



International Women's Day Bangladesh Monthly Report *February, 2022*



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LIST OF ABBREVIATIONS

BBS	Bangladesh Bureau of Statistics
BIWN	Bangladesh Indigenous Women Network
BTD	Bangladeshi Taka Equals
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Committee on Economic, Social and Cultural Rights
CHT	Chittagong Hill Tracts
CMRA	Child Marriage Restraint Act
CRC	Convention on the Rights of the Child
EWMs	elected women members of parliament
GBV	Gender-based violence
HRW	Human Rights Watch
IELD	Inclusive Economic and Local Development Programme"
IFPRI	International Food Policy Research Institute
ILO	International Labour Organisation
IWGIA	International Work Group for Indigenous Affairs
JP-VAW	Joint Programme to address Violence Against Women
LFP	labour force participation
MSPVAW	Multi-Sectoral Programme on Violence Against Women
OCCs	One-Stop Crisis Centers
SDSN	Sustainable Development Solutions Network
SGBV	Sexual and Gender-based Violence
SRH	Working Group Coordination
SRHR	Sexual reproductive and health rights

UNCDF	United Nations Capital Development Fund
UNDP	United Nations Development Programme
UNGA	UN General Assembly
VAWH	Violence Against Women's Health
WEDO	Women's Environment & Development Organization
WFHI	Women Friendly Hospitals
WHO	World Health Organization
WING	Women's Empowerment for Inclusive Growth

1. Introduction

1.1 - The Aim of the Report



Photo: Bangladeshi women, Narail district, Flickr

In honour of International Women's Day, this report aims to raise awareness about human rights violations concerning Bangladeshi women. Although equality between men and women is constitutionally guaranteed, Bangladeshi women still face strong disadvantages. Through unequal power dynamics, the rates of violence against women and girls remain high. Women still have to face difficulties to have access to basic human rights such as work, land, education and autonomy. Domestic violence has increased during the COVID-19 pandemic, with 4,249 women reporting domestic violence amid the lockdown. Due to the restrictions, women have had fewer options for safe shelter and legal help.

Approximately 72.6 percent of Bangladeshi married women have already experienced some kind of violence in their life. To address the issues concerning women, the government has already adopted a strong legal and policy framework. This report covers a few significant topics concerning the struggles of women in Bangladesh. Although the government is doing significant work in the fight against violence against women, this challenge is broad and affects various topics, such as human trafficking, slave labour, poverty, climate change, health, politics, in the same way that it affects the most varied social groups, such as Muslim, Hindu, indigenous, refugee and migrant women.

1.2 - Country's Information



Bangladesh (Photo: Asia Pacific Curriculum, n.d.)

Bangladesh, officially the People's Republic of Bangladesh, is a country located in South Asia. With a population of over 163.1 million (DESA, 2019), Bangladesh is the 8th most populous country in the world (Visual Capitalist, 2020). Dhaka is the capital and the largest city of Bangladesh, as well as the economic, cultural, and political centre of the country. The political system of Bangladesh is a parliamentary democracy, with the Constitution providing the Parliament and the Prime Minister with substantial powers. Sheikh Hasina is the current Prime Minister after winning her third consecutive term. However, the country still faces accusations of constant irregularities in its electoral process.

In Bangladesh, over 98 percent of the population are Bengali, and the remaining two percent are identified as Indigenous ethnic groups and migrants. Approximately 89 percent of the population is constituted by Muslims, while ten percent is constituted by Hindus. The remainder of the religious citizens is constituted by Christians and Buddhists. Islam has remained the State religion since 1988, despite the ruling of the Supreme Court which reaffirmed that the State should be secular (Hashmi & Arshi, 2011). The official language of Bangladesh is Bengali, however, there are five other regional languages, and over 30 languages spoken in the country.

The country has long been known for its extreme poverty. A significant part of the inhabitants are still small farmers, who struggle to make a living with small plots of land. Many of the workers in urban areas earn just a few cents a day. In the garment industry, one of the most important sectors in the National Economy, workers make approximately \$132 a month, with no guarantee of a minimum wage (ABC News, 2019). According to the World Bank, among the labour-force population in urban areas, 28 percent of the women and 19 percent of the men are illiterate (World Bank, 2018). This reiterates the difficulty of access to work for women.

In addition, the country also faces the challenges of the Rohingyas refugee crisis, the disastrous consequences of climate change, gender violence, child marriage, the criminalisation of homosexuality, and religious conflicts. Since August 2017, Bangladesh has been hosting more than 700,000 Rohingya refugees who fled from Myanmar (UNHCR, 2021). Nevertheless, the Rohingyas continue to face discrimination in

Bangladesh. They are not allowed to work or move freely, thus facing economic inequality and security issues (Centre for Global Development, 2021).

Journalists and activists in Bangladesh also frequently face physical attacks or imprisonment for reporting material that is often considered to be 'false' or 'defamatory' by the authorities (GOV.UK, 2021). Besides, enforced disappearances, unlawful or arbitrary killings, including extrajudicial killings by the government or its agents are significant human rights violations occurring in the country.

History

Bangladesh has been officially considered an independent country since 1972. With India's partition in 1947, the region where the Bengali population lived changed from India's "State of West Bengal" to one of five provinces of Pakistan — the Pakistani province of "East Bengal" (Department of Economics, SOAS, University of London 2010). In 1971, on the night of March 25th, the West Pakistani military launched a military crackdown, known as Operation Searchlight, against East Pakistan, killing around 7,000 innocent Bengali people in one night and instigating the nine-month Liberation War of Bangladesh (The Daily Star, 2021). Bangladesh gained independence on December 16th, 1971.

