

COUNTRY  
PRESENTATIONS

Chaired by H.E. Ms. Jaskaur Meena, Minister of State, Department of Women and Child Development, Ministry of Human Resource Development, India

Commitments, Action Plans & Challenges: BANGLADESH

Presentation by H.E. Begum Khurshid Jahan Huq, Minister, Ministry of Women and Children's Affairs, Government of Bangladesh

Commitments, Action Plans & Challenges: BHUTAN

Presented by Ms. Tsering Pem, Under Secretary, Planning Commission, the Royal Government of Bhutan

**Commitments, Action Plans & Challenges: BANGLADESH**

Presentation by the Government of Bangladesh



*"Bangladesh has achieved considerable success in mainstreaming women into the development process. The Government is committed to implementing the BPFA"*

**G**iving an overview of the status of women in Bangladesh, H.E. Begum Khurshid Jahan Huq, Minister, Ministry of Women and Children's Affairs, Government of Bangladesh, stated that Bangladesh is one of the seven countries in the world, where the number of men exceeds the number of women. This reflects the prolonged discriminations against women in terms of nutrition, food intake, education, employment, health care, shelter and workload. By being unaware

of their rights and by being dependent on family members, women themselves have also contributed to their lower status.

This traditional scenario has changed since women's development became a national priority, following the global agenda for development. Bangladesh has achieved considerable success in mainstreaming women into the development process. Bangladeshi women have played an important role in the success of micro credit, ready-made garment export, reducing population growth, increasing child nutrition and in the expansion of primary education. The country has achieved gender parity in primary education and nearly removed the gender gap in secondary education. Recent evidence also suggests that the country is close to achieving parity in life expectancy at birth.

The Government of Bangladesh began implementation of the BPFA, immediately after the Beijing Conference, translating the commitments into National Plans of Action. It developed the National Policy for the Advancement of Women and the National Action Plan for the Advancement of Women (NAP), with the Ministry of Women and Children Affairs (MWCA) serving as a catalyst to facilitate the process. The Government also developed a gender sensitive Poverty Reduction Strategy Paper (PRSP), designed to benefit the hard core poor women at the grassroots level.

The Government highlighted that the budget for 2002-2003 increased the funds allocated for destitute women. 43% of the budget has been allocated for poverty alleviation, with most of the beneficiaries being women. Needs-based programmes have been initiated, such as the Vulnerable Group Development (VGD) Programme, which reaches out to 500,000 hard core poor rural women in Bangladesh, giving not only food aid but also providing skills development training. There are 32 poverty alleviation projects, which are being implemented since 1991-2002 by the Department of Women's Affairs and Jatiyo Mohila Sangstha (JMS), the two implementing agencies of MWCA.

Steps have been taken in promoting women in decision-making positions. The political participation of women received a great boost with the passing of the Local Government Bill, which included the direct election of women to one-third reserved seats in all local bodies. Three seats have been reserved in all Municipal Corporations and 4479 local government bodies (Union Parishad). A total of 12,828 women were elected as members, with 21 women among them being elected as chairpersons, and 110 elected by defeating their male counterparts. The City Corporation Act as amended in 1999 provided that reserved wards for women would be one-third of the total general wards in the city corporation area and women would be elected through direct poll.

A few women have been appointed to senior level government positions through lateral entry. Women's participation in the executive bodies of different organizations

has increased with time the present Government has appointed a woman as Chairperson of the Public Service Commission, which is a Constitutional post. The Government has adopted a policy and is seeking to pursue its implementation to involve women in the regular armed forces of the country. Only two out of a total of 61 judges are women, though there are several in district courts and magistracy. However, women's participation in political institutions at the national level and also in the policy and administrative decision-making levels, still needs to be increased.

The Government reported that education is being accorded due recognition, receiving the highest allocation of the national budget of the social sector. Providing a stimulus to female education, the present government has introduced a primary school stipend for both poor girls and boys, providing financial incentives for poor parents to send children to school. To encourage parents to send the girl-child to schools, a provision has been introduced for stipend and free education for girls up to Grade XII and a 60 % job quota for female primary teachers.

