is a great pleasure for me to submit the research monograph, while preparing this research; I have tried my level best to maintain the required standard. I hope that this paper will fulfill your expectation.

I, therefore, pray and hope that you would be kind enough to go through this internship for evaluation.

I always available for any further clarification for any part of this internship at your convenience.

Sincerely yours,

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I do hereby solemnly declare that the work presented in this thesis has been carried out by me and has not been previously submitted to any other institution. The work I have presented does not breach any copyright. I further undertake to indemnify the University against any loss or damage arising from breach of the foregoing obligations.

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CERTIFICATION

This is to certify that the thesis on **"Positive Discrimination In Favor of Women under the Constitution and Other Statutory Provisions Bangladesh Perspective"** is done by **Arab Hasan Abir,** ID: LLM 2301028016 in partial fulfillment of the requirements for the degree of LL.M. (Masters) from Sonargaon University (SU). The research paper has been carried out under my guidance and is a record of the bona fide work carried out successfully.

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Abstract

Women's legal rights are one of the most significant determinants of their status. Positive discrimination in favor of women under the constitution and other statutory provisions Bangladesh perspective. The shortcomings and ineffectiveness of laws, women's inability to access legal proceedings, the traditional and cultural negative views about women's rights, the absence of an accountable and transparent government, the expensive and time consuming judicial process, the lack of an efficient judiciary, and other socio-ecomic reasons. The core theme of the thesis concentrates on the shortcomings and ineffectiveness of laws, although viewing them within the context of those other factors. To signify the 'ineffectiveness of laws', emphasis is basically placed on the administrative and judicial approaches in the country to achieve the underlying objectives of law concerning women's rights in pertinent areas. Gender discrimination has been a persistent issue globally, impeding the progress of women and hindering the development of societies. This term paper aims to examine the role of women in development indicators in Bangladesh, a country where gender disparities have historically been prevalent. By analyzing various social, economic, and educational indicators, this paper highlights the challenges faced by women in Bangladesh and explores the impact of gender discrimination on their empowerment and participation in development processes. Additionally, it discusses the efforts made by the government and civil society organizations to address these issues and offers recommendations for further improvement.

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Chapter-01

Introduction

1.1 Introduction

The People's Republic of Bangladesh's Constitution guarantees the right to equality under various provisions and forbids discrimination on the grounds of gender, race, sex, caste, and religion. Nonetheless, women make up half of Bangladesh's population, and the country is also home to three million tribal and indigenous people from fifty different ethnic groups. However, there is insufficient representation of women and other minority groups in the workforce. Therefore, the signatory states are required to take positive action for the advancement of women in society in order to fulfill the requirements of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).[1]

Discrimination based on gender is a worldwide problem that endures to varying degrees in different cultures. It limits women's chances for advancement and development and obstructs the socioeconomic development of entire countries. Bangladesh, a nation in South Asia with a population exceeding 160 million, has encountered notable obstacles concerning gender inequality. But the nation has also made significant progress in combating gender inequality and advancing women's rights across a range of industries.

1.2 Background

For many years, gender inequality and the place of women in development metrics have been major issues in Bangladesh. The sociocultural background, legal systems, and historical elements of the nation have all contributed to the continuation of gender inequality and the difficulties that women encounter in a variety of fields.

[1] https://nilsbangladesh.org/positive-discrimination-and-right-to-equality-in-bangladesh/#:~:text=Article%2028%20(4)%20allows%20the,for%20the%20state%20to%20take

- ***Sociocultural Factors:***

In Bangladesh, gender norms and stereotypes are deeply ingrained in a patriarchal society. According to traditional gender roles, men are viewed as the main earners and decision-makers, and women are assigned to domestic and caring duties. These norms frequently impede women's freedom of movement, hinder their access to jobs and education, and support discrimination and violence against them on the basis of their gender.[2]

- ***Legal and Policy Frameworks:***

Bangladesh has implemented legislative and policy measures to combat gender discrimination. All citizens of Bangladesh, regardless of gender, are guaranteed equal rights under the constitution. Laws have also been passed to address harassment, discrimination, and domestic abuse of women. Promoting gender equality and empowering women across a range of industries is the goal of the National Women's Development Policy.[3]

- ***Education and Employment:***

Bangladesh has achieved notable improvements in primary and secondary education enrollment rates for both boys and girls, indicating a significant improvement in access to education. But gender differences still exist, especially in technical and higher education fields. Women encounter obstacles in their pursuit of high-quality education because of social and economic divides.[4]

Bangladeshi women face numerous challenges in the job market, such as narrow career options, pay disparities, and occupational segregation. A significant percentage of women work in the unorganized sector, frequently in low-wage, vulnerable jobs, while the proportion of women in formal employment and leadership roles is still low.

- ***Development Indicators:***

Gender differences are visible in many areas when looking at Bangladesh's development indicators. Economic indicators show that there are notable differences between men and women in terms of income levels, asset ownership, and financial inclusion. Women's

[2] Ibid.
[3] Ibid.
[4] Ibid.

access to credit, land, and business opportunities are frequently barriers to their economic participation.

Women confront obstacles in the areas of social welfare, nutrition, and healthcare. The disparity in health outcomes between genders is influenced by factors such as maternal mortality rates, child and maternal malnutrition, and restricted access to healthcare services. Moreover, gender-based violence and discrimination are still sustained by social norms and practices like child marriage and dowries.

- ***Efforts and Progress:***

A number of initiatives have been put into place by the Bangladeshi government and civil society organizations to combat gender discrimination and advance women's empowerment. These include initiatives that support women's economic empowerment, girls' education, women's access to healthcare, and the legal needs of victims of gender-based violence. Additionally, initiatives to strengthen women's political representation have been undertaken in the form of training and capacity-building plans.

Bangladesh has seen improvements in development outcomes and women's empowerment over time. The proportion of women in the labor force has grown, and their economic contributions are now acknowledged. Additionally, strides have been made in lowering the rates of mother and child mortality, enhancing educational opportunities, and raising the proportion of women in local government positions.

To completely address gender discrimination, however, ongoing efforts are required because gaps and difficulties still exist. Bangladesh can keep moving closer to attaining gender equality and women's empowerment by putting an emphasis on inclusive policies, encouraging gender-responsive development strategies, and questioning deeply ingrained societal norms.

1.3 Research Objective

This study's main goal is to investigate how women fit into Bangladesh's development metrics and how gender discrimination affects women's participation and empowerment. The following specific goals are the focus of the research:

a) Determine the main instances of positive discrimination in favor of women in the Bangladeshi Constitution.

b) Examine the obstacles that women encounter in relation to each development metric and the degree of favorable gender disparities for women.

c) Examine the historical background, legal frameworks, and sociocultural norms that contribute to gender discrimination in Bangladesh.

By fulfilling these goals, this study hopes to advance knowledge of the difficulties faced by Bangladeshi women as well as possible directions for advancing women's empowerment and gender equality. It aims to enlighten stakeholders, researchers, and policymakers about the possibilities, challenges, and state of affairs surrounding the fight against gender discrimination and the advancement of women's status in development metrics. The study's ultimate goal is to aid in the development of interventions and policies that are grounded in data and that can effectively advance gender equality in Bangladesh.

1.4 Methodology

This study was carried out using data analysis from a variety of secondary sources, including the Bangladesh Bureau of Statistics (BBS), Bangladesh Demographic Health Survey (BDHS), Bangladesh Bureau of Educational Information and Statistics (BANBEIS), Household Income and Expenditure Survey (HIES), Labor Force Survey (LFS), and other reports. For this study, numerous national and international journals, books, relevant research papers, and statistical reports have all been reviewed.

Chapter-02

Gender Discrimination in Bangladesh

2.1 The Concept of Positive Discrimination and Right to Equality:

Positive discrimination, also referred to as affirmative action, is essentially the process of implementing special measures meant to advance greater equality by supporting marginalized groups of people so they can benefit from opportunities on par with the community as a whole. However, the right to equality is protected by several national and international instruments, meaning that it does not discriminate based on factors such as gender, race, caste, sex, or religion.[5]

The 'positive discrimination'

The popular—and possibly inaccurate—term for Bangladesh's constitutional preference for marginalized groups is the "positive discrimination" system. Discrimination is incompatible with the fundamental constitutional precepts of the nation, which uphold equality and nondiscrimination. In this case, the phrase "positive discrimination" might not accurately convey the ideas underlying Articles 28(4) and 29(3), which grant rights.

When a group receives discriminatory treatment in order to counterbalance their antagonistic counterparts, it is said to be practicing positive discrimination. However, there are some problems with this articulation. On the one hand, it could give decision-makers a narrow perspective on the significance of addressing the issues that are marginalized. Conversely, it might encourage haphazard policies that serve political and populist agendas instead of tackling the problems marginalized communities face in an objective manner. More significantly, it reduces the significance of action proportionality. Let's look at two instances.