In 1972, Bangladesh's Constitution was drafted and adopted, leading to the formation of a parliamentary government. The Constitution expressed that the State should be governed by a Prime Minister as the Head of Government and a President as the Head of State, both elected by the National Assembly. However, in 1975, after the assassination of Sheikh Mujibur Rahman by the military, the country was under a military dictatorship until 1991. In that year, however, the parliamentary system was restored. Nevertheless, the civil-military relationship in Bangladesh remains complicated, with the armed forces still playing an essential role in national politics (APSA, 2013).

Review of the Human Rights Situation in Bangladesh

2. Violence Against Women's Health (VAWH)

Gender-Based Violence in Bangladesh

The United Nations General Assembly Declaration on Elimination of Violence Against Women in its Resolution 48/104 of December 20th, 1993, defines violence against women in Article 1 as “any act of gender-based violence that results in physical, sexual or physiological harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty and needs in public and private life” (UNGA, 1993; De Vido, 2021). Thus, Gender-Based violence is rooted in gender inequalities and the abuse of power that has characterised several societies around the world.

As far as Bangladesh is concerned, this practice is a serious cultural problem within the country that has far-reaching consequences on the entire society. The incidence of Gender-based violence (GBV) in Bangladesh was not known for a long time (SDGF, 2017). Only in 2011, the United Nations Population Fund in Bangladesh (UNFPA Bangladesh) together with the National Statistical Office undertook the first-ever Violence Against Women Survey (VAW Survey), which brought to light high levels of violence in the country: 87 percent of ever married women reported to have experienced several forms of violence in their life (UNFPA, 2022). Then, in 2013, the Gender Inequality Index ranked Bangladesh 146 among 186 countries while, in 2019, the Index ranked Bangladesh 133 out of 162 countries (UNDP, 2020). All types of VAW listed in the Beijing Platform for Action occur in Bangladesh: women are exposed to various kinds of violence, including sexual harassment in the workplace; violence inflicted because parents are unable to pay dowry demands; pregnant women's deaths associated with violence; women subjected to trafficking, rapes, and acid-throwing (MDG-F, 2013). Among the main causes of violence against women in Bangladesh is the persistence of a patriarchal society, which perpetuates inequalities and unstable power dynamics. This leads to stereotypical views regarding women's roles and responsibilities (Human Rights Council, 2014). Therefore, there is a strong social pressure not to report abuses, especially in cases of domestic violence because it is perceived as a private matter as women are concerned about the social stigma towards the family or the impact it may have on their children's future (Human Rights Council, 2014).

What emerged from the Violence Against Women Survey (VAW) conducted in 2015 by the Bangladesh Bureau of Statistics (BBS) is that the number of women who experienced violence from their partners fell to 72.6 percent in 2015, down from 79.4 percent in 2011 (Bangladesh Bureau of Statistics, 2015). This means that the phenomenon is decreasing at the national level, although it is still extremely high. The most common form of violence women experienced is different forms of controlling behaviour, which corresponds to 55.4 percent of ever-married women in their lifetime. Some examples of controlling behaviour include the husband becoming angry for no reason; the woman seeking permission before taking any health care services or the husband forcing women to maintain the veil/*hijab*. The second one is physical violence, which has been experienced by almost 49.6 percent of ever married women. The lifetime rates of emotional and sexual violence are also high at 28.7 percent and 27.3 percent respectively (Bangladesh Bureau of Statistics, 2015). The Bangladesh Bureau of Statistics also generated reliable data that could be disaggregated by locality, such as rural, urban, and city corporation areas. Indeed, violence is much more prevalent among women living in rural areas outside city corporations. The data showed that 51.8 percent

of ever married women in rural areas, and 48.5 percent of women in urban areas outside city corporations had experienced physical violence by their partner in their life (Bangladesh Bureau of Statistics, 2015).

Moreover, as will be explained in chapter four, over the past few years, indigenous women faced increasing acts of violence due to their gender and social status. According to Kapaeng Foundation's statistics, from January 2007 to September 2016, there had been at least 466 reported incidents of violence against indigenous women in Bangladesh (Kapaeng Foundation, BIWN, IWFA, 2016). It is worth mentioning that 7.52 percent of the victims in 2014 were from indigenous communities, which were merely 1.8 percent of the country's total population, while the remaining 92.48 percent of victims were from the Bengali community. It is clear that the propensity of sexual and physical violence against indigenous women was higher than the violence faced by Bengali women (Kapaeng Foundation, BIWN, IWGIA, 2016).

Another recent aspect that needs to be considered is how the COVID-19 pandemic exacerbated the phenomenon of violence against women in Bangladesh. During April–September 2021, 93 percent of Bangladeshi women reported having experienced a form of VAW or knowing another woman who experienced it: it was the highest percentage among the countries selected by the Rapid Gender Assessment surveys on the impact of COVID-19 (UNWOMEN, 2021). From the pooled, estimates for 13 countries indicate that 68 percent of women thought the incidence of physical or verbal harassment by partner violence had increased during the pandemic. Bangladesh was the second country with the highest perception of increased violence, at 81 percent. At the time of the survey, an alarming 98 percent of Bangladeshi women thought domestic violence by a partner was still a common phenomenon. This was the highest percentage among all countries. Prevalence data may back these findings, as in another study, Bangladesh was cited as having high levels of life experiences of physical or sexual violence, at 75 percent (UNWOMEN, 2021).