To improve women's health, the Government declared the National Health Policy 2000, and has run the Health and Population Sector Programme (HPSP) 1998-2003 to increase women's access to, participation in and control over resources and services in the Health and Family Welfare Sector. The Ministry of Health and Family Welfare has developed the Gender Equity Strategy to provide overall strategic direction to gender mainstreaming in the HPSP and developed a comprehensive work plan to ensure safe motherhood.

To combat violence against women (VAW), the Government has set up a Central Cell in the Ministry of Women and Children Affairs (MWCA) to coordinate violence related cases with other related ministries and agencies. There is also a similar cell in the Department of Women Affairs and Jatiyo Mohila Sangstha, the two implementing agencies of the Ministry to provide assistance to victims of violence. There is also an Inter-ministerial Committee on combating VAW, which meets regularly to monitor violence related cases. The MWCA has started implementation of a multi-sectoral pilot project, which includes establishing "One Stop Crises Center" to provide legal, medical and other assistance to oppressed women, especially victims of acid violence. The Ministry has also initiated the project, "Safe Home for Women" to protect women who are not convicted criminals but have been taken into custody for suspected involvement in crime, from sexual abuse or harassment. It also operates a Fund to help distressed women, including victims of violence.

In a move to raise public awareness to stop VAW, including dowry related crimes, acid-throwing, trafficking and others, a country-wide long march programme, "Jagoron Padajatra" is going on in phases. The Dhaka long march was inaugurated by the Hon'ble Prime Minister herself on 8<sup>th</sup> March 2003, International Women's Day.

Laws have been enacted to combat VAW and these include the Prevention of Women and Children Repression Act 2000 and the Acid Control Act 2002 to control

production, import, sale and use of deadly chemicals. 38 tribunal courts are underway for ensuring a speedy trial of acid-violence related cases. The Evidence Act has been changed to provide quicker assistance to rape victims. The (MWCA) has started a project entitled, "Safe Home for Women" designed to protect women, who are not convicted criminals but are in custody for suspected crimes, from sexual abuse and harassment. The Ministry operates a Fund to help distressed women, including victims of violence.

For Bangladesh, its position on armed conflict is more one of principle rather than of practice. But in the global context, the Government believes that the participation of women is required for effective resolution of conflicts.

The Government reported that the economy has seen a steady increase in women's participation. Both government and non-government agencies have taken initiatives to develop the capacity of women as entrepreneurs and increase women's access to micro-credit and technology. Considerable progress has been made in establishing a collateral free micro-credit model for poor people, particularly poor women. The Government is implementing different vocational training courses to enhance women's skill and providing support services to promote women's participation in the workforce. For example, there is a project under the Ministry of Social Welfare for socially disadvantaged women i.e. sex workers and their children, focusing on programmes for empowerment, capacity building and sustainable livelihoods for sex workers, as well as creating a better environment for their children

A private organization with the help of the Telephone and Telegraph Board has introduced the mobile telephone for rural women. This has improved the communication network in remote areas and many rural women are lending their services to other women on a commercial basis. This has become a major source of income for many rural poor women. The Telephone and Telegraph Board has also adopted a policy of employing 905 women as telephone operators, thus benefiting the semi-skilled women labor force.

The Government noted that Bangladesh is one of the few countries in the world where a separate Ministry is working to address gender issues on a priority basis. Some noteworthy examples are:

1. The inclusion of gender into the micro and macro chapters of the Fifth Five-year Plan with a special emphasis on implementation of CEDAW and PFA;
2. The introduction of WID Focal Points, including sub-WID focal points in every sectoral agency;
3. The establishment of policy level mechanisms, such as the National Council, for Women's Development.
4. The Ministry of Women and Children Affairs routinely monitors gender issues through the WID mechanism. The District Coordination Committee ensures

bottom-up planning, including the implementation of the National Policy for Women's Advancement and the National Action Plan for Women's Advancement.

Bangladesh is committed to upholding women's rights and achieving gender equality. The Constitution of Bangladesh guarantees equal rights to women and men. The Government is a signatory to important international conventions, including CEDAW and the PFA. It is also one of the ten countries, which has ratified the Optional Protocol. The 5<sup>th</sup> Government Periodic Report on CEDAW was submitted to the UN Committee on CEDAW in December 2002.