Bangladesh's public service quota system was criticized up until recently for being an arbitrary instrument. Stated differently, the policy's necessity and proportionality were not thoroughly assessed. The policy guaranteed the permanent reservation of approximately 55% of civil service positions for specific groups. Nevertheless, there was no review process

[5] Art. 27 of the Constitution and Art. 2,7 of UDHR, 2, 26 of ICCPR and 2 of ICESCR

in the policy. Stated differently, this meant that a regular assessment of its importance or impact could not occur.

Similar claims are being made regarding the representation of women in the parliament of Bangladesh. Unquestionably, women have historically been marginalized in the nation's political system, and a preference system is undoubtedly necessary. Nonetheless, careful examination of the selected techniques is necessary.

Bangladesh has a legislative reservation system for women based on their gender. Political parties appoint the reserved candidates; voters do not choose them directly. But they are unable to enact laws. It is therefore debatable what effect and democratic value the members of the reserved seat add to the legislative process. The non-amended constitution established reserved seats for female members in 1972, allowing for ten years of indirect elections. Since then, the system has persisted, albeit with sporadic updates.[6] In reality though, these renewals have essentially been an extension of the same policy.

Nonetheless, there has been criticism of the repeated extensions of the reserved seats. The matter was heard by the Supreme Court twice. It was argued that indirectly elected seats were undemocratic in two cases: Dr. Ahmed Hussein v. Bangladesh and Farida Akter v. Bangladesh. The Court dismissed this argument in both cases, ruling that indirect elections were constitutionally permissible under article 28(4). Put differently, an indirect election constituted a preferential action.[7]

Notwithstanding the Supreme Court's rulings, the criticisms persisted. In a different case, a bench of Bangladesh's Supreme Court's High Court Division questioned the policy's perpetual continuation.[8] Women's reserved seats in city corporations were at issue in this case. The court acknowledged in its decision that it did not believe the parliamentary reservation to be constitutional. It acknowledged that women's reserved seats could only be created through a direct election system.

[6] *Renewals were in 1978, 1990, 2004, 2011 and lastly, 2018*

[7] Ibid.

[8] *In Shamima Sultana Seema v. Bangladesh, 57 DLR (2005) 201*

Affirmative action provisions in the constitution have not been fully implemented by Bangladesh's successive governments, as evidenced by the gender-reserved seats in the parliament and the civil service quota. A "reasonable classification" approach to affirmative action, on the other hand, might give legislators a more effective tool. A favored classification "must be founded on an intelligible differentia which distinguishes persons who are grouped together from others left out of the group," as a well-known Bangladeshi judge stated.'[9]

2.2 Socio cultural Factors

In Bangladesh, a multitude of sociocultural factors that impact women's roles, expectations, and treatment within society have a profound impact on gender discrimination. These elements restrict women's access to education, career opportunities, and decision-making authority while also assisting in the maintenance of gender disparities. Several important sociocultural elements that lead to gender discrimination in Bangladesh include:

- *Patriarchal Social Norms:* In Bangladesh, the majority of people in positions of power and authority follow deeply ingrained patriarchal norms. Strict gender roles are prescribed by these norms, with men expected to be the main providers of income and decision-makers and women restricted to household duties. In addition to restricting women's agency and autonomy, this division of labor perpetuates gender discrimination.
- Gender Stereotypes: Traditional beliefs and gender stereotypes serve to further legitimize gender discrimination. Preconceived notions about women as homemakers, caregivers, and subservient people erect obstacles in the way of women's engagement in public life and sustain their marginalization. These prejudices limit women's access to leadership roles, career opportunities, and education.

- Early Marriage and Gender-Based Violenc*e:* Given the high prevalence of child marriage in Bangladesh, this issue is still very important. In addition to restricting

[9] *Justice ATM Afzal put it in Sheikh Abdus Sabur v. Returning. Officer 41 DLR (AD) (1989) 30*

girls' access to higher education, early marriage puts them at higher risk of sexual assault, domestic abuse, and issues with their reproductive systems. These detrimental behaviors impede women's empowerment and uphold gender discrimination.

- Dowry System: Even though it is against the law, the dowry system is still in place in many areas of Bangladesh. The bride's family is financially burdened by this system, which perpetuates the idea that women are liabilities. Gender-based discrimination and violence against women are exacerbated by the prevalence of abuse and violence related to dowerries.
- Limited Mobility and Social Restrictions: Women's mobility and interactions outside the home are severely restricted by societal norms. Women's freedom to travel, move around, and enter public places is frequently restricted, which reduces their access to job and educational opportunities. Social norms dictating how women should behave and dress also contribute to gender inequality and prevent women from achieving full empowerment.[10]
- Religious and Cultural Practices: Despite Bangladesh's diversity, religious and cultural customs occasionally serve to legitimize gender inequality. Women's rights and freedoms may be curtailed by interpretations of religious texts and cultural customs, which may prevent them from pursuing certain roles in decision-making, working, or attending certain schools.

In Bangladesh, addressing these sociocultural elements is essential to ending gender discrimination. The main goals should be to advance gender equality, dispel gender stereotypes, increase public knowledge of women's rights, and involve local and religious authorities in the cause of women's emancipation. To confront and alter societal norms that support gender discrimination, comprehensive programs for education and awareness that are sensitive to gender differences are crucial. Furthermore, enforcing current laws and enacting new ones can be crucial in stopping harmful practices and defending the rights of women.

In Bangladesh, addressing sociocultural issues is essential to fostering an atmosphere that promotes gender equality and women's empowerment. Bangladesh can set the path for a

[10] Ibid

more equitable and inclusive society where women can fully participate in and contribute to the nation's development by questioning and changing these norms development.[11]

2.3 Legal and Policy Framework

The legal and policy framework in Bangladesh also has an impact on gender discrimination. Although the nation has taken action to promote women's rights and address gender disparities, difficulties still exist in putting these laws into practice and keeping them up to date. Important facets of Bangladesh's framework for laws and policies pertaining to gender discrimination include:

- Constitution of Bangladesh: All citizens of Bangladesh, regardless of gender, are guaranteed equal rights under the constitution. It guarantees equal opportunity in all areas of life and outlaws discrimination based on a person's gender. It also has clauses that forbid forced labor, child marriage, and human trafficking in addition to promoting gender equality.

- The Women Development Policy: 2011 saw the creation of the National Women Development Policy, a key framework for policy that supports women's empowerment and gender equality. It provides tactics and plans of action to deal with a number of problems, such as violence against women, health, education, and economic empowerment.
- Family Law and Personal Status Laws: Different religious communities in Bangladesh have different personal status laws, such as the Hindu Marriage Act and the Muslim Personal Law. These laws control things like custody, inheritance, divorce, and marriage. But there are still issues with making sure these laws are fully implemented, and there are weaknesses in the way they safeguard women's rights in family-related issues.
- The Dowry Prohibition Act: The 1980 Dowry Prohibition Act forbids the offering, receiving, or demanding of dowries. It attempts to address the destructive dowry custom, which frequently results in abuse and violence against women. Still, in

[11] https://whiteboardmagazine.com/2691/how-bangladesh-can-approach-constitutional-equality/#_ftn5

some regions of the nation, dowries are customarily paid in spite of legal restrictions.

- Sexual Harassment Prevention Act: With the passage of the Sexual Harassment Prevention Act in 2009, public areas, workplaces, and educational institutions are now legally protected from sexual harassment. This law establishes penalties for sexual harassment and provides guidelines for its avoidance and correction.

- The Domestic Violence Prevention and Protection Act: In addition to addressing domestic violence against women, the Domestic Violence Prevention and Protection Act of 2010 offers survivors protection and legal remedies. It acknowledges that there are many different types of domestic violence, such as financial, psychological, and physical abuse, and it offers reporting channels, protection orders, and support services.

There are still issues with these legal and policy frameworks' implementation and enforcement, despite the fact that they are crucial for combating gender discrimination. A number of factors, including societal norms, a lack of awareness, a lack of resources, and the justice system's limited capacity, all contribute to the gaps and shortcomings that exist in the protection of women's rights and the fight against gender discrimination.[12]

Improving the application and enforcement of current legislation, strengthening the judicial system's and law enforcement agencies' capacity, and educating the public about women's rights are all necessary to combat gender discrimination. Policies and programs also need to be regularly monitored and evaluated in order to determine where they need to be improved and to guarantee their efficacy.

