



**Convention on the Elimination
of all Forms of Discrimination
Against Women**

Distr.
GENERAL

CEDAW/C/SR.99
10 April 1987

ORIGINAL: ENGLISH

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixth session

SUMMARY RECORD OF THE 99th MEETING

Held at the Vienna International Centre, Vienna,
on Wednesday, 8 April 1987, at 2.30 p.m.

Chairperson: Ms. BERNARD

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Distr.: 13 April 1987

The meeting was called to order at 2.55 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Initial report of Bangladesh (continued) (CEDAW/C/5/Add.34)

1. At the invitation of the Chairperson, Ms. Moudud (Bangladesh) took a place at the Committee table.
2. Ms. MOUDUD (Bangladesh) expressed her gratitude for the positive spirit shown by members of the Committee in their comments on, and questions related to the report submitted by Bangladesh. She was particularly grateful for the Committee's acknowledgment of her Government's efforts to implement the Convention in spite of the large number of obstacles deeply rooted in the socio-cultural fabric of the country with which it was confronted. Any information she was unable to provide in answer to members' questions, because of lack of time, would be contained in the next report. Should any important questions, such as those relating to major principles of the Convention, not be answered, she asked the experts concerned to communicate them in writing so that comprehensive answers could be given later following the necessary research.
3. Replying to a question concerning the reasons for women's minority position in Bangladesh, she said it was true that females were a minority, not only in the population as a whole, but in every age-group and every religious group. They fared less well than males with regard to nutrition and illness, married young and often had many children. When young they had a higher death rate and at birth they had a lower life expectancy than males. It was noteworthy that 29 per cent of all recorded deaths were of children under one year old, and over half were of children aged four or under.
4. Regarding the relation between her country's population growth rate and the level of education, she said that until about 1980 the overall fertility rate in Bangladesh had remained close to 7.0. However the contraceptive prevalence survey carried out in 1983 had shown an overall fertility rate of only 5.6, and an even lower rate of 5.0 in cities. That was encouraging evidence that family planning programmes were having an effect. The trend was also confirmed by the significant drop in the total fertility rate among the population directly targeted by government-operated women's voluntary training programmes. Figures for the attendance of girls in primary schools had shown a steady increase over the past two decades. However, girls tended to drop out of school after a year or two. Primary education only appeared to be associated with higher fertility, and secondary or higher education with lower fertility, but the reasons for that were poorly understood. It was not clear, particularly with regard to primary education, whether the relationship would continue over a long period. There was also a marked association between education and a lower death rate. The beneficiaries of the Grameen Bank programme, to which she had referred, had been able to increase their family income, but it was not known what percentage of women with primary education were employed nor what advantage their education was to them in terms of income.
5. Referring to the need to avoid duplication, she asked the Committee to consider in what way a country might include in its report, information which it had already submitted in reports to ILO and UNESCO, documents which should also be valuable to the Committee.

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6. A 1982 study had shown that only 17 per cent of children from families possessing less than five bighas of land attended school, as compared with 62 per cent of children from families possessing more than five bighas. The better-off families in a village were more likely to educate their children. Girls tended to be put to work earlier than boys. Primary school age was, in any case, pre-purdah, and well-off families tended to observe purdah more strictly than poor rural ones. The distance of the school from the home had been shown to be closely linked with the school attendance of girls aged over 13 to 14. The availability of teachers was also a factor. Most primary schools were co-educational, and parents had a very strong desire to educate both boys and girls. The curriculum was the same for both sexes, but the problem of curriculum relevance might be a factor in the failure of girls to go on to secondary school. Few girls' schools offered instruction in agriculture or prepared students for nursing, the paramedical professions or nutrition-related work. The curriculum was the same in both rural and urban areas.

7. Women's non-governmental organizations in Bangladesh were either target- or community-development-oriented. Their activities in the field of technical- and service-oriented programmes, which were important for creating income-generating job opportunities for women, were not yet very satisfactory. An inventory of such organizations in Bangladesh had been published in June 1981 by the Dhaka office of UNICEF. It showed that the programmes conducted by the organizations had developed in an unco-ordinated manner and that their organizational structure was weak. All of the organizations were now governed by rules promulgated under the Voluntary Agencies Ordinance 1986, and it was hoped that co-ordination and efficacy would be increased.

8. In contrast to the situation which had previously prevailed, Bangladesh was now learning to identify problems, to face them honestly and thereby solve them. The world had perhaps been used to hearing only disturbing news from her country, but a great deal of work was being done and she was proud that both the people and the Government were making a tremendous effort to improve the status of women.