Violence Against Women's Health: Considering sexual reproductive and health rights (SRHR)

In order to analyse the seriousness of the violence against women, it is fundamental to address the physical and physiological implications that such a phenomenon has on women's lives. As pointed out by the CEDAW Committee, "gender-based violence is a critical health issue for women in particular to their rights to health and reproductive health" (UNGA, 1993; De Vido, 2021). It is relevant to underline that the Committee on Economic, Social and Cultural Rights' (CESCR) General Comment 14 interpreting the Right to Health, states that to eliminate discrimination against women, governments need to "develop and implement a comprehensive national strategy for promoting women's right to health," including by "protecting women from domestic violence" (CESCR, 2000). The Committee added that "States parties have a core obligation to ensure, at the very least, minimum essential levels of satisfaction of the right to sexual and reproductive health" (CESCR, 2016). This is essential considering that many husbands expect women to seek their permission before seeking any health care services: 36.1 percent of ever-married women experienced this during their lifetime and 22.7 percent in one year (Bangladesh Bureau of Statistics, 2015). Therefore, women and girls are in a difficult position as they cannot decide on their sexual and reproductive rights.

Bangladesh needs to show more efforts to guarantee women's rights, considering that the country has one of the highest child marriage rates worldwide. Early marriages have serious consequences for a girl's health, education, and development rights. The country also has one of the lowest birth registration

rates, which hinders the effective implementation of laws against child marriages (Human Rights Council, 2014; Human Rights Watch, 2020). In 2016, the UN working group on the issue of discrimination against women in law noted that “women’s bodies are instrumentalised for cultural, political and economic purposes rooted in patriarchal traditions”, as in the case of Bangladesh (Human Rights Council, 2016). In order to put an end to these practices, the ESCR Committee argued that the right to culture is limited at the point at which it infringes on another human right (ESCR, 2009; De Vido, 2015). For this reason, VAW must be understood as a public health concern or better an illness with a negative and influential consequence on the entire society. Thus, barriers to the realisation of Sexual and Reproductive Human Rights (SRHR) impede progress towards gender equality (WHO, 2011).

This is underlined by researchers who observed the conditions of Bangladeshi shelters and refugee camps, especially in coastal Bangladesh and the Cox’s Bazar District. They found that these infrastructures pose the most serious challenges to women’s safety because adolescent girls are at risk of sexual violence along with kidnapping and threats (WEDO, 2016; SRH Working Group Coordination, 2021). Moreover, there is an evident lack of hygienic facilities for women, and private spaces for breastfeeding or changing menstrual pads (AZAD, et al., 2013; WEDO, 2008).

In addition, two targets of the adopted 2030 Agenda for Sustainable Development explicitly mention sexual and reproductive health, which is to “ensure universal access to sexual and reproductive health-care services, including for family planning [...] and the integration of reproductive health into national strategies and programmes” (SDSN, 2012). This objective is far from being reached in Bangladesh, where the protection given to women victims of violence is still inadequate and physical and psychological protection is almost non-existent. Moreover, an estimated 5,200 mothers die each year due to pregnancy-related causes, as high maternal mortality remains a serious concern in the country. Yet in 2011, the Committee on the Elimination of Discrimination against Women (the CEDAW Committee) had expressed its concern about the lack of disaggregated data on women’s health situation in the State party’s report, and the inadequate attention to women’s reproductive health-care services (CEDAW, 2011).

Bangladeshi government’s response to Violence Against Women and international intervention

The Bangladesh government has taken a variety of initiatives to address violence against women and to fulfil the government’s commitment to comply with the UN’s agreements.

In the year of 2000, the Women and Children Repression Prevention Act was enacted to address a wide range of violent acts, including trafficking, burning, rape, and dowry violence. Then, in 2002, the government developed the Acid Offense Prevention Act and Acid Control Act to establish a regulatory framework for the distribution of acid, considering that the majority of victims were women and that 80 percent of attacks occurred in the victim’s home. Acid attacks are one particularly extreme form of violence in a pattern of widespread gender-based violence targeting women and girls in Bangladesh. In fact, not only are they verbally and physically attacked, but men often scar parts of their wives' bodies with acid, especially in cases of domestic violence. In 2010, the Domestic Violence Act was enacted, reflecting an important step forward in broadening the definition of domestic violence against women and children to include physical, psychological, sexual, and even economic abuse (Human Rights Watch, 2020). In 2017, the Bangladeshi government enacted the Child Marriage Restraint Act (CMRA), and in September 2018, the Bangladeshi

Parliament passed a new Dowry Prevention Act, with 11 additional provisions. In 2018, the High Court Division of the Supreme Court of Bangladesh prohibited the 'Two Finger Test' on rape survivors in determining the occurrence of rape and ensured justice and protection for rape survivors (BLAST, 2018).

Along with the government of Denmark, the government of Bangladesh undertook a fundamental program called the Multi-Sectoral Programme on Violence Against Women (MSPVAW). Under the Ministry of Women and Children Affairs, Bangladesh compromised itself to build a society without violence against women and children by 2025. The program developed the National Action Plan to Prevent Violence Against Women and Children (2018-2030), focused on legal protections, social awareness, advancement of women's status, rehabilitation, and protection services. Moreover, the programme created nine One-Stop Crisis Centers (OCCs) to provide social service support, immediate medical assistance, and coordination with the district legal aid committees (Human Rights Watch, 2020).