Post Beijing, the media is increasingly promoting gender equality and a positive attitude with regard to women's issues and rights, highlighting non-traditional roles of women. The National Action Plan for Women's Advancement places an emphasis on the role of all media to highlight women's contribution to national life and promote a positive portrayal of women. It also proposes developing a comprehensive broadcasting policy considering the differential access and participation of women and men. To bring an attitudinal change of society towards women and in line with the PFA, a National Action Plan in this regard is in the process of implementation under the Ministry of Information.

To address environmental degradation, the Government of Bangladesh has adopted a National Environment Management Plan (NEMAP) which has a strong focus on the needs of women. The Ministry of Environment and Forest has undertaken several projects such as Coastal Greenbelt, Sundarban Biodiversity Conservation and Urban Environment Management, with special attention to women's needs and interests. Different projects undertaken by different Ministries in the Environment and Social Forestry Sector consider women's relations with the environment as one of the key areas for intervention.

All concerned Ministries are taking measures to empower the Girl Child. A provision has been introduced for providing a stipend and free education to girls up to Grade XII. The National Plan of Action (NPA) for children focuses particularly on the interests and needs of the Girl Child.

The Government observed that globalization and HIV/AIDS are two major challenges, to the advancement of women, which are encountered worldwide by nations. While globalization and trade liberalization have benefited certain sections of society, it has had negative impacts in the weak and vulnerable economies, particularly affecting women and children. In Bangladesh, globalization has posed a threat to ongoing programmes for the advancement of women. The Garment sector in Bangladesh is likely to suffer a tremendous setback by the end of 2004, resulting from the expiry of a special quota it enjoys. As women constitute a significant proportion of garment workers, they are likely to be seriously affected by this. Advancement of new

technologies also poses a threat for women. Priorities are thus focused on providing the necessary training to women.

The Government informed that it is keen to take all precautions to prevent the advent of the HIV/AIDS epidemic. Though HIV/AIDS prevalence rate in Bangladesh is low, the entire country has been brought under the coverage of the prevention programme. It started the HIV/AIDS prevention program in 1985, through the formation of a high level National AIDS Committee. A National Policy on HIV/AIDS and STD related issues is also in place to combat any potential threat. Involvement of religious leaders, students, youth forces and community leaders, for advocacy prevention programmes of HIV/AIDS, has been of particular help in motivating common people.

The Government concluded that though considerable progress has been achieved, much remains to be done to ensure the full implementation of the PFA. Committed to ensuring its implementation, the Government of Bangladesh has undertaken various policies and institutional and programmatic measures, setting in place mechanisms to monitor the various initiatives.

#### Deliberations on Country Paper: BANGLADESH

Response from Civil Society: Ms. Salma Khan, Chairperson NCBP & CEDAW Committee Member, Bangladesh, Ms. Ayesha Khanam, Bangladesh Mahila Parishad and Ms. Salma Ali, Executive Director, (BNWLA) responded. They acknowledged the encouraging steps taken by the Government to redress gender inequality as well as the efforts needed to achieve gender equality. They noted the positive relationship that has developed between the Government and NGOs, and which is exemplified in the Government's ratification of CEDAW and the Optional Protocol at their encouragement. In addition, improved laws on addressing VAW have been enacted and processes are in motion to further improve these with the involvement of the women's movement. Gender sensitive curricula have been introduced and law enforcement agencies are being trained. The Government was also recognized for its support of women's involvement in Government and the reserved seats in local governments.

It was noted that Bangladesh has a vibrant women's movement, with more than 655 women's groups working to face emerging challenges. Engaged in lobbying for law reform, they have a Social Action Committee and are addressing VAW by setting up a shelter, as well as mainstreaming women in policy and decision-making. Cross border training programmes are being organized to address issues like trafficking and women are being made aware of their rights, so that they can access what is rightfully theirs. CEDAW and the Optional Protocol are being followed up upon and the Shadow Report prepared. Women with age and women with disability had emerged as areas of concern at the time of the NGO Alternate Report for Women in 2000.