9. With regard to the reservations entered by Bangladesh in respect of article 2 and other provisions of the Convention, she had already conveyed to her Government the view expressed in the Committee that there was no contradiction between article 2 and the Constitution of Bangladesh. She would ensure that the next report contained a positive response in that connection, and that the reservations of Bangladesh did not stand in the way of improvement of the status of women.

10. The Constitution, which was her country's highest law, guaranteed full rights to women. She hoped that the restoration of democracy would bring further reforms needed to ensure the elimination of discrimination.

11. With regard to the 15 per cent of the population who were Hindus, Christians or Buddhists, Bangladesh, even though predominantly Muslim, was a secular State, and freedom of religion was guaranteed for those minorities. They had their own particular laws on which she would provide more comprehensive information later with respect to inheritance, marriage and guardianship. Both the Dowry Act and the social reform measures applied equally to Hindu women.

12. All barriers to employment opportunities for women had been removed after Bangladesh had become independent in 1972. The seniority of women in the public service was determined by their date of entry. It was now at an intermediate

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level, because of the comparatively short period since they had first been allowed to enter public service. Opportunities for training and promotion prospects in the service were exactly the same for women as for men. The quota system was helping to ensure increased participation of women, but there was open competition for all posts, including those reserved for women. If a woman applicant failed to satisfy the requirements for a particular post, she might not obtain it and in many areas, for that reason, the quota for women had not been filled. In others, however, it had been greatly exceeded, as in the family planning sector, where the proportion of women was very much higher than the 20 per cent quota prescribed. The age level had been raised from 27 to 30 in order to accommodate women who had entered and completed education later than men. Since women always tended to begin their education later than men, that provision was not discriminatory.

13. On the question of family law, she said that, under Islamic law and custom, the mother had the physical custody of her children up to a certain age, but it was always the father's responsibility to support his children. The courts had the power to extend a mother's custodial rights, and mothers could apply to be made guardians under the Guardian and Ward Act.

14. Marriage, inheritance and guardianship practices differed among Hindus and Christians. While the Constitution barred discrimination on grounds of sex, it included special provisions in favour of women and children. For example, women might automatically be granted bail in criminal cases, be exempt from arrest for debt or from appearing in court if they were in Purdah. Women could conclude contracts but in case of dispute could argue that they had not understood the contract terms. Under both secular and religious law, women could own property in Bangladesh

15. Family law was governed by the personal law of the different faiths in matters of marriage, divorce, dowry and inheritance.

16. The Child Marriage Restraint Act of 1929 prohibited the marriage of children below a certain age, and provided that parties to such marriages and those who had failed to prevent them could be imprisoned and fined. The Act had been amended in 1961, 1982 and 1984. The punishment for child marriage for a male person over 21 or a female over 18 was now imprisonment for one month and/or a fine of 1,000 Taka.

17. The Muslim Family Laws Ordinance promulgated in 1961, amended in 1982 and 1985, had changed the Muslim law of inheritance to provide that, if the son or daughter of a testator died before the opening of a succession, any living children of such a son or daughter received a share equivalent to that which the son or daughter would have received.

18. The following restriction had been imposed with respect to polygamy: no married man could contract another marriage without previous written permission of the Arbitration Council and no such marriage could be registered under the 1974 legislation on Muslim marriage and divorce registration.

19. A man wishing to divorce his wife had to give the chairman of the Arbitration Council written notice of his divorce pronouncement and to supply a copy to the wife. A degree of reform had been achieved in that women could now divorce their husbands. Where the right to divorce was delegated to the wife, and she wished to exercise it, or when either of the parties wished to dissolve the marriage, written

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notice had to be given to the chairman of the Arbitration Council, who could try to bring about a reconciliation. If a husband failed to maintain his wife adequately or, if he had more than one wife and failed to maintain them equally, a wife might seek a legal remedy or apply to the chairman of the Arbitration Council who would convene the Council to rule on the matter.

20. Dowry was not allowed under Islam nor required by law, but it was common. Disagreements about dowries had a powerful influence on a woman's relationship with her own family and her in-laws. Dowry disputes had in some cases resulted in violence, acid-throwing and death and, following adverse publicity in the media, the Government had introduced severe punishments. In 1986 a man had been put to death for murdering his wife in such a dispute. Since the introduction of the new laws, however, such violence against women had decreased considerably.