[12] https://whiteboardmagazine.com/2691/how-bangladesh-can-approach-constitutional-equality/#_ftn5

Chapter-03

Positive Discrimination In Favor Of Women under the Constitution of Bangladesh

3.1 Provisions related to the Positive Discrimination in Bangladesh:

Positive discrimination is necessary to improve the status of women because they are viewed as inferior to men and are not granted the same privileges in society.[13] Article 27 of the Constitution stipulates that every citizen is entitled to equal protection under the law and is treated equally before it. Although Article 27 of the Bangladeshi constitution guarantees gender equality in state and public life, other provisions, such as Articles 28 (4), 29 (3) (a), and 65 (3), address positive discrimination. Article 29 guarantees equality of opportunity in public employment but also includes affirmative action, which states that the state may take special measures for the advancement of women, children, and other underprivileged groups in society. In order to ensure that any marginalized group in society has sufficient representation in the republican service, the state may act in their favor. Additionally, as a result of the fifteenth amendment to the Constitution, the number of reserved seats for women has increased to fifty. These seats will be chosen by parliamentarians using a single transferable vote system based on proportional representation in the legislature (Article 65(3)). Furthermore, a number of special laws were passed in Bangladesh to grant women and children extra rights, such as: Shishu Nari O Daman Ain Nirjatan, 2000.[14]

3.2 Economic Indicators:

Development indicators offer important perspectives on the state and functioning of an economy. Regarding Bangladesh, a number of significant economic metrics provide insight into the country's development path. Among these indicators are:

- Gross Domestic Product (GDP*):* GDP is a fundamental measure of economic activity within a country. Bangladesh has experienced consistent economic growth

[13] Sayeeda Anju, 'A STUDY ON POSITIVE DISCRIMINATION OF WOMEN IN LAWS OF BANGLADESH' (2011) 53(3) Journal of the Indian Law Institute 491

[14] https://nilsbangladesh.org/positive-discrimination-and-right-to-equality-in-bangladesh/#_edn8

in recent years, with a GDP growth rate averaging around 7% annually. This growth has been driven by sectors such as agriculture, industry (including manufacturing and construction), and services.

- Poverty and Income Discrimination: Poverty reduction is a critical development goal for Bangladesh. The country has made significant progress in reducing poverty rates over the past few decades. According to the World Bank, the poverty rate in Bangladesh declined from 44.2% in 1991 to 20.5% in 2019. However, income Discrimination remains a challenge, with a Gini coefficient of 0.32 (as of 2019), indicating moderate income Discrimination.[15]
- Foreign Direct Investment (FDI*):* FDI plays a crucial role in stimulating economic growth, job creation, and technology transfer. Bangladesh has experienced a gradual increase in FDI inflows, particularly in sectors such as textiles and garments, telecommunications, and energy. Government initiatives to improve the investment climate and infrastructure have attracted foreign investors.
- Export Performance: The export sector, particularly the ready-made garments industry, is a major driver of Bangladesh's economy. The country is one of the world's largest exporters of garments, accounting for a significant share of its total exports. Diversification of export products and markets is a priority to sustain export growth and reduce reliance on a single sector.

These economic indicators provide an overview of Bangladesh's progress in terms of economic development. However, it is important to consider the multidimensional nature of development, including social, environmental, and governance aspects, to assess the overall well-being and sustainability of the country's development path.[16]

3.3 Social Indicators

Social indicators play a crucial role in assessing the overall development and well-being of a country's population. In the case of Bangladesh, several key social indicators provide insights into various aspects of social development. These indicators include:

[15] Ibid.
[16] https://nilsbangladesh.org/positive-discrimination-and-right-to-equality-in-bangladesh/#_edn8

- Education: Education is a vital social indicator, reflecting the accessibility and quality of educational opportunities. Bangladesh has made significant progress in increasing access to education, particularly at the primary level. Key indicators include gross enrollment rates, literacy rates, and gender parity in education. Efforts are ongoing to improve access to quality education at all levels and reduce gender disparities in education.[17]

3.4 Educational Indicators

Key metrics that indicate the development and caliber of a nation's educational system are called educational indicators. Regarding Bangladesh, a number of educational metrics offer valuable perspectives on the condition of education and its influence on growth. Among these indicators are:

- *Gross Enrollment Rate (GER):* As a percentage of the eligible age group, the GER calculates the total enrollment in a given level of education (usually primary, secondary, or tertiary). Over time, considerable progress has been made in Bangladesh as a consequence of efforts to raise the enrolment rates in elementary schools. Ensuring that everyone has access to high-quality education, especially at the secondary and postsecondary levels, is still a challenge.[18]

3.4 Political Indicators

Political indicators shed light on a nation's political climate and system of government. Regarding Bangladesh, a number of significant political metrics provide insight into the country's democracy, governance, and political engagement. These indicators include:

- Political Stability: One key sign of a favorable climate for development is political stability. It expresses the level of political and social harmony, the lack of violence or conflict, and the stability of the political system. Although there have been times of political unrest in Bangladesh in the past, steps have been taken to bolster democratic institutions and guarantee a more stable political climate.

[17] Ibid.

[18] Rahman, R.I. 1990. An analysis of employment and earnings of poor women in Bangladesh, Ph.D. thesis (Canberra, The Australian National University).

- Democracy and Governance: Democratic governance indicators assess the extent to which democratic principles, such as free and fair elections, rule of law, transparency, and accountability, are upheld. Bangladesh has a multi-party system, and general elections are held regularly. However, there is a need to further strengthen democratic institutions, enhance transparency, and ensure the effective functioning of checks and balances.
- Human Rights: Human rights indicators assess the protection and promotion of human rights, including civil, political, economic, social, and cultural rights. Bangladesh has made progress in certain areas, such as women's rights, child rights, and access to justice. However, challenges persist in areas such as freedom of expression, media freedom, and addressing human rights violations.[19]

These political indicators shed light on Bangladesh's political environment and governance. For democratic institutions to be strengthened, inclusive governance to be promoted, and sustainable development to be achieved, issues with political stability, democratic governance, political participation, human rights, and corruption must be addressed.[20]

[19] Ibid.

[20] Inequality Matter? Unnayan Onneshan-The Innovators. Available at:http://unnayan.org/reports/health/Achieving_the_MDGs_Targets_in_NutritionDoes_Inequality_Matter.

Chapter-04

Challenges Faced by Women in Development

4.1 Economic Challenges

Numerous economic obstacles prevent women from fully participating in and contributing to development. Among the major financial obstacles that women must overcome are:

Gender Wage Gap: When compared to men, women's wages are frequently lower. The pay disparity that women experience for performing similar or equally valuable work is reflected in the gender wage gap. This disparity prevents women from achieving financial independence, economic empowerment, and the capacity to make personal development investments.

Limited Access to Financial Resources: Credit, loans, and financial services are just a few of the financial resources that women frequently have limited access to. Their capacity to invest in education or skill development, launch or grow enterprises, and take part in entrepreneurial endeavors is hampered by this lack of access.

Segregation by Occupation: Women are more likely to work in underappreciated fields or in occupations with lower pay. The practice of occupational segregation restricts women's access to higher-paying and more lucrative fields, thereby impeding their ability to advance economically.

Unpaid Labor and Care Responsibilities: Women are disproportionately responsible for performing unpaid labor in the areas of childcare, household chores, and providing care for aging or ill family members. Women's economic contributions are marginalized because economic calculations frequently undervalue and ignore this unpaid labor. [21]

Lack of Access to Productive Resources: Land, property, technology, and agricultural inputs are just a few examples of the productive resources that women frequently have less access to. This limits their potential for economic growth by preventing them from engaging in productive activities, farming, and entrepreneurship.[22]

[21] Survey (HIES) 2000, Dhaka: Bangladesh Bureau of Statistics (BBS), Planning Division, Government of the People's Republic of Bangladesh.

[22] Ibid.

4.2 Social Challenges

Women face various social challenges that hinder their full participation and contribution to development. Some of the key social challenges faced by women include: [23]

- Gender-Based Violence: Women experience various forms of gender-based violence, including domestic violence, sexual harassment, rape, and human trafficking. These acts of violence not only have a direct impact on women's physical and mental well-being but also limit their mobility, access to education, and economic opportunities.
- Limited Access to Education: Despite progress in increasing girls' access to education, many women still face barriers to education, particularly at higher levels. Factors such as child marriage, cultural norms, poverty, and inadequate infrastructure contribute to limited educational opportunities for women.
- Early Marriage and Childbearing: Child marriage remains a significant challenge in many societies, resulting in early pregnancy and childbirth. Early marriage limits girls' education, exposes them to health risks, and perpetuates cycles of poverty and Discrimination.[24]

A comprehensive strategy is needed to address these social issues, one that includes modifying societal attitudes and norms, putting laws and policies protecting women's rights into effect and upholding them, advocating for gender equality in the workplace and in education, increasing public awareness of gender-based violence, and setting up support networks for women's empowerment. Achieving sustainable and inclusive development requires fostering an environment that allows women to fully engage in society, exercise their rights, and gain from social development. [25]

4.3 Educational Challenges

Women face several educational challenges that hinder their participation and advancement in development. Some of the key educational challenges faced by women include:

[23] Bangladesh Demographic and Health Survey (BDHS), 2007. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

[24] Ibid.