Areas of concern raised by the NGOs include:

- Lack of time frame: There is a need for the Government to create a time frame with regard to law reform
- CEDAW: Appropriate action on the part of the Government with regard to the Bill submitted by 500 women's organizations to the Parliamentary Committee working on CEDAW
- Political Empowerment: There is a need to build the capacity of over 44,000 women participants in the National Assembly so that they can be effective
- Lack of Gender Sensitivity: There is a need to set in place more gender sensitive mechanisms, particularly with regard to implementing laws. Equally there is a need to increase gender sensitivity of lawyers and border security through training
- Culture and traditional practices: These remain significant impediments to achieving gender equality. Problems of security and lawlessness and the patriarchal socio-cultural structures present persisting challenges.

Discussion/response from Delegates

Delegates from India commended the meaningful partnership of the Government and NGOs in Bangladesh, congratulating it for being one of the top ten countries to sign the Optional Protocol.

The civil society from Bangladesh stated that the Government needed to make specific recommendations with regard to the constitution of elections and the elected members. With respect to local bodies, elected members remained unclear about their activities as they are trained after the elections but not given many duties.

The Government of Bangladesh appreciated the partnership of civil society and women's groups. Acknowledging the need for equal representation of women in Parliament, it informed that this was under consideration.

Commitments, Action Plans & Challenges: BHUTAN  
Presentation by the Royal Government of Bhutan



*"The political will exists and the Government is committed in taking steps towards further improving the situation of women in the country."*

The Bhutan country presentation focused on women's relatively favorable status within Bhutanese society. The Government noted that though overt discrimination against women did not exist, there is scope to improve social, economic and cultural factors that disadvantage Bhutanese women. Women, children and gender continue to be an important area of the current Ninth Five-Year Plan (2002-2007), and the Royal Government is committed to mainstreaming measures related to the promotion of women in development into all sectoral projects and programmes. No parallel projects are especially formulated for women, as they are welcome to participate in all programmes. However, efforts would be made to formulate clear and measurable results and indicators for gender issues.

The Government reported that Bhutan has made considerable progress since the 3<sup>rd</sup> South Asia Regional Meeting in Maldives in 2000, particularly with regard to the fulfillment of the country's reporting obligations for the CEDAW. Its milestones towards the goal of gender equality have included:

The establishment of a national machinery for gender issues in 2001. The Government identified the Planning Commission as the nodal agency for coordinating and monitoring gender related issues. An existing forum of gender focal points in government ministries/agencies, civil organizations, such as the National Women's Association and the Bhutan Chamber of Commerce and Industry, was revitalized.

The completion of the first Gender Baseline Pilot Study in 2001, undertaken by the Planning Commission with support from the UN agencies in 2001 provided valuable inputs for the preparation of the country's Ninth Plan and for Bhutan's first CEDAW

Report. The process of the Draft CEDAW Report was an inclusive one, involving not only government focal points, but also stakeholders from civil society as full partners, as well as UN agencies. Bhutan demonstrated its commitment to the development of women and their empowerment, by ratifying the CEDAW in 1981 without reservation. It submitted its combined Initial (First), Second and Third Periodic Reports, to the CEDAW Committee in December of 2002. A national plan of action for addressing gender-related concerns based on national priorities and international Declarations and Conventions is in the process of being formulated. The National Women's Association of Bhutan (NWAB) has been designated as the public entity to improve women's socio-economic conditions and encourage their participation in development activities.

The Government noted that significant progress has been made with regard to education, though considerable challenges still exist. While the overall literacy rate is estimated at 54 % (2002), it is believed that total female literacy rate is only about half of men. The enrolment of girls at the secondary and tertiary are both comparatively lower than at the primary level, particularly at the rural level. Increasing female literacy and reducing gender gaps in enrolment, especially at the secondary & tertiary levels have been taken up as important challenges. This is particularly relevant in the Bhutanese context where development activities and political processes are now increasingly devolving to the people at the block levels. The Ninth Plan devotes substantial attention and resources to improving female literacy and enrolment levels of girls through diverse means. These include: setting up boarding facilities and, school feeding programs; strengthening advocacy for girls higher education including in technical and vocational institutes; conducting gender segregated studies on relevant aspects of transition to higher secondary and tertiary levels; establishing community schools to promote higher enrolment of girls; and promoting non-formal education programmes, where most of the beneficiaries are women.