21. She suggested that the Committee should consider the question of treatment of women prisoners in all countries and request States parties for information on that matter.

22. Referring to the question of land, she said that between 18 and 40 per cent of households in Bangladesh had no land at all and about 50 per cent had less than half an acre. She agreed that welfare programmes should be oriented more towards development and training.

23. The educational system in her country was still based on the colonial model and could not be changed overnight. It needed to be more practically oriented and UNESCO could help in that regard by devising curricula suitable for the majority of women.

24. Replying to the question as to which half of the population was to be integrated into national development policies, she said that the phrase in the report had been badly drafted: clearly it was the female half.

25. Regarding the proportion of public offices held by women, including elective offices, she explained that the 1972 Constitution provided for a quota of seats in Parliament to be reserved for women during a period which would probably end in four and a half years. In addition women could be elected directly, and five women had recently been so elected.

26. As to the question of Koranic interpretations, Bangladesh was a very religious country but its citizens preferred to practice their religion in private and did not wish the State to use it as a political tool. She herself had been elected by a very conservative constituency where purdah was universally observed. The new women of Bangladesh tried to carry on their traditions and therefore their progress had been slow but nevertheless sure: there was no upheaval when reforms were introduced.

27. In reply to a question about the Shishu Academy, she explained that it was a children's academy organized at district level.

28. The new industrial policy of Bangladesh for the first time acknowledged the importance of training women entrepreneurs and using their natural design skills in crafts and cottage industries. A special bank was to be set up shortly to provide easy access to loans for women entrepreneurs, who were also receiving training and other benefits from the Ministry of Industry.

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29. There was provision for maternity benefits to be paid for six weeks before and six weeks after the birth of a child.

30. The number of women magistrates in Bangladesh was at present 97.

31. As to the number of women representatives elected and nominated, she said that in the Upazila Parishad there were 1,410 women nominated and two elected chairmen; in the Union Parishad there were 1,320 women nominated and 8 chairmen and 30 members elected; and in the Pourashava there were 225 women nominated and one elected Commissioner.

32. She apologized for the paucity of her replies but would refer the questions to her Government and ensure that its next reply was more comprehensive. She would welcome more detailed guidelines as to how a country paper should be prepared.

33. The CHAIRPERSON thanked the representative of Bangladesh for her replies. The Committee would bear in mind her suggestions concerning women prisoners and the relevance to the reports of States parties of information furnished to specialized agencies.

34. Speaking as a member of the Committee, she asked how many cases of violence against women had been reported and how many people had been punished in Bangladesh since the promulgation of the 1985 legislation which had been mentioned.

35. Ms. MOUDUD (Bangladesh) replied that she would answer that question at a later stage. Such cases were now tried by summary jurisdiction and could thus be disposed of rapidly.

36. Ms. CARON thanked the representative of Bangladesh for her interesting replies. It was her understanding that assistance in the preparation of reports was already available from the Secretariat.

37. She asked for confirmation of reports that in Bangladesh thousands of women were working on road maintenance for a subsistence wage which was half of that paid to men, under a project run by an international humanitarian body.

38. Ms. SELLAMI-MESLEM (Director, Branch for the Advancement of Women) said that no funds were available at present for assisting States parties in the preparation of reports. However, the Committee might wish to adopt a recommendation on the subject. Assistance might perhaps be provided under the United Nations Development Programme to countries requesting it.

39. Ms. GONZALES MARTINEZ thanked the representative of Bangladesh for her sincere and frank replies to the members' many questions. With regard to the representative's observation concerning the difficulty of reforming the educational system in Bangladesh, she suggested that observers from the specialized agencies, including UNESCO and ILO which were represented at the present session, might perhaps contact government representatives to see what assistance their organization could provide.

40. Ms. GUAN Minqian expressed the hope that the representative of Bangladesh would try to persuade her Government to lift its reservation in respect of article 2 of the Convention.

41. Ms. EL-TALLAWY thanked the representative of Bangladesh for her replies and hoped that her country's next report would contain more comprehensive information on the family laws and the Islamic Sharia, and, if possible, a study of the rights of women in Islam.

42. Ms. MOUDUD (Bangladesh), replying to Ms. Caron, said it was a fact that in her own constituency women were engaged on road maintenance and construction of earth roads, for a very low wage. She had taken the matter up with the Government and had been informed that the road project was being carried out by international agencies, but that something could be done if enough interest were shown. She therefore urged the Committee to make its views on the matter known.