[25] Bangladesh Demographic and Health Survey (BDHS), 2007. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

- Limited Access to Education: Women often encounter obstacles when trying to obtain an education, especially in secondary and university education. There are a number of factors that contribute to women and girls having limited access to education, including poverty, cultural norms, early marriage, and distance from schools.
- Gender Disparities in Enrollment*:* Enrollment rates continue to show gender differences, with girls being more likely than boys to drop out of school. In some places, girls' education is prioritized over household chores and an early marriage by traditional gender roles and expectations.
- Quality of Education: It can be difficult for women to get high-quality education. The quality of education is impacted by various factors, which restrict the learning opportunities and outcomes for women. These include outdated curricula, inadequate infrastructure, and a shortage of trained teachers.
- Gender Stereotypes and Biases: Girls' educational experiences may be hampered by gender stereotypes and biases in educational settings. These prejudices can take the form of low expectations, unfair treatment, or gender-biased curriculum, which deters girls from pursuing higher education or particular subject areas.
- Safety and Security Concerns*:* Concerns about safety and security, such as sexual harassment and gender-based violence, can have a detrimental effect on girls' school attendance and retention. Inadequate facilities, like a lack of dedicated restrooms for girls, can also raise worries about safety.
- Early Marriage and Pregnancy*:* Pregnancy and early marriage frequently interfere with girls' schooling. The social and financial pressures that come with marriage and having children make early marriages more likely for girls to drop out of school and make it difficult for them to continue their education.[26]
- Lack of Female Teachers and Role Models*:* The lack of female role models and educators in schools can restrict girls' goals and impede their development. Girls can be inspired, mentored, and challenged by female educators and role models who also defy conventional gender norms.

[26] Bangladesh Demographic and Health Survey (BDHS), 1996-1997. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

- *Socioeconomic Constraints:* Economic factors, such as poverty and the cost of education, can pose significant barriers for women's education. The direct costs of schooling, including tuition fees, books, and uniforms, can be unaffordable for many families, leading to lower enrollment and higher dropout rates for girls.[27]

4.4 Political Challenges

Women face several political challenges that hinder their full participation and contribution to development. Some of the key political challenges faced by women include:

- Underrepresentation in Political Leadership*:* Women are frequently underrepresented in leadership roles in politics, both locally and nationally. Their ability to influence laws and policies that impact their lives and communities is hampered by this lack of representation.
- Gender Bias and Stereotyping*:* Gender biases and stereotypes continue to shape perceptions of women's leadership capabilities and hinder their political participation. Stereotypes that portray women as weak, emotional, or lacking in leadership skills can undermine their credibility and hinder their chances of holding political office.
- Discriminatory Laws and Practices: Discriminatory laws, policies, and practices can limit women's political rights and participation. Legal barriers such as gender-based eligibility criteria, restrictive political party rules, or discriminatory electoral systems can impede women's access to political positions.
- Violence and Harassment: Women in politics often face threats, violence, and harassment, including physical attacks, verbal abuse, and online harassment. Such violence and intimidation can discourage women from engaging in political activities and deter them from seeking leadership positions.
- Limited Access to Resources and Networks: Women often have limited access to resources and networks necessary for political engagement. This includes access to financial resources for campaigns, networks of political supporters, and mentorship opportunities that can help women navigate the political landscape.

[27] Bangladesh Demographic and Health Survey (BDHS), 1996-1997. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

- Sociocultural Barriers*:* Women's participation in politics may be hampered by societal norms and expectations. Women may be prevented from entering politics, have their mobility restricted, or find it more difficult to participate in public life due to traditional gender roles and cultural expectations.

Chapter-05

Role of women in Development indicators inBangladesh

5.1 Economic Empowerment:

The contribution of women to Bangladesh's economic development metrics is essential to the nation's overall advancement. Reducing poverty and promoting sustainable development are made possible by women's economic empowerment, resource access, and participation in the economy. Nonetheless, there are still issues and differences between the sexes in a number of economic metrics. The following analysis can be done to look at how women fit into Bangladesh's important economic metrics: [28]

- Labor Force Participation: One important measure of women's economic involvement is their percentage of the labor force. Over time, women's participation in the labor force has grown in Bangladesh, especially in the apparel and agricultural industries. In the nation's export-oriented industries, women are essential to economic growth and foreign exchange profits.
- Work Opportunities: It is difficult for women in Bangladesh to find respectable, official jobs. Although the apparel industry has given many women the chance to work, it is also linked to low pay, long hours, and little job security. It is necessary to make an effort to provide decent work conditions and diversify the sectors in which women can find employment.[29]
- Gender Wage Gap: In Bangladesh, there is a sizable gender wage gap despite women's rising labor force participation. For comparable work, women typically make less money than men. This wage gap is a result of a number of factors, including discrimination, occupational segregation, and restricted access to higher-paying positions. In order to ensure equal pay for equal work and reduce the gender wage gap, it is imperative to address these factors. [30]
- Women's Entrepreneurship and Business Ownership: Women's business ownership and entrepreneurship foster innovation and economic growth. Women-owned

[28] StatisticDivision, Dhaka: Bangladesh Bureau of Statistics (BBS), Planning Division, Government of the People’s Republic of Bangladesh.

[29] Ibid.

[30] Ibid.

companies are very important to the local economy in Bangladesh, especially in the informal sector. Women do, however, face obstacles like restricted capital availability, a dearth of business networks, and social norms that dissuade women from pursuing entrepreneurship. Enhancing women entrepreneurs' participation and economic contribution can be achieved through providing them with business development services, financing access, and training.

The advancement of women's economic empowerment necessitates a multifaceted strategy. This entails expanding access to high-quality education and skill development programs, addressing discriminatory behaviors and social norms, supporting women-owned businesses financially and technically, and guaranteeing equal opportunities for career advancement. The main goals of policy interventions should be to end gender-based discrimination in the workplace, support women entrepreneurs, and foster gender-responsive business practices.[31]

5.2 Social Participation:

Bangladeshi women's contributions to social development metrics have a significant impact on the nation's overall trajectory of development. The enhancement of health, education, and social welfare is a result of women's empowerment and their involvement in diverse social domains. The following is revealed when women's roles in important social indicators in Bangladesh are examined:

- Education: The education of women is essential to the advancement of society. Bangladesh has improved girls' access to education significantly over the years. The gender gap has shrunk as more girls are enrolling in primary and secondary education. Gender equality, maternity and child health, and poverty reduction are all positively impacted by women's education.
- Maternal Health: Maternal health in particular is a vital social metric for women's health. Bangladesh has significantly decreased its rates of maternal death by providing more women with access to quality birth attendants and healthcare services. Maternal health outcomes are improved when women are empowered,

[31] StatisticDivision, Dhaka: Bangladesh Bureau of Statistics (BBS), Planning Division, Government of the People's Republic of Bangladesh.

educated, and have access to reproductive healthcare, which leads to safer pregnancies and deliveries.

- Family Planning and Reproductive Health: The health of women's reproductive systems and the welfare of their families depend on their ability to obtain and use family planning services. Good family planning initiatives give women the power to choose how many children to have, how often to get pregnant, and other reproductive health-related decisions. Women can engage in social and economic activities and have a positive impact on maternal and child health when they have access to contraceptives and reproductive health services.
- Gender-Based Violence: For social progress and women's empowerment, gender-based violence must be addressed. Bangladesh has worked to end violence against women by enacting laws, promoting awareness, and providing support services. In order to build safer communities and stronger social cohesiveness, it is important to empower women, advance gender equality, and challenge social norms that support violence.
- Women's Political Participation: The inclusion of women in political decision-making processes is essential for social progress and effective governance. Bangladesh has implemented measures to enhance the participation of women in local government entities, including Union Parishads and Upazila Parishads. Women who hold political leadership positions are better able to address social issues, promote gender-responsive policies, and have an impact on decision-making processes.
- Social Protection Programs: Programs for social protection are essential in combating social exclusion, discrimination, and poverty. Bangladesh has put in place a number of initiatives aimed at assisting women, including cash transfer programs, microfinance, and the social safety net. These programs seek to strengthen social well-being, increase financial support, and improve access to resources, especially for marginalized and vulnerable women.