The Government reported that under-five and infant mortality rates have both declined by about 32 percent from 1990 to 2000. Women's health, particularly reproductive health is a priority in Bhutan. The initiation of widespread gender-sensitive programmes in nutrition and maternal health, improvement of water and sanitation coverage nationwide, and specific prioritization of reproductive health in national policies, are some of the important steps that will be taken up in the coming years.

The Government asserted that all persons are equal before the law in Bhutan, although social customs that differentiate between women and men are still prevalent. These are primarily in the area of inheritance, where in most parts of the country, women usually inherit the land. With regard to marriage, divorce, child custody and other family matters, local practices reflect freedom and flexibility and guarantee women equal rights and protection. Virtually no laws differentiate between women

and men in the country, and any person can institute court proceedings if he/she believes his/her rights have been violated. However, certain remaining laws require revisions and some pertinent laws have been amended, following accession to CEDAW. These include the Marriage Act 1980, the Rape Act 1996, the Land Act 1998, et al. While prostitution has not been criminalized in Bhutan, trafficking in women and children is a serious crime. Bhutan is a signatory to the SAARC Convention on Prevention and Criminalization of Trafficking in Women and Children for Prostitution, and plans to ratify it in the 81<sup>st</sup> Session of the National Assembly in 2003.

The Government noted that religious and social values protect most Bhutanese women. Overall, parents do not have a son preference, and instances of female infanticide, dowry deaths, bride burning, organized trafficking in women are absent.

The country paper highlighted that the concept of equal pay for equal work is enshrined in the Bhutanese civil service regulations if not in law itself, except at the level of unskilled labor. Women's participation in the labour force, particularly in the modern sector of the economy, remains modest, as the majority continues to be involved in agriculture. Lower levels of education and skill enhancement result in women being "less employable," particularly in urban centers. Their Majesties, the Queens provide positive female role models in leading social service activities. With the emergence of rapidly increasing rural-urban migration, many girls/women find themselves employed as domestic help, particularly in child-care. To counter this trend, the Ninth Plan encourages the establishment of childcare centers and nurseries to ease burdens on working urban families.

The Government reported that despite positive indicators, the 2001 baseline gender study found that many women feel that men are better equipped to understand and participate in matters of governance. Women are thus underrepresented in block and district development committees, as well as in national Government and diplomatic forums. However, women do participate in the election of village heads and representatives to the National Assembly, and attend public village meetings. Encouragingly 14 of 99 elected people's representatives to the National Assembly are women, and so is one of the six Royal Advisory Councilors. A 1998 Royal Decree underscored the importance of women's representation in public life.

The Government pointed out that women's right to credit is largely unimpeded, though it could vary between ethnic groups. Daughters tend to inherit the land in the northern and some eastern parts, while it is the sons who inherit in the south and other parts of the country. Though men play a leading role in most investment decisions, an increasing number of rural women are planning and implementing household schemes to better their economic status, while many women in urban centers are beginning to set up small businesses. In 2001, women comprised 35% of the more than 11,000

clients of the Bhutan Development Finance Corporation (BDFC). Since then, the decentralization of BDFC's credit system with the establishment of block loan committees and introduction schemes, such as savings mobilization and group guarantee lending have enhanced micro credit extension in the rural areas, especially by women.

With regard to violence against women and sexual abuse/sexual harassment, the Government reported that steps have begun to get underway to sensitize police, judges, doctors, teachers, mass media and political leaders alike through education and awareness training. A strong focus on domestic violence as a pervasive human rights issue would be initiated, as well as to the issue of sexual abuse and harassment of women/ girls, particularly in the workplace, at school and in rural social life.

The Government recorded that despite Bhutan's unique approach to development of "Gross National Happiness," some ingrained socio-cultural perceptions hold women as less capable and confident than men. The biggest challenge nationwide is to eradicate the more subdued and indirect forms of gender bias encountered at home and at the workplace. Thus, despite equal opportunities, entitlements and legal status, differences are still seen in equitable access by women/girls, particularly in education, enterprise development, and roles in governance.