43. Ms. Moudud (Bangladesh) withdrew.

ORGANIZATIONAL MATTERS (continued)

44. Mr. IJIMA (Centre for Social Development and Humanitarian Affairs) made a statement on the financial implications of the Committee's holding a three-week, instead of a two-week, seventh session in 1988. He said that if a three-week session were held at United Nations Headquarters in New York, the additional cost to be borne by the United Nations would amount to approximately \$155,000, whereas if the seventh session were held in Vienna the additional cost would be approximately \$142,000. He gave a detailed breakdown of the estimated additional costs, and the estimated travel and daily subsistence allowance costs, as well as honoraria, for the members of the Committee for two-week and for three-week sessions in New York and Vienna.

45. He said that if the Committee decided to propose that its annual session in 1988 and subsequent years be of three weeks' duration, the approval of the relevant governing bodies, and ultimately of the General Assembly, would be required. Upon decision by the General Assembly, the Secretary-General would endeavour to absorb as much of the additional costs as possible within the resources that were to be made available to him for the 1988-1989 biennium, taking into consideration the schedules of conferences and meetings already established in the calendar. He pointed out that in its Decision 41/466 of 11 December 1986 the General Assembly had approved economy measures proposed by the Secretary-General, in document A/41/901/Add.1, related to reductions in the duration and servicing of various meetings and conferences. For those held at New York specific reductions were mandated; for meetings held away from New York adjustments were to be made in their number, duration and frequency, as well as documentation requirements, in order to achieve a net reduction of 30 per cent in expenditure on temporary assistance. In view of the continuing financial crisis in the Organization, the possibility of similar measures being implemented in 1988 and 1989 should not be disregarded.

46. Ms. EVATT said that the information she had requested at the 95th meeting was the actual resource allocation to the Committee for 1988-1989, and comparative figures for 1986-1987. The overall cost of servicing the Committee was more than the cost involved in holding two-week or three-week sessions; there was presumably an allocation of resources for the other purposes of the Committee.

47. Ms. SELLAMI-MESLEM (Director, Branch for the Advancement of Women) explained that, while the Committee's overall costs were indeed greater than the cost of servicing its sessions, it was difficult to break down the costs within the Branch for the Advancement of Women and the Secretariat in terms of resource allocations for the Committee since other questions were also dealt with. An effort had been

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made to simplify what was a very complicated matter by trying to estimate the extra cost incurred by holding three-week, instead of two-week, sessions. A high-level group of governmental experts was still considering measures to increase the efficiency of the United Nations and the implications of its work could not be taken into account in preparing the budget for 1988-1989. Instructions had been received to prepare that budget on the basis of the budget for 1986-1987. The budget for 1988-1989 was still in draft form and was being studied within the Secretariat. However, the budget for 1986-1987 and information concerning the number of personnel engaged in work for the Committee would certainly be made available to members.

48. Ms. EVATT said that such information would go some way towards meeting her request. She asked if there were any resources within the Branch for the Advancement of Women or elsewhere in the Secretariat which the Committee could call upon to help with the research and analysis it needed to undertake in dealing with so many reports from States parties.

49. Ms. GONZALEZ MARTINEZ said that the Committee had only the powers granted to it by the Convention, and it was for Governments and Member States to provide the necessary funds. It was not reasonable to demand a detailed breakdown of the resource allocation, which would, for example, mean working out how much time Ms. Creydt, the Secretary of the Committee, spent on the latter's affairs and how much on other matters.

50. The CHAIRPERSON said that the information furnished in the statement of financial implications just made could be appended to the draft report of Working Group 1. She invited the co-ordinator of the Working Group, Ms. El-Tallawy, to outline the contents of its report, the draft of which was being circulated.

51. Ms. EL-TALLAWY, speaking as co-ordinator of Working Group 1, described the Working Group's working method and deliberations and outlined the contents of its report, the full text of which would not be available until the following day.

52. After a discussion of the procedural matters dealt with in the Working Group's report and of the content and preparation of the Committee's future reports in which Ms. EVATT, Ms. MONTENEGRO de FLETCHER, Ms. GONZALEZ MARTINEZ, Ms. OESER, Ms. NOVIKOVA, Ms. CORTI, Ms. VELIZ de VILLALVILLA, Ms. EL-TALLAWY, Ms. SINEGIORGIS, Ms. GUAN Mingqian and Ms. CARON took part, the CHAIRPERSON said that the Committee would give final consideration at its next meeting to the report of Working Group 1.

The meeting rose at 5.55 p.m.