Encouraging women to participate in social development calls for coordinated action from a number of stakeholders. These initiatives include tackling gender-based violence, encouraging women to participate in politics, establishing social protection programs that

specifically address the needs of women, and guaranteeing equal access to social services, healthcare, and education. Achieving sustainable social development also requires tackling cultural and societal norms that support discrimination against women.

Bangladesh can promote inclusive and equitable societies, lessen poverty, and accomplish the Sustainable Development Goals (SDGs) by empowering women and guaranteeing their active participation in social development.[32]

5.3 Educational Attainment:

One essential component of development indicators is the contribution of women to educational attainment. Around the world, women's access to education has improved significantly over the last few decades. Numerous benefits have resulted from giving women more opportunities to pursue higher education, for both individuals and society at large.

- Literacy and Basic Education: Development is based on education, and women's educational attainment is crucial to achieving long-term growth. Opportunities for women and girls to receive a basic education have expanded as a result of initiatives to raise the percentage of female literacy. Women who have access to high-quality education can become basic readers and become actively involved in the social, political, and economic spheres.[33]
- Gender Parity in Education: Encouraging gender parity in the classroom is essential to the advancement of women. Women's empowerment has been severely hampered by gender differences in education, such as lower enrollment rates and higher dropout rates for girls. But these disparities are starting to close, with more girls than ever registering for school and finishing their education.

5.4: Political Representation:

One important component of development indicators is the representation of women in politics. The existence and involvement of women in political decision-making processes at all levels, including local, regional, and national government, is referred to as political

[32] Rahman, R.I. 1990. An analysis of employment and earnings of poor women in Bangladesh, Ph.D. thesis (Canberra, The Australian National University).

[33] Rahman, R.I. 1990. An analysis of employment and earnings of poor women in Bangladesh, Ph.D. thesis (Canberra, The Australian National University).

representation. Encouraging inclusive and sustainable development as well as attaining gender equality depend on increasing the representation of women in politics. These are some important details about women's representation in politics:

- Gender Equality and Women's Rights: These two issues are intimately related to women's political representation. Women who hold significant positions in political institutions can impact laws, policies, and initiatives that advance gender parity and tackle concerns impacting women and girls. Legislators who are women can support legislation that protects women from gender-based violence, advances women's reproductive rights, and guarantees equal opportunities for women in all walks of life.
- Diverse Perspectives and Decision Making: Decision-making processes are enhanced by the distinct perspectives and experiences that women bring to the table. Women can bring up topics that are frequently disregarded or ignored when they are seated at the political table, including social protection, healthcare, education, and economic empowerment for women. Their presence guarantees a more thorough and inclusive approach to the creation and application of policies.[34]
- Role Models and Empowerment: Girls and women look up to women in political leadership roles as role models, and this encourages them to pursue leadership positions and participate in public life. Gender stereotypes are challenged by visible female leaders who show that women can hold positions of influence and power. Women are encouraged to actively participate in politics as a result of this empowerment, which creates more diverse and representative decision-making bodies.
- Laws and Policies Promoting Gender Equality: The representation of women in politics directly influences the creation and application of laws and policies that advance gender equality. Legislation that guarantees equal opportunities, encourages women's economic empowerment, combats discrimination, and supports work-family balance can be enacted by powerful women. Their presence elevates women's voices in society and shapes the agenda for policy in favor of greater gender equality.

[34] Rahman, R.I. 1990. An analysis of employment and earnings of poor women in Bangladesh, Ph.D. thesis (Canberra, The Australian National University).

5.5 Practice of Positive Discrimination in Bangladesh:

Soon after the constitution was adopted, the government implemented a quota system, which is part of Articles 28 and 29 of the document. The quota system has since undergone multiple amendments. But in 2018, the government did away with the quota system for first- and second-class public service jobs in response to strong student opposition.[35] Eliminating quotas for first- and second-class government jobs can be seen as hurting equality of opportunity because it denies applicants from ethnic minorities equal opportunities, even though the number of women serving in the public sector has increased since the quota system was implemented. This is because ethnic communities are still underrepresented in the public sector.[36] Even though positive discrimination is protected by the constitution, Bangladesh's implementation strategy is insufficiently robust. In addition to Article 65(3), there are other statutes that reserve seats for women in the Union Parishad, Upazilla Parishad, and City Corporation. Similar to the right to equality, no deviation is permitted since it was guaranteed by the constitution. In the case of Rabia Basri Irene vs. Bangladesh Biman, the Appellate Division determined that Biman Bangladesh's decision to set a different retirement age for stewards and stewardesses constituted discrimination and a breach of Article 28 of the constitution.[37] However, it is widely held that women are less productive than men, and since patriarchal views and prevailing social norms are unlikely to change anytime soon, it is useless to simply talk about discrimination against women. In other words, we need to actively work on positive discrimination of women. We need to take advantage of society's discriminatory tendencies and use them as a positive growth driver for women.[38] In addition, we must acknowledge the roles that women play in the home and put in place financial compensation plans for the services they render. It is

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[35] Staff Correspondent, 'Quota circular issued amid protests' *The Daily Star* (Dhaka, October 5, 2018) <https://www.thedailystar.net/country/quota-system-in-bangaldesh-scrapped-officially-1642534>

[36] Parban Chakma, 'Why quota reservation is significant for ethnic minorities' *The Daily Star* (Dhaka, August 3, 2021) < https://www.thedailystar.net/law-our-rights/news/why-quota-reservation-significant-ethnic-minorities-2143736>

[37] 55 DLR (AD) (2003) 132

[38] Tasneem Tayeb, 'Positive discrimination needed to protect women's rights' *The Daily Star* (Dhaka, September 3, 2021) < https://www.thedailystar.net/opinion/closer-look/news/positive-discrimination-needed-protect-womens-rights-2167126>

imperative that we offer them opportunities for economic empowerment, including skill development and financial resources, to enable them to work toward financial independence and gain a voice in the family on an equal basis.

The Constitution of the People's Republic of Bangladesh 1972 Article 28

28. (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.[39]

28. (2) Women shall have equal rights with men in all spheres of the State and of public life.[40]

28. (3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution.[41]

28. (4) Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens.[42]

Seats are reserved for women and not for men.

Establishment of Parliament

Article 65

1[(3) Until the dissolution of Parliament occurring next after the expiration of the period of twenty five years beginning from the date of the first meeting of the Parliament next after the Parliament in existence at the time of the commencement of the Constitution (Seventeenth Amendment) Act, 2018,[43] there shall be reserved fifty seats exclusively for women members and they will be elected by the aforesaid members in accordance with law on the basis of procedure of proportional representation in the Parliament through single transferable vote :[44]

[39] *The Constitution of the People's Republic of Bangladesh 1972* Article 28 (1)
[40] Ibid. 28 (2)
[41] Ibid. 28 (3)
[42] *The Constitution of the People's Republic of Bangladesh* 1972 Article 28 (4)
[43] *The Constitution (Seventeenth Amendment) Act, 2018*
[44] http://bdlaws.minlaw.gov.bd/act-367/chapter-details-685.html

Provided that nothing in this clause shall be deemed to prevent a woman from being elected to any of the seats provided for in clause (2) of this article.][45]

2 (3A) For the remaining period of the Parliament in existence at the time of the commencement of the Constitution (Fifteenth Amendment) Act, 2011,[46] Parliament shall consist of three hundred members elected by direct election provided for in clause (2) and fifty women members provided for in clause (3).[47]

There is a mother and child ministry for women but not for men.

Equal participation of man and woman in all aspects of life including employment, education and health is one of the important pre-condition of maximizing social welfare. In the globalized era, it is necessary to involve women into the mainstreaming process of the state and society through ensuring women's rights, empowerment and working friendly environment towards establishment of progressive society. The Ministry of Women and Children Affairs is working for mainstreaming women in the overall development through establishment of rights of women and children and women empowerment. The present government has taken different initiatives on women and children development for implementation of Vision 2021. In light of the election manifesto of the government the Ministry of women and children affairs has taken different programs for women's poverty alleviation. The ministry is working uninterruptedly for ensuring women's participation in all development activities relating to capacity development of women by 2021. In the present decade Bangladesh achieved considerable progress on women development especially women education and political empowerment. According to World Economic Forum's 'Gender Gap Report' Bangladesh stood at 47th position among 144 nations in the world in 2017, and stands as the top country consecutively 3rd times among South Asian countries.[48] Bangladesh is committed to comprehensive development of women according to constitution. This commitment is expressed through article 27, 28, 29 and 65(3) of

[45] http://bdlaws.minlaw.gov.bd/act-367/chapter-details-685.html
[46] *the commencement of the Constitution (Fifteenth Amendment) Act, 2011*
[47] Ibid.
[48]

https://mof.portal.gov.bd/sites/default/files/files/mof.portal.gov.bd/page/5e31763f_f5b2_4ecb_bf9a_edc8609d2f3f/G-1_06_30_Women_English.pdf

Bangladesh Constitution[49]. Specially, Article 28(4) of the constitution provides for making specific law for women emancipation. Apart from this, Bangladesh is a signatory to almost all international conventions and covenants for women development. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is worth mentioning.[50]

No woman can be arrested by women police, men cannot.