The Government noted several specific areas for action in the near future. These include:

- Generation of more comprehensive gender disaggregated data at all levels
- Strengthening national capacity for relevant analysis and development of clear result indicators
- Greater commitment of resources, people, time and finances to carry the process further
- Study of existing as well as future legislation to ensure that they are gender sensitive
- Ensuring that women take advantage of technological advances and economic growth
- Continuing to address gender inequalities in school enrolment and literacy rates
- Raising widespread gender awareness and education at all levels so that both women and men are better aware of women's rights
- Providing gender sensitization and analysis training for policymakers and implementers; and
- Formulating a national plan of action for women's development based on national priorities and international declarations and conventions.

The Government concluded that it would continue to build on its bedrock of commitment to gender equality, increasingly looking at holistic planning and implementation as indicators of gender equality.

#### Deliberation on Country Paper: BHUTAN

Response from Civil Society: Ms. Dasho Dawa Dem, Secretary, National Women's Association of Bhutan (NWAB) responded on behalf of civil society. She informed that active chapters of the Association work at the grassroots level, particularly in rural areas. With focal points in every Ministry, it indirectly assists the Government in areas as diverse as health, employment, income generation, environmental management, non-formal education, ensuring access to credit and to governance that is transparent and accountable.

#### Discussion/Deliberations

Delegates complimented Bhutan on its achievements. The following issues were raised/clarified:

On the suggestion that Bhutan combine its 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> report to the CEDAW Committee, Bhutan clarified that the Committee had informed that not more than three reports can be combined.

It was commented that though the Bhutan Country paper had stated that there was no discrimination, yet its findings went on to show disparity. It was noted that legislations do not ensure equality of result. Though there is largely equality in law in Bhutan, it was observed that this is often accompanied by subdued social cultural perceptions, which suggest not only male domination, but the collusion of women in the disadvantage of women. It was suggested that the problem is essentially rooted in the mind-set.

#### Country Presentations

Chaired by H.E. Begum Khurshid Jahan Huq, Minister, Ministry of Women and Children's Affairs

Government of Bangladesh

Commitments, Action Plans and Challenges: India

Presented by Dr. R.V.V. Ayyar, Secretary, Department of Women & Child Development, Ministry of Human Resource Development, Government of India (GOI)

Commitments, Action Plans and Challenges: Maldives

Maldives Country Paper presented by Ms. Aneesa Ahmed, Hon'ble Minister, Ministry of Women's Affairs and Social Security



#### Commitments, Action Plans and Challenges: India Presentation by the Government of India

*"The National Policy for the Empowerment of Women 2001 is comprehensive and focused. "The Hindu" newspaper recently carried an article by an eminent activist, which said, 'the National Policy for the Empowerment of Women is a result of our struggle'. This is something that the Government of India can be proud of."*

*"UNIFEM drives us to reach our goals"*

Dr. R.V.V. Ayyar commenced the India country presentation by conveying the message of H.E. Dr. Murli Manohar Joshi, Union Minister, Ministry of Human Resource Development, Government of India. The Minister noted that the Fourth Regional Ministerial Meeting at Paro, Bhutan is of special significance for India and for the region. The Government of India is against all forms of discrimination against

women and has renewed its efforts since the National Policy for the Empowerment of Women was adopted in 2001, to ensure that women in the country are a valuable factor in terms of work, in the Census, in budgets and in terms of real benefits of planned programmes reaching them.

The National Policy on Women's Empowerment seeks to eliminate all types of discrimination against women to ensure gender justice, beside empowering women, both socially and economically. The adverse sex ratio in the census data, he said, has drawn the Government's attention even more sharply to the urgent task of addressing female foeticide and infanticide and is driving India's gender policy and planning. Expressing concern on the issue of trafficking of women and children, he said this called for greater interaction, cooperation and coordination among countries of the region. The enormity of the problems faced is the prime responsibility of all countries of the region, where common problems and crosscutting issues affect each other. The Union Minister conveyed his good wishes for a successful consultation in the Fourth Regional Ministerial Meeting.