Although these steps were considerable, it is widely recognised that Bangladesh needs to put more effort to respect, protect, and fulfil its obligations under human rights law to ensure women's rights equality and non-discrimination. Bangladesh has ratified the core international treaties that protect women's rights, including the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). As stated by the CEDAW Committee, States have to comply with the treaty and are obliged to take all possible steps to provide everyone with equal and effective protection against violence, including domestic violence (CEDAW Committee, 1992; Human Rights Watch, 2020). However, Bangladesh maintains its reservation on CEDAW articles 2 and 16 (1) C., despite civil society pressure for its withdrawal. Under article 2, States parties agree to fight discrimination against women in various ways, including through the adoption of laws and ensuring that public authorities refrain from any discriminatory practice. Article 16 (1) (c) spells out the equality of women's rights in matters relating to marriage and family relations and states that men and women have the same rights and responsibilities during marriage and its dissolution. This reservation could hamper progress towards reducing violence against women considering that the protection given to the victims of violence is still inadequate.

Against this background, the Joint Programme to address Violence Against Women (JP-VAW) in Bangladesh was developed by several international organisations and United Nations agencies. The JP-VAW was designed to implement Bangladesh's National Priority 5 named Gender Equity and Advancement of Women and was enacted under the UNDAF from 2006. Thanks to the JP project, acts and laws are being revised to give more protection to the women. The programme also supported the realisation of Women Friendly Hospitals (WFHI) in 13 government hospitals around the country, providing gender and socio-appropriate care, with separate lines and toilets for women, separate counselling room for survivors of violence, private breastfeeding areas, as well as links to legal support offered by female lawyers and elected representative (MDG-F, 2013; Human Rights Watch, 2020).

As far as sexual and reproductive rights are concerned, the United Nations sexual and reproductive health agency in Bangladesh (UNFPA) uses a rights-based approach to strengthen the health sector response to Sexual and Gender-based Violence (SGBV). This includes tracking and reporting systems within the health services on VAW, such as enhancing the sustainability of services and building the capacities of law enforcement agencies to protect women from violence. Also, the Sexual and Reproductive Health Working Group partners provided integrated SRHR and GBV response services in a context where COVID19

exacerbated existing conditions for intimate partner violence in the Rohingya refugee camps. Several services have been provided, such as Menstrual Regulation and Post-Abortion Care, which increased in 2021 by 12.3 percent and Post-Abortion Care procedures with an increase of 30.8 percent from 2020 (SRH Working Group Coordination, 2021).

As mentioned by the CEDAW Committee in the information received from Bangladesh on the follow-up to the concluding observations on its eighth periodic report in 2020, there has been a great deal of progress in legislating against violence against women in various forms. The commitment of the government in this regard is evident. However, more laws need to be developed on sexual harassment and child marriage. Holistic solutions must address both the individual empowerment of women and the cultural barriers that are still a burden on women's lives.

3. Economic Empowerment of Women and the Participation in Public and Political Life

Women's participation in public and political life

Women's participation and leadership in both political and public life have been deemed essential to achieve the Sustainable Development Goals by 2030 (UN Women, 2021). However, as of 2022, the data shows that women continue to be underrepresented at all levels of decision-making worldwide. When it comes to executive government positions, women represent a fairly low share. There are 26 women State-leaders, 10 of them being heads of State, while the other 13 hold the head of government position. Only 21 percent of government ministers are women, with only 14 states having achieved 50 percent or more women in cabinets. The most commonly held portfolios continue to be family/youth/elderly; social affairs; environment; employment; and women affairs/gender equality (UN Women, 2021). When it comes to national parliaments, a significant increase has occurred globally. Compared to the 11 percent of female members in 1995, 25 percent of all national parliamentarians are women as of 2021.

It has been stated that good governance, gender equality and women's empowerment are all necessary conditions for the reduction of poverty (Ara & Khan, 2005). There is also a large body of evidence proving that gender equality enhances good governance, given that sustainable poverty reduction requires the full involvement of women as central actors in the governance process (Kabir et al., 2018). Bangladesh is one of the few countries in the world with a woman as its head of government. Sheikh Hasina has been Prime Minister since 2009, having also previously been in office from 1996 to 2001. In fact, women have been the heads of government for almost the last three decades in the country (CRI, 2019). There are 50 seats in parliament reserved for women, allocated to the different political parties based on their proportional representation. Moreover, the government has taken several legislative initiatives aimed at increasing women's participation in the different local governments.

The Local Government Second Amendment Act of 1997 passed under Prime Minister Hasina's mandate has been qualified as a "*milestone towards ensuring women's access and increased participation in local governance*", since it introduced the notion of reserved seats for women in local government elections (CRI, 2019). In studies analysing the perception of elected women members of parliament (EWMs) on governance, four main topics were addressed in relation to governance: its conceptualisation, its functioning in practice, its participation and its gender aspect (Kabir et al., 2018). EWMs seemed to conceive the government as an institution meant to provide citizens with the required facilities and resources to lead a decent human life with peace and dignity. Their conception of governance includes aspects from poverty alleviation to women's empowerment and environmental conservation. Regarding governance and participation, EWMs mostly express their views enthusiastically, stressing that through the reservation of seats, women had attained a new 'strength' and they hoped that more women would eventually become part of the decision-making process (Kabir et al., 2018).