Whenever it is necessary to cause a woman to be searched, the search shall be made by another woman, with strict regard to decency. According to Section 382[51] of this Code, if a woman sentenced to death is found to be pregnant, the High Court Division shall be order the execution of the sentence to be postponed and may, if it thinks fit, commute the sentence of transportation for life.

Where the person so aggrieved is a women who according to the custom and manners of the country, ought not to be compelled to appear in public, or where such person is under the age of eighteen years or is an idiot or lunatic, or is from sickness or infirmity enable to make a complaint, some other person may, with the leave of the Court, make a complaint on behalf of her.

There is a women's development policy, there is no male policy.

In order to ensure women empowerment, equal rights and opportunities, the government of Bangladesh has formulated the national women development policy in 2011. (i) to establish equal rights of men and women in areas of state and public life in the light of the constitution of Bangladesh, (ii) to ensure security and safety of women in all areas of state, social and family life, (iii) to ensure the socio-economic, political, administrative and legal empowerment; (iv) to establish human rights of women, (v) to extend overall assistance to ensure rights of the disabled women and women belonging to the smaller ethnic groups, (vi) to provide overall assistance in ensuring the growth of women entrepreneurs, (vii) to establish gender equality in politics, administration, other areas of activity, socio-economic

[49] Article 27, 28, 29 and 65(3)
[50] Article 28(4)
[51] *The Code of Criminal Procedure*, 1898, s.382.

activity, education, culture, sports and in all areas of family life, (viii) ensuring Human Rights and Fundamental Freedom of Women, (ix) development of Female Child, (x) elimination of All forms of Abuse against Women.[52]

In order to eliminate hunger, food insecurity and malnutrition, a number of keys strategies will be implemented by the strategy in order to improve food security of women, including: (i) to strengthen the government food distribution system keeping an eye on the need of distressed women, (ii) ensuring participation women in planning, supervision and distribution in the process of achieving food security, (iii) to accord recognition and make evaluation of the toil, role and contribution of the women in ensuring the food security.[53]
In order to make agriculture, forestry and fisheries more productive and sustainable, the plans to improve women and faming through among others the following strategies: (i) to extend all kinds of support and assistance in eliminating bottlenecks created due to climate change and disaster, (ii) to take initiative to ensure equal wages for the same job and to remove wages discrimination to women in agriculture, (iii) to take steps to ensure the farming women have equal opportunity in having agricultural inputs like fertilizer, seed, farmer's card and credit facilities etc.[54]

Regarding the reduction of rural poverty, the policy plans to eliminate women poverty. The strategies to be implemented include: (i) to include the dead poor women inside the social safety net, make allowance for the widow and distressed women, aged allowance, disability allowance, provide for maternity allowance and continuing food security for the women without means (VGD) programs, (ii) mobilizing poor women to increase their skills and creating alternative socio-economic opportunities through giving them training, (iii) to increase budget allocation to meet all the demands of women including those of food, clothing, home, health care and education, (iv) to give full and equal opportunity to women in health, education, training, lifelong education (continuing education), technical education, income generating training, information & technology etc, (v) to give women the rights to

[52] https://www.fao.org/faolex/results/details/en/c/LEX-FAOC149160/#:~:text=In%20order%20to%20ensure%20women,women%20development%20policy%20in%202011.
[53] Ibid.
[54] Ibid.

wealth and resources earned through income, succession, loan/credit, land and market management, (vi) to undertake all out initiative for employment of the educated and illiterate women labor, (vii) to make necessary reforms of all concerned law, rule and policy for wider employment of women.[55]

[55] https://www.fao.org/faolex/results/details/en/c/LEX-FAOC149160/#:~:text=In%20order%20to%20ensure%20women,women%20development%20policy%20in%202011.

Chapter-06

Efforts to Address Gender Discrimination

6.1 Government Initiatives:

The Bangladeshi government has launched a number of programs to combat gender inequality and advance gender equality in the nation. These are a few noteworthy government initiatives:

- National Women Development Policy: The Bangladeshi government has launched a number of programs to combat gender inequality and advance gender equality in the nation. These are a few noteworthy government initiatives.
- Gender-responsive Budgeting: The government has been putting gender-responsive budgeting into practice in order to provide funding for initiatives and policies that address gender inequality and encourage the advancement of women. This method guarantees that the budgetary process takes gender equality into account.
- Women's Empowerment and Gender Equality (WAGE) Project: The Ministry of Women and Children Affairs is in charge of the WAGE project, which emphasizes gender equality and women's economic empowerment. In order to improve women entrepreneurs' economic prospects and lessen gender gaps in the workforce, it offers skill development, revenue-generating activities, and support.[56]
- Social Safety Nets: In an effort to reduce poverty and address gender-based vulnerabilities, the government has put in place a number of social safety net programs that are especially targeted at women. Women in need can receive financial assistance and social protection through programs like the Maternal Allowance Program, Vulnerable Group Development, and the Employment Generation Program for the Poorest.
- Legal Reforms: To combat gender discrimination and defend women's rights, the government has proposed a number of legislative changes. The Prevention of Oppression Against Women and Children Act, the Acid Control Act, and the Domestic Violence (Prevention and Protection) Act are notable initiatives. The goal

[56] Bangladesh Demographic and Health Survey (BDHS), 1999-2000. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

of these laws is to stop and deal with different kinds of discrimination and violence against women.

- Women's Political Participation: The government has implemented measures aimed at augmenting the involvement and representation of women in politics. A quota system has been put in place, designating a specific proportion of seats in local government bodies for women. Women have more opportunities to engage in grassroots decision-making thanks to the reserved seats.
- Education and Health Programs: To address gender disparities, the government has given priority to health and education programs. The goals of programs like the Secondary Education Quality and Access Enhancement Project and the Primary Education Stipend Program are to lower dropout rates, increase the enrollment of girls, and raise educational standards. Programs in the health sector are concentrated on family planning, reproductive health services, and mother and child health.
- These programs demonstrate Bangladesh's government's dedication to combating gender inequality and advancing women's emancipation. Nevertheless, obstacles still need to be overcome, and consistent work is required to guarantee the successful execution of these programs and attain complete gender equality.[57]

6.2 Civil Society Interventions:

Civil society organizations in Bangladesh play a vital role in addressing gender discrimination and promoting gender equality. They work alongside the government and other stakeholders to advocate for women's rights, provide support services, raise awareness, and empower women. Here are some notable civil society interventions in Bangladesh:

- Women's Rights Advocacy: Civil society organizations actively advocate for women's rights and gender equality through campaigns, lobbying, and policy advocacy. They work to influence policy formulation, legal reforms, and the implementation of gender-responsive programs. These organizations raise awareness about gender discrimination, violence against women, and women's rights violations, striving to create an enabling environment for gender equality.

[57] Bangladesh Demographic and Health Survey (BDHS), 1999-2000. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

- Empowerment and Skill-building: Civil society organizations implement programs to empower women economically, socially, and politically. They provide training and capacity-building programs to enhance women's skills, knowledge, and leadership abilities. These initiatives aim to promote women's active participation in decision-making processes, improve their income-earning opportunities, and foster their overall empowerment.
- Gender-based Violence Support Services: Civil society organizations run helplines, shelters, and counseling services to support survivors of gender-based violence. They provide safe spaces, legal aid, and psychosocial support to women and girls who have experienced domestic violence, sexual assault, or other forms of abuse. These organizations also raise awareness about violence against women, challenge social norms that perpetuate it, and advocate for stronger laws and enforcement mechanisms.
- Women's Health and Reproductive Rights: Civil society organizations work to improve women's access to healthcare services and promote their reproductive rights. They provide information and support on reproductive health, family planning, and maternal health. These organizations advocate for policies that prioritize women's health, including access to quality healthcare facilities, skilled healthcare providers, and reproductive rights education.[58]
- Education and Skills Development: Civil society organizations focus on improving girls' access to education and promoting their retention in schools. They provide scholarships, educational materials, and mentorship programs to support girls' education. These organizations also work to address barriers to education, such as child marriage, gender-based violence, and discriminatory social norms that limit girls' educational opportunities.
- Awareness and Social Change Campaigns: Civil society organizations run awareness campaigns to challenge harmful gender norms and promote gender equality. They use media, community engagement, and advocacy to shift societal attitudes and behaviors towards gender discrimination. These campaigns raise awareness about

[58] Bangladesh Demographic and Health Survey (BDHS), 1999-2000. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

women's rights, encourage community dialogue, and promote positive masculinity to engage men and boys in gender equality efforts.