H.E. Ms. Jaskaur Meena, Minister of State, Ministry of Human Resource Development, joined Dr. Murlu Manohar Joshi, in her good wishes for a meaningful consultation. She hoped that the consultation would chalk a way forward to meet the challenges that lay ahead.

In the country presentation, the Government of India (GoI) recalled the areas of priority that had been identified in the Maldives Forward Moving Strategies, and the agreement to direct efforts towards concerns such as trafficking, progress made on CEDAW and the implementation of the PFA, gender budgeting and women's economic rights in the context of globalization. Dr. Ayyar focused on key achievements, such as the adoption of the National Policy for the Empowerment of Women in 2001 and a nation-wide celebration of 2001 as Women's Empowerment Year.

The Government reported that the Constitutional Amendment 2002 provides for elementary education (6-14 years) now, as a fundamental right. Early childhood care and education are now a Directive Principle of State Policy. The National Health Policy 2002 and the 10th Five-year Plan (2002-2007) emphasize social goals like IMR, MMR and Nutrition, renewing commitment to the Women's Component Plan and gender budgeting with 30% of the Plan expenditure being on them.

Focusing on policies on the anvil, the country paper informed that the Government had a labour commission on the onus of the labour policy. The Second Labour Commission made far-reaching recommendations for women workers including umbrella legislation for social security for women workers in the organized and unorganized sector. It recommended further amendments in Labour Laws to make them gender friendly. Twenty-two women related laws were reviewed. A

comprehensive review of Criminal Laws by the Justice Malimath Committee was also carried out. This recommends path-breaking changes, such as recognizing a live-in relationship in law, including the issue of maintenance as a right. With regard to sexual crime, the criterion of proof includes not proof beyond reasonable doubt but clear and convincing proof. It recognizes the victim's right to be impleaded in every criminal proceeding where the offence is punishable with seven years or more. In cases where the victim is dead, the legal representative can implead. Pregnant women and women with children below seven years are not to be sent to prison but put under house arrest. It calls for specialized training of magistrates for trials of rape and other sexual offences. A comprehensive overhaul of the rape laws is expected, as well as consideration of amendments to different women related laws on the basis of recommendations by various sectors.

With regard to legislative changes, the Government has responded to the decline in sex ratio in progressive parts of the country, by amending the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994. To combat VAW, the Prevention of Domestic Violence Bill has been introduced in Parliament, with extensive hearings on it. The Evidence Act has been amended for rape and other sexual offences, with rape being de-linked to the victim's character.

The Department of Women and Child Development is not a national machinery but a Department, which came into being in 1985. It struggles within the Government for women and children. The strategies used by it include building partnerships, informed advocacy, and persistence of struggle, resource support and a Plan of Action with monitorable goals.

Using advocacy and mobilization, the Government of India, celebrated 2001 as the Women Empowerment Year. Programmes and activities were taken up at the national, state and local levels by the Central and State Governments, civil society, academic and research institutions, private sector and voluntary organizations. Select themes were focused upon, such as the media, review of laws and legal literacy, mobilization against crime and violence in 100 challenged districts, law enforcement and delivery and harnessing technology.

Speaking on the Pehchan Parv 2002 drive, the Government said, it sought, not only to measure NGOs but also to identify partners at the grassroots without being restricted to metropolitan cities. The Self-Help Movement is a quiet revolution in the country side, with over a million SHGs. Acknowledging the contribution of Bangladesh as trendsetters in micro credit, the Government reported, that micro credit and micro finance have been mainstreamed in a number of banks, with NABARD being the apex body. Its area of thrust is on skill development, entrepreneurship and marketing. Swayamsiddha and Mission Shakti (Orissa) are two of the many programmes. The real challenge, it was emphasized, lies in empowering women at the grassroots to take

destiny into their own hands. The Stree Shakti Puraskar has been instituted to felicitate women at the grassroots.

The Government informed that though major gains have been made in the areas of health and education, areas of concern still exist. There has been a sharp decline in the juvenile sex ratio and high levels of MMR and IMR continue. Gender disparity in education has come down and been reduced in areas where literacy is a challenge. However, there still remains a high gender gap in literacy at all levels, as well as high dropout rates of girl students and special incentive for institutional delivery. A challenge that the development community has not been able to meet is that of sharing a best practice from one area to another.