In terms of non-politician women's participation in politics, several studies reveal that almost all women were newcomers without much political education, and without much knowledge on their political responsibilities (Biswas, 2004; Sebstad & Cohen, 2002). The same studies also show that the direct election system was imposed without giving women the time or opportunity to gain knowledge and understanding of their new responsibility. In Bangladesh, the number of women who are civil administration officials represents 22.4 percent of the total (CRI, 2019). Indeed, the number of women employees in government

jobs has increased since 2009, with top administration positions-secretaries, additional secretaries, joint secretaries, deputy commissioners, top positions of police being held by women, and thus are in this way able to advance their empowerment. Moreover, the number of women in top positions represents four times what it was in 2015 (CRI, 2019). According to the Global Gap Report of 2018, Bangladesh placed 5th out of 149 countries in terms of closing the gender gap in the political empowerment sub-index (World Economic Forum, 2018).

Despite all the objectively commendable advances that Bangladesh has made in women's political empowerment, there are still several problems women face in the field. As explained by Deeba Chowdhury, patriarchy represents the notion on which we can base the identification and assessment of women's participation in Bangladesh politics (Chowdhury, 2009). Understanding patriarchy as "*a system in which decision-making power and economic control are vested in the hands of men*", it is acknowledged that men in Bangladesh possess control over all economic and political power through both the public and the private patriarchy (Chowdhury, 2009). Private patriarchy 'problems' affect women in politics in Bangladesh due to the lack of control over their own income, constant family involvement, and non-cooperation from husbands. The presence and participation of women in governance is indeed a new phenomenon, and it has recently acquired importance since women are becoming the peoples' representatives despite the limitations imposed by the patriarchy (Kabir et al., 2018). Women's voices, which were not heard and under-represented before, are slowly taking their place within institutions through the newly elected women at the local government level, which is becoming a space to voice concerns on issues such as development. Again, empowerment and equity are crucial aspects of poverty reduction. Women's empowerment has become well-established as fundamental in achieving poverty elimination (UN, 2010). Therefore, it is only by incorporating gender perspectives in both poverty reduction and good governance that both women's empowerment and other positive outcomes for society at large will be achieved in countries such as Bangladesh.

Women's economic empowerment

There has been a longstanding debate on exactly what women's economic empowerment comprises. On the one hand, some think that labour force participation (LFP) in and of itself can economically empower women. On the other hand, a more nuanced point of view presents the opinion that the extent to which LFP becomes empowering for a woman will vary according to how we define empowerment, as well as on the cultural and social acceptability of women being active in the working space and the job opportunities available for women (Kabeer, 2008). The World Bank, in turn, offers an even more nuanced vision, arguing that women's empowerment includes not just LFP and employment but also women's ownership, access to, and control of household financial assets (2016).

Following this line, it has been stated that economic empowerment is, indeed, at the core of the project: the inclusive economic development of communities and, in a broader sense, of countries. In terms of women's empowerment, economic empowerment becomes crucial since it allows women to gain financial independence to become empowered in other aspects (CRI, 2019). In Bangladesh, women's economic empowerment is deeply connected to poverty reduction. It has been stated that when women earn, they are more likely to invest in their children and in their communities (World Bank, 2019). Since the 1990s, Bangladesh has seen great economic development, performing relatively well on the Millennium

Development Goal of halving the incidence of extreme poverty between 1990 and 2015. At the same time, the rate of women's participation in the labour force rose from 26 to 36 percent between 2003 and 2016 for women over 15 (World Bank, 2019). In spite of this, Bangladesh remains one of the poorer countries in the world, suggesting there is an increasing need to rethink how women's economic engagement can contribute to the growth of the economy, and in that way, maintain the progress in poverty reduction and inclusive economic development.

Over the last years, the government of Bangladesh has put in motion several comprehensive policies and initiatives to provide extensive training, create more job opportunities and facilitate access to both the labour market and financial service to women entrepreneurs. From 1996 to 2016, the ratio of women labour increased from 15.8 to 36.3 percent (CRI, 2019). This was mostly due to the increased enrolment of women in higher education, which increased their chances of getting into higher-value jobs. Although it is true that, from 1996 to 2017, the number of self-employed women increased from 31 to 39 percent (CRI, 2019), during 2010 to 2018, only 3.5 percent of the total Bangladeshi Taka Equals (BTD) of 9.4 million, which was disbursed in credit to the cottage, micro, small, and medium scale enterprises' (CMSMEs) entrepreneurs, went to women entrepreneurs (UN Women, 2022). Moreover, women have also been deemed to lack sustainable employment for resilience against unexpected shocks. When faced with shocks such as environmental hazards, the COVID pandemic or market volatility, women tend to fall back into poverty (UN Women, 2022).