- Networking and Coalition Building: Civil society organizations collaborate and form alliances to strengthen their advocacy efforts. They work together to amplify their voices, share resources, and coordinate activities to address gender discrimination comprehensively. These networks and coalitions also engage in dialogue with the government, policymakers, and other stakeholders to influence policy and drive systemic change.

The contributions of civil society organizations are crucial in complementing government initiatives and advancing gender equality in Bangladesh. Their grassroots-level engagement, advocacy, and service provision help empower women, challenge gender norms, and drive societal change toward a more equitable and inclusive society.[59]

6.3 International Support:

International support has played a significant role in addressing gender discrimination and promoting gender equality in Bangladesh. Various international organizations, donor agencies, and development partners have collaborated with the government and civil society organizations to implement programs and initiatives focused on women's rights and empowerment. Here are some examples of international support in Bangladesh:

- Funding and Grants: International organizations provide financial support through grants and funding to implement projects and programs that address gender discrimination. These funds are utilized to support initiatives related to women's education, health, economic empowerment, and combating gender-based violence.
- Technical Assistance and Capacity Building: International partners offer technical assistance and capacity-building support to strengthen institutions and organizations working on gender equality in Bangladesh. They provide expertise, training, and guidance to enhance the skills and knowledge of government officials, civil society actors, and other stakeholders engaged in gender-related work.

[59] Bangladesh Demographic and Health Survey (BDHS), 1999-2000. National Institute of Population Research and Training, Mitra and Associate, Dhaka, Bangladesh.

- Policy Support and Advocacy: International organizations advocate for gender equality and women's rights in Bangladesh by engaging in policy dialogues and influencing policy formulation processes. They provide technical inputs, research findings, and evidence-based recommendations to shape national policies and legal frameworks that promote gender equality.
- Knowledge Sharing and Research: International support includes sharing best practices, research findings, and lessons learned from other countries' experiences in addressing gender discrimination. This knowledge exchange helps inform policies, programs, and interventions in Bangladesh and contributes to evidence-based decision-making.
- Awareness and Social Campaigns: International organizations collaborate with local partners to run awareness campaigns on gender equality, women's rights, and gender-based violence prevention. These campaigns aim to challenge societal norms, raise awareness, and promote positive behavioral change regarding gender discrimination.
- Advocacy for Legal Reforms: International organizations support advocacy efforts for legal reforms related to gender discrimination and women's rights. They work closely with national partners to advocate for laws and policies that protect women's rights, prevent gender-based violence, and promote gender equality.
- Monitoring and Evaluation: International support includes monitoring and evaluation of gender-related programs and initiatives in Bangladesh. This helps assess the effectiveness of interventions, measure progress, and identify areas for improvement. Monitoring and evaluation mechanisms contribute to evidence-based decision-making and ensure accountability in achieving gender equality goals.[60]
- Partnership and Collaboration: International organizations collaborate with local stakeholders, including government agencies, civil society organizations, and women's groups, to jointly address gender discrimination. These partnerships facilitate coordination, resource mobilization, and knowledge sharing for more effective and sustainable interventions.[61]

[60] Banbeis report 2010 and World Bank 2010.

[61] Ibid.

The support from international actors has been instrumental in advancing gender equality and addressing gender discrimination in Bangladesh. Their collaboration with national stakeholders helps strengthen efforts, build capacity, and create a conducive environment for sustainable change.[62]

[62] Bureau of Manpower Employment and Training BDHS, 2014.

Chapter-07

Recommendations and Conclusion

7.1 Strengthening Legal Frameworks:

Strengthen the legal frameworks in Bangladesh and promote gender equality, here are some recommendations:

- Comprehensive Gender Equality Legislation: Adopt comprehensive legislation that encourages gender equality in all areas of life, including work, education, health care, and resource access, and expressly forbids discrimination based on a person's gender. Discrimination should be clearly defined by law, and steps for protection, redress, and prevention should be outlined.
- Strengthen Laws on Violence Against Women: Improve the laws that deal with sexual assault, harassment, and domestic abuse as forms of violence against women. Make certain that these laws are efficiently put into practice and upheld, giving survivors easy access to support services, protection orders, and legal recourse. To expedite the resolution of cases involving gender-based violence, establish specialized courts or units.
- Eliminate Child Marriage: To end child marriage, which disproportionately affects girls and upholds gender discrimination, laws should be strengthened and enforced. Increase the legal age of marriage to 18 for both boys and girls, and make sure that it is strictly enforced. Launch awareness-raising initiatives to alter societal norms and give communities the power to stop child marriage.
- Gender-sensitive Family Laws: To make sure that family laws are gender-sensitive and support women's rights within family structures, they should be reviewed and changed. Protect women's rights and interests by handling matters like inheritance rights, marital property, divorce, custody, and guardianship in a way that promotes gender equality.
- Promote Gender-responsive Employment Laws: Examine and modify labor laws to guarantee gender parity in the workplace. This includes provisions protecting against discrimination at work, promoting work-life balance, and providing equal compensation for equal work. Put policies in place to deal with sexual harassment at

work and make sure there are channels for reporting, looking into, and getting justice.

- Access to Justice and Legal Aid: Enhance women's access to justice by establishing legal aid programs that offer marginalized women low-cost or free legal representation. To make it easier for women from a variety of backgrounds to access the justice system, there should be more legal aid centers, training programs for attorneys on gender-sensitive practices, and accessibility to interpreters.
- Strengthen Implementation and Monitoring Mechanisms: For laws pertaining to gender equality to be implemented effectively, the institutional mechanisms in charge of enforcing them should be strengthened. Install monitoring systems to keep tabs on developments, gather data broken down by sex, and evaluate how legal changes affect the realization of gender equality goals. Encourage accountability and openness in the judicial system to increase public trust and faith in the legal system.
- Sensitization and Capacity Building: Provide programs that increase the knowledge of judges, law enforcement officers, and legal professionals about women's rights and gender equality. Make judges, attorneys, and law enforcement agencies aware of gender stereotypes and biases that could affect their ability to make decisions. Encourage legal education institutions to offer gender sensitivity training in order to develop a more gender-responsive legal profession.

It is crucial to remember that achieving gender equality will require more than just legal changes. For a complete transformation, complementary initiatives like awareness-building, addressing cultural norms, and offering support services are crucial. Thus, for successful implementation and long-term advancement in bolstering the legal frameworks to support gender equality in Bangladesh, cooperation between the government, civil society, and foreign partners is essential.

Enhancing Access to Education and skill Development:

To enhance access to education and skill development in Bangladesh, particularly for girls and women, the following recommendations can be considered:

- Eliminate Barriers to Education: Take proactive measures to eliminate barriers that hinder girls' access to education, such as child marriage, gender-based violence, and

social norms that prioritize boys' education. Implement and enforce laws that ensure compulsory and free primary education for all children, irrespective of gender, and provide incentives such as scholarships and stipends to encourage girls' enrollment and retention in schools.

- Improve Infrastructure and Resources: Invest in the development and maintenance of schools and educational facilities, particularly in rural and marginalized areas. Ensure schools have adequate infrastructure, safe and inclusive learning environments, and essential resources such as books, materials, and proper sanitation facilities. Promote the use of technology in education to bridge the digital divide and expand access to quality learning resources.
- Quality Education and Teacher Training: Enhance the quality of education by focusing on teacher training and professional development programs. Provide teachers with gender-responsive training to create inclusive and supportive learning environments, address gender biases, and promote gender equality within classrooms. Encourage innovative teaching methods and curriculum reforms that promote critical thinking, creativity, and practical skills development.
- Promote Girls' Education at the Community Level: Engage communities, religious leaders, and parents in promoting girls' education. Conduct awareness campaigns that emphasize the importance of educating girls and challenge discriminatory attitudes and practices. Establish community-based education committees or platforms to ensure community involvement in decision-making and monitoring of educational initiatives.
- Address Gender-specific Barriers: Implement targeted interventions to address gender-specific barriers to education. This includes addressing menstrual hygiene management by providing separate toilets and sanitary facilities in schools, promoting comprehensive sexuality education, and ensuring access to sanitary products. Establish safe transportation systems for girls, especially in rural areas, to alleviate safety concerns during their commute to and from school.
- Skills Development and Vocational Training: Expand opportunities for vocational training and skill development programs, particularly for girls and women. Ensure the availability of diverse vocational training courses that align with market demands

and provide skills for sustainable livelihoods. Collaborate with industries and employers to design training programs that address gender disparities in employment and promote women's economic empowerment.

- Promote STEM Education for Girls: Encourage girls' participation and achievement in science, technology, engineering, and mathematics (STEM) fields. Offer incentives, scholarships, and mentorship programs to inspire and support girls' interest in STEM subjects. Promote gender-balanced representation in STEM-related professions through targeted outreach programs and initiatives.
- Strengthen Monitoring and Evaluation: Establish robust monitoring and evaluation systems to assess the impact of educational policies and programs on gender equality and access to education. Collect sex-disaggregated data to identify gaps and track progress in girls' enrollment, retention, and educational outcomes. Use this data to inform evidence-based decision-making and allocate resources effectively.

These recommendations aim to create an enabling environment for equitable access to education and skill development, ensuring that girls and women in Bangladesh can fully participate and benefit from educational opportunities. Collaboration among government, civil society organizations, communities, and international partners is crucial to implement and sustain these improvements.

Promoting Women's Economic Empowerment:

Promote women's economic empowerment in Bangladesh, the following recommendations can be considered:

- Equal Access to Employment: Ensure equal access to employment opportunities for women by eliminating gender-based discrimination in recruitment, hiring, and promotion processes. Implement and enforce laws that prohibit gender-based pay gaps and ensure equal pay for work of equal value. Encourage companies to adopt gender-sensitive workplace policies and practices that promote work-life balance and support women's career advancement.
- Skills Development and Entrepreneurship Support: Enhance access to skill development and vocational training programs tailored to the needs of women. Provide training in marketable skills, entrepreneurship, financial literacy, and

business management to empower women to start and manage their own businesses. Offer mentorship and networking opportunities to support women entrepreneurs and enhance their access to markets, finance, and business networks.

- Access to Finance and Credit: Facilitate women's access to financial services, including microcredit, savings, and loans, by promoting gender-responsive financial inclusion policies. Establish and strengthen women-friendly financial institutions and mechanisms that provide affordable and accessible financial services to women entrepreneurs. Provide financial literacy programs to enhance women's financial management skills and decision-making.
- Supportive Business Environment: Create a supportive business environment by reducing regulatory barriers and bureaucratic hurdles that disproportionately affect women. Simplify business registration processes, improve access to business licenses, and facilitate women's participation in public procurement. Establish business incubators and support centers that specifically cater to the needs of women-owned enterprises and provide them with mentoring, training, and networking opportunities.
- Access to Markets and Value Chains: Facilitate women's access to markets and value chains by promoting linkages between women entrepreneurs and larger markets. Support women's participation in trade fairs, exhibitions, and business networking events. Encourage public and private sector procurement policies that prioritize sourcing from women-owned businesses and cooperatives.
- Social Protection and Work Benefits: Strengthen social protection mechanisms for women workers, including maternity leave, childcare support, and flexible work arrangements. Encourage employers to provide family-friendly policies and benefits that support women's participation in the labor force. Implement and enforce laws and policies that protect women from workplace harassment and discrimination.
- Technical and Business Support Services: Establish and strengthen support services for women-owned enterprises, including business development services, mentoring, and access to technology and innovation. Promote partnerships between industry associations, academia, and civil society organizations to provide technical assistance and capacity-building support to women entrepreneurs.

- Gender-responsive Data Collection and Analysis: Improve data collection and analysis on women's economic participation and empowerment to inform evidence-based policymaking and targeted interventions. Collect sex-disaggregated data on employment, income, business ownership, and access to finance. Use this data to identify barriers, monitor progress, and design effective policies and programs that address gender disparities.

The objective of these recommendations is to establish a conducive atmosphere for the economic empowerment of women in Bangladesh. The implementation and assessment of these interventions' effects necessitate cooperation between the public and private sectors, civil society, and development partners. Bangladesh can help women realize their full potential, advance gender equality, and contribute to inclusive economic growth by supporting women's economic empowerment.

Raising Awareness and Changing Societal Attitudes:

To raise awareness and change societal attitudes in Bangladesh, the following recommendations can be considered:

- Comprehensive Awareness Campaigns: Start extensive awareness campaigns aimed at various societal groups, such as the general public, local authorities, places of worship, and educational establishments. Promoting gender equality, combating damaging gender stereotypes, and addressing the underlying causes of gender discrimination ought to be the main objectives of these campaigns. To effectively spread messages, use a variety of media, including radio, television, social media, and community outreach initiatives.
- Education and Curriculum Reforms: Include women's rights and gender equality in the national curriculum at all educational levels. Provide educational resources that are appropriate for a child's age that dispel gender stereotypes, encourage polite behavior, and stress the significance of gender equality. Educators should receive training on how to create inclusive, gender-responsive learning environments that promote critical thinking and confront prejudice.
- Engaging Religious and Community Leaders: Activate leaders in the community and religion to support women's rights and gender equality. Engage religious leaders in

dialogues, workshops, and trainings to address how some interpretations of religious texts support discrimination against women. Work together with local leaders to advance gender equality and inspire them to take on leadership roles in the community.

- Media and Entertainment Industry Engagement: Work together with media organizations, filmmakers, and artists to dispel gender stereotypes in entertainment and media and to advance positive representations of women. Promote the creation and sharing of media that supports women's emancipation, gender equality, and civilized relationships. Media professionals should receive education and awareness campaigns about gender-sensitive reporting and representation.
- Engaging Men and Boys: Put in place initiatives that engage boys and men in the active promotion of gender equality and the dismantling of gender stereotypes. Organize campaigns and workshops that tackle problems like toxic masculinity, violence against women, and imbalanced power. Motivate boys and men to take up the cause of gender equality in their homes and communities.
- Empowering Women's Groups and Civil Society: Boost civil society organizations and women's organizations that promote women's rights and gender equality. Give them platforms, resources, and assistance in developing their capacity to advocate for change. To strengthen these organizations' voices and overall influence, encourage networking and cooperation amongst them.

It is crucial to make sure that these long-term initiatives to raise awareness are supported by extensive institutional and policy reforms. To promote social change and gender equality in Bangladesh, cooperation between government agencies, civil society organizations, media outlets, educational institutions, religious institutions, and foreign partners is crucial.

7.2 Conclusion:

This is the moment when having a gender balance is crucial, especially in Bangladesh where women make up 50% of the population and actively participate in the nation's economy. Equal opportunities for women and other ethnic communities are also essential for Bangladesh because they will promote community harmony and diversity. Therefore, as Beth Gaze and Belinda Smith suggest, appropriate laws protecting against and preventing discrimination are essential for a fair future. In the developed world, including the United Kingdom and Canada, positive discrimination is still practiced under different names.[63]

In Bangladesh, gender discrimination continues to be a major problem that has an impact on many development indicators as well as the nation's overall progress. Nonetheless, Bangladeshi women have achieved incredible progress in the areas of social awareness, political representation, economic empowerment, and education. Positive developments in addressing gender inequality and advancing women's rights have been facilitated by the government, civil society, and international partners' efforts.

Encouraging steps have been taken to increase women's participation in decision-making processes with regard to political representation. Women now have more opportunities to participate in local government and parliament thanks to quotas and reserved seats. Still, more work needs to be done to break down cultural barriers, support women in leadership roles, and create a welcoming political atmosphere.

Initiatives have been made to improve women's access to financial services, entrepreneurship, and employment in the context of economic empowerment. Nonetheless, social norms, resource scarcity, and ongoing discrimination based on gender continue to prevent women from fully engaging in the economy. To remove these obstacles and advance women's economic empowerment, more work is required.

Changing societal attitudes and increasing awareness are essential in the effective fight against gender discrimination. In order to build a more inclusive and equitable society, it is imperative that initiatives to combat gender stereotypes, advance gender equality in

[63] Beth Gaze and Belinda Smith, '*Equality and Discrimination Law in Australia: An Introduction*' (Cambridge University Press 2016)

education, involve community and religious leaders, and include men and boys as allies be undertaken.

Even though there has been progress, perseverance and teamwork are still needed to overcome the remaining obstacles. In order to achieve gender equality in Bangladesh, it is imperative that legal frameworks be strengthened, access to education and skill development be improved, women's economic empowerment be encouraged, political representation be increased, and awareness be raised. Women will gain from continued investment in these areas, which will also advance the growth and prosperity of the country as a whole.

In the end, attaining gender equality and combating gender discrimination in Bangladesh necessitates a multifaceted strategy involving the active involvement of the public and private sectors, communities, individuals, and civil society organizations. Bangladesh can build a society where women are respected and empowered to actively participate in and benefit from the nation's development by banding together.

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