Although Bangladesh's female LFP rate rose ten percentage points between 2003 and 2016, women's participation still represents only 44 percent of that of men (World Bank, 2019). Throughout the 20th century and for the last two decades in Bangladesh, laws that ensure equality between men and women have been enacted in several spheres, such as education, employment, politics, and specific areas of family law. However, the laws have a relatively small impact in private spheres, such as the household. In the latter, which still represents the core unit of society, the belief in the superiority of the male members of the household has proven difficult to change (Kapur, 2013). Indeed, very few women are the sole decision-makers concerning their household financial matters (around 14 percent) or their own use of financial services (World Bank, 2019). Nevertheless, some data points to the fact that for rural women, on the contrary, solo decision-making is to a small extent increasing over time. According to the 2015 Bangladesh Integrated Household Survey, around 70 percent of rural women control the income spent on their own needs, compared to the around 50 percent who did so in 2011 (IFPRI, 2015).

Overall, it can be said that women's economic empowerment in Bangladesh has increased in the last two decades. However, choices remain limited. Indeed, women appear to still have minimal work options across different sectors, even if many sectors have experienced a decline in sex segregation (World Bank, 2019). According to the World Bank, sex-segregated occupational choices driven by gender norms appear to be more common in rural than urban areas, meaning that the income aspect becomes relevant to the number of work options available for women (World Bank, 2019).

However, it has become clear that individual women in situations of economic stress do not have the leverage to negotiate with bigger economic actors in other well-functioning markets. This is the reason why UN Women, the United Nations Capital Development Fund (UNCDF), and the United Nations Development Programme (UNDP) all came together and started an initiative called the "Inclusive Economic and Local Development Programme" (IELD). The IELD programme seeks to facilitate the design, implementation, and sustainability of local investments by governments and the private sector to remove

barriers to women's economic empowerment" (UN Women, 2022). The IELD programme linked women entrepreneurs to groups such as women-led SMEs, Women Development Forums, NGO-led social enterprises, and women-led cooperatives in order to join their collective knowledge and allow them to bargain (UN Women, 2022). Seeing the success of the IELD programme, UNCDF, UNDP, and UN Women decided to mobilise funds locally, in order to adjust the programme to the specific context of Bangladesh. In 2020, they started a new project titled Women's Empowerment for Inclusive Growth (WING), which builds a new policy and institutional set-up, ensuring that joint communication and synchronised collaboration among national and local government actors is undertaken with a minimised duplication of efforts (UN Women, 2022).

Therefore, it can be concluded that any investment in women as a social group will have far-reaching beneficial impacts, both from a business and a social perspective, and not only for women but also for society at large.

4. Indigenous Women in Bangladesh

Introduction

Bangladesh is home to over 54 indigenous groups of people, speaking over 35 different regional languages, who reside in different parts of the nation, mostly in remote areas such as Chittagong Hill Tracts (hereinafter CHT) and Plainland. CHT is a hilly area with 11 indigenous tribes, collectively known as 'Jumma' people. The remaining Indigenous Peoples are located in the plains of Bangladesh in the northwest (Kajshahj-Dinajpur), northeast (Greater Sylhet), central north (Mymensingh - Tangail) and south/southeast (Cox's Bazar - Barisal) regions. The Santal make up approximately 30 percent of Indigenous Peoples, and the Garo, Hajong, Koch, Manipuri, Khasi, and Rakhain follow in size, as well as several other peoples (Asia Indigenous Peoples Pact and Kapaeeng Foundation, 2014).

The grounds for Bangladesh liberation were primarily the independence of one minority group into a republic, and therefore, marginalisation of opposing communities in Bangladesh became inherent. The liberation war in Bangladesh resulted in the deaths of an unknown number of civilians which constituted a vast majority of linguistic and religious minority communities. This war between the groups initiated the political imbalance amongst communities, resulting in gross violations of human rights against the minorities.

According to the 2011 census, there were 1,587,141 indigenous people in Bangladesh, which constitutes 1.8 percent of the total population. However, estimates originating from within the Indigenous community approximate that the total Indigenous population is between two million and five million (Asia Indigenous Peoples Pact and Kapaeeng Foundation, 2014). The drastic differences in different statistical data evidently provide for the assumption of marginalisation and wrong treatments. The multiple different sources stand unreliable in such a situation and for the matter also dictates the disregard of different ethnic groups.

Indigenous people in Bangladesh face discrimination in almost every aspect of their lives, including but not limited to violation of their ownership and cultural connection to land and resources, infringement upon the safety and sanctity of their homes, and barriers to equal access to healthcare, fair and safe employment, political participation, and education. (Cultural Survival, 2014). Indigenous women particularly face discrimination and violence inflicted upon them by the majority groups. The maltreatment and indifferent behaviour towards the indigenous groups is the result of disregard by the government of their rights and unequal opportunity in the country on multiple levels in every sector of their lives.

International Legal Framework

The Bangladesh government stands as one of the 11 countries which abstained from adopting the landmark "*UN Declaration on the Rights of Indigenous Peoples*". The declaration recognises various rights of indigenous people and mandates states to prohibit discrimination against indigenous people and to promote their participation in all subjects which concern them. This stance against adopting the UN Declaration is a major setback internationally for the indigenous groups of Bangladesh. Bangladesh has a substantial indigenous population, thus protection of those groups should be one of their priorities. However, with the Bangladesh government upholding such a stand internationally, it clearly demonstrates the disregard for the communities.

Moreover, amongst the major conventions by the International Labour Organisation (hereinafter ILO) dealing with rights of indigenous people i.e., *Convention 169 "Indigenous and Tribal Peoples Convention, 1989"* and *Convention 107 "Indigenous and Tribal Population Convention, 1957"*, Bangladesh only ratified the latter and not the former. *Convention 169* provides for the rights of minorities, inclusive but not limited to the right to recognition, observance and enforcement of treaties and representation by State governments, which are the primary needs of indigenous women in Bangladesh.

Despite the government's pledge to provide special training facilities for Indigenous workers including Indigenous women by ratifying ILO Convention No. 107, whenever programmes of vocational training of general application do not meet their special needs, no such special training is undertaken by the government. This is one example of the disadvantages Indigenous people face in the workplace.

National Legal Framework

The government of Bangladesh recognises minority groups as different 'ethnic' and 'linguistic' groups, and not particularly as 'indigenous' groups. Every individual born in Bangladesh is considered as Bengali, which basically certifies all people as equal. To eradicate the atrocities that indigenous people face on a daily basis, which places them lower in social and economic dynamics, there is a need for special legislation and reservations for indigenous people. However, the government should recognise every citizen as equal, thus providing them with equal rights. Therefore, not granting them the status of 'indigenous' hinders and poses major obstacles to the development and security of the indigenous people. The *Constitution of Bangladesh* fails to protect indigenous women from such heinous threats to their security, due to the lack of recognition and therefore falling short of adequate protection for the most vulnerable. This reality is epitomised by the very fact that the government of Bangladesh has never enacted any special acts or laws for indigenous women, nor has ever provided for special clauses under domestic acts.

For instance, the 2010 *Domestic Violence Prevention and Protection Act* provides a remedy for victims to file a police complaint following any act of domestic violence. However, the overall framework of registering a complaint highly favours majority communities and males. As a result of these shortcomings, crimes against indigenous women have been widely normalised and therefore the legal framework for protection of indigenous women does not work efficiently in practice. Most of the indigenous people live in remote areas, away from the majority, in many cases they have also been evicted from the developed areas, and as a result indigenous people do not have proper access to police stations and courts. As far as barriers to justice are concerned, it is also important to recall that judicial institutions rarely provide claimants with tools to override language difficulties.

Additionally, indigenous women are also disproportionately affected by pornography, human trafficking and prostitution. Laws governing the protection and development of women and children, such as the *Nari-o-shishu Nirjatan Daman Ain* - in English, *The Prevention of Oppression Against Women and Children Act* - of 2000, the *Pornography Control Act* and the *Prevention and Suppression of Human Trafficking Act* of 2012, and the *Child Marriage Restraint Act* of 2017 are designed and structured in a manner which overtly fails to address the specific needs of indigenous women and girls.

Experiences of injustice endured by indigenous women: gender and sex-based violence

As broadly mentioned above, indigenous women and girls have been oftentimes exposed to dire cases of gender and sex-based violence in Bangladesh, exacerbating even more the severe distress ensuing from the precariousness of their position within the society. Despite having clarified how wide the spectrum of gender and sex-based crimes suffered by indigenous women is, the scope of research of the remainder of this chapter is limited to sexual and physical aggressions only.

In an attempt to shed light on such traumatic experiences, the Bangladesh Indigenous Women Network (hereinafter BIWN), a forum conceived to champion indigenous women's rights, released last year a report indicating that 37 indigenous women suffered acts of violence in the first six months of 2021 alone (BIWN, 2021). Taking into account the whole of 2020, the "Human Rights Report 2020 on Indigenous Peoples in Bangladesh" issued by the Kapaeeng Foundation, found that 61 women and girls had become victims of recurring crimes, such as rape, attempted rape and physical assault (Kapaeeng Foundation, 2020). These numbers confirmed the dismaying trend of gender and sex-based violence, towards women, as the Kapaeeng Foundation had already stated in 2016. The Foundation stated that the number of female victims of such crimes amounted to 434 in the period between 2007 and 2015 (Kapaeeng Foundation, 2016). Eventually, the careful examination of some disaggregated data provided by the International Work Group for Indigenous Affairs (hereinafter IWGIA) on female victims of physical aggressions reveals that indigenous women and girls are more likely to face violence than Bengali ones (IWGIA, 2016).

As far as the perpetrators of these crimes are concerned, a combined work of IWGIA and ILO found that the 17 percent of people responsible for physical or sexual violence endured by Bangladeshi indigenous women and girls are not community-members, 13 percent are partners of victims and the 9 percent are individuals of the same indigenous community (IWGIA & ILO, 2020). Therefore, while house-located incidents represent a concrete threat and can never be overlooked, the largest percentage of harmful practices does not have a domestic nature.

Even though these statistics are sufficient to portray the appalling conditions in which indigenous women are forced to live on a daily basis, it is important to bear in mind that cases of gender and sexual-based violence have been massively under-reported. Consequently, the aforementioned reports inevitably fail to capture the overall scenario. This statement has been confirmed by the Bangladeshi government itself, which warned the CEDAW Committee about the inaccuracy of official data on these incidents, since figures differ between NGOs, media outlets, police records, tribunals and hospitals archives (Government of Bangladesh, 2010).

The lack of reliable information is mainly due to the social stigma attached to sexual victimisation. In this regard, an illuminating report of the Chittagong Hill Tracts Commission tellingly emphasised that 95 percent of survivors of gender and sex-based incidents feared rejection from their communities because of the harm suffered; overwhelmed by such concern, 60 percent of them refrained from triggering legal proceedings in order to avoid further society-induced distress (Chittagong Hill Tracts Commission, 2014). Furthermore, it has already been mentioned beforehand how also distance from infrastructures and language barriers end up deterring indigenous women – mostly those living in remote areas of the country - from reporting suffered harms (UNPO, 2017). Moreover, the under-reporting phenomenon is also determined by the fact that indigenous women and girls are at times attacked by members of security forces, who in turn threaten and intimidate survivors and their families in order to cover the committed wrongdoings (IWGIA, 2021). It goes without saying that this troubling reality contributes to the atmosphere of pervasive impunity, exponentially increasing the risk of reoccurrence of the crimes. In addition, the silence that often follows

these incidents, prevents women from accessing medical treatments and psychological services. The consequential impossibility to properly recover from these traumatic experiences accentuates the victims' detachment from the rest of the society, leading to their galling isolation.

Intersectional responses to intersecting injustices

Physical aggressions against women and girls do not occur in a vacuum and gender and sex-based incidents are not driven merely by perpetrators' sexual urges: conversely, they are imbued in the underlying historical and structural patterns of gender disparity entrenched in patriarchal societies. This general statement applies squarely to the portrait of the delicate situation of indigenous women in Bangladesh. It has been reported how women and girls belonging to indigenous communities in Bangladesh endure more marginalisation than Bengali women, thus exposing them to further threats of physical attacks on account of their gender, ethnicity, religious beliefs and socioeconomic status (UNPO, 2017). Relatedly, it has been already mentioned beforehand how the propensity of directing attacks against indigenous women is higher than the violence suffered by Bengali ones. In light of this, the harms experienced by indigenous women turn out to be characterised by the intersection of manifold grounds of discrimination, which combined together make them such a disadvantaged category of people. Given the intricate reality stemming from such analysis, it appears evident that any kind of generalisation would amount to an inappropriate and short-sighted over-simplification. The one-size-fits-all solutions cannot represent valid responses to the aforementioned challenges, which would instead necessitate nuanced and fleshed-out measures addressing the structural inequalities between men and women within the socio-political, economic and cultural sectors of the country.

Firstly, it is fundamental to provide survivors with access to legal services, including physical and psychological protection from threats and intimidation. Against this backdrop, it should be recalled that even human rights defenders often get harassed while fighting against violations endured by indigenous women. Amnesty International reported that when human rights professionals try to monitor and investigate allegations of sexual incidents committed by Bengali settlers against indigenous women and girls, their work is at times hindered by the obstructionism of the authorities (Amnesty International, 2016). Upon this premise, the regular and effective functioning of the rule of law requires that the protection ensured to victims shall be extended to human rights defenders as well.

Secondly, indigenous women's economic empowerment is paramount to allow them to reduce their fragility and vulnerability, thus strengthening their position in the society. In Bangladesh, within the framework of the Ministry of Women and Children Affairs and the Ministry of Finance, the Gender Responsive Budget (hereinafter GRB) mechanism intends to devolve adequate financial resources for gender equality and women's empowerment (UN Women Asia and the Pacific, n.d.). However commendable the GRB's mission is, indigenous women and girls are in many cases less likely to benefit from the advantages of this measure: subsequently, it is strongly needed to allocate a given percentage of the entire budget exclusively to them (IWGIA, 2021). Furthermore, women's economic empowerment cannot be truly achieved unless the government takes serious steps to end the wide spectrum of gender-based land grabbing cases, consisting of the seizure of the control of women's lands for purposes of speculation, extraction, resource control or commodification at the expense of peasant farmers' food sovereignty and human rights (Eco Ruralis, 2016).

Eventually, indigenous women's empowerment across the layers of the society strictly depends on their political representation. Also in this case, Bangladesh has adopted throughout the years some measures in order to increase representation of women in the country's decision-making process, such as the reservation of 50 seats in the national Parliament for women (IWGIA, 2016). Notwithstanding, none of these seats is reserved for indigenous women, and the same exclusion is reported to occur at the local level too (IWGIA, 2016). The under-representation of indigenous women in public life exacerbates the blindness of the political powers to the specific needs of this broadly disadvantaged category, making it highly complicated to deploy the necessary countermeasures to fight these ongoing injustices.

As a reaction to the current difficulties to access the official institutions of Bangladesh, the European Union-funded project "Our Lives, Our Health, Our Future" stands out amongst the civil society-led initiatives to ensure indigenous women a stronger participation in public life. Albeit its informal nature, this programme consists of a series of workgroups allowing indigenous women from the Chittagong Hills Tracts to gather and, under the supervision of community-based mentors, to discuss in a safe space their experiences, their rights and their expectations for the future (Simavi, 2021). This bottom-up initiative is very interesting and paves the way for further improvements, since spreading awareness on common challenges and conceiving together common responses are pivotal to finally hit the road of change.

Conclusion

Although Bangladesh has made significant progress over the past 20 years in improving the lives of women and girls, as demonstrated throughout the report, there are still big problems that need to be addressed. In practice, the social norms and religious laws still promote the discrimination and violence against women in different areas of their lives. All the social stigmas that accompany women at all stages make it difficult to fight violence and different forms of discrimination. Besides that, although there have been several legal and governmental actions to avoid this type of discrimination, the implementation of these actions still needs to be worked on. Slow administrative procedures, bribery of government officials, lack of cooperation in court cases, among other things are examples of the issues regarding law enforcement. In our report, we have chosen different struggles that affect Bangladeshi women to exemplify the extent of discrimination, violence and lack of opportunities that this social group still faces.

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