The presentation noted that in line with the PFA, Gender Budgeting initiatives in India are perhaps one of the earliest. The need to focus on women's issues as an exclusive subject was felt as early as in the Seventh Plan when a separate Department of Women and Child Development (DWCD) was created in 1985 and 27 women specific schemes were identified for monitoring by the Prime Minister's Office through it.

Sharing its milestones on gender budgeting work, the Government informed that commitments to translate gender commitments into budgetary ones are being successively reinforced since the Eighth Plan (1992-97). Its key work embraces the development of gender indices, including GDI & GEM with States and Districts identifying 18 indicators for the collection of gender-disaggregated data. It also includes a workshop on 'Engendering National Budgets in the South Asian Region' with UNIFEM and the commissioning of a study on Gender Related Economic Policy Issues with the National Institute of Public Finance and Policy (NIPFP). This led to the Economic Survey in 2000-2001, accepting gender equality and empowerment as economic goals for the first time and included sections on the status of women and gender inequality, which is now an accepted annual feature of the Economic Survey. NIPFP has successively analyzed Union Budgets for the years 2000-01 onwards till 2003-04, the results of which were brought out in the Annual Reports 2001-2002 and 2002-2003. The exercise has also been extended to State Government budgets, under the coordination of NIPCCD and results are presently available for 10 States out of the 25 States so far studied.

India's approach to Gender Budgeting is comprehensive, including not only a post audit of public accounts, but also trained towards a gender audit extending to policies, programmes, public expenditure, outcome and benefit incidence. The Government has asked all Ministries and Departments to indicate gender sensitization measures that have been adopted, in their annual reports.

With regard to Trafficking, the Government informed that India is a signatory to the South Asia Regional Convention on Combating the Crime of Trafficking in Women

and Children for Prostitution. The DWCD is working with other departments and ministries to ensure that India, as a receiving country for trafficked girls and women, works with authorities in the source countries to check the flow of girls and women. Noting that this is now a cross-border phenomenon, there is a need for it to be addressed at bilateral and multilateral fora.

With the AIDS pandemic growing, trafficking for prostitution is now perceived as a serious public health danger. In response, the Government has undertaken a range of welfare and developmental programmes, most notably the SWADHAR Scheme, which assists these women in finding an alternative livelihood source. Routes used by traffickers are being mapped and a survey of trafficking has been undertaken by the National Human Rights Commission (NHRC). Moreover, there are NGO efforts at the community level and ongoing collaboration among police and local NGOs in India and Nepal. With legislation being the key element in the movement against trafficking, there is a need to review and amend the 1986 Immoral Traffic Prevention Act (ITPA) and reform implementation mechanisms for both internal and across border trafficking. Legislation has been a key plank of the movement against trafficking. The revamped Juvenile Justice Act, 2000, covers and protects victims of trafficking. The Indian Information Technology Act, 2000 declares online pornography a punishable offence. During the Tenth Five year Plan period, India will be implementing a three-part strategy to eliminate trafficking and assist victims of this form of violence.

The Government of India is committed to implementing CEDAW, which it ratified in 1993. India's vibrant, independent women's movement has worked closely with the Government in ensuring a shift in approach from welfare to development to empowerment. India's first implementation report was considered in January 2000. To integrate an empowerment approach and to address the concerns of the CEDAW Committee, in 2000, a Task Force on Women, headed by the Deputy Chairman of the Planning Commission, reviewed 22 existing women-specific and women-related legislation and suggested reviews where needed.

The Government noted that the Tenth Plan (2002-2007) has adopted the three-fold strategy of empowering women, focusing on social empowerment, economic empowerment and gender justice, using a rights-based approach.

Focusing on resource allocations, the Government informed that the Ninth Five-year Plan (1997-2002) explicitly identified Empowerment of Women, as a principal objective. In addition, the Women's Component Plan was introduced and all social sector ministries were directed to allocate at least 30% of funds for women. In case of core social sector areas, such as education and health, between 50-60 per cent of the Gross Budgetary Support (GBS) in the Ninth Plan had gone to women. Between 30 and 50 per cent of the GBS to the rural development and labour sectors had directly

benefited women. The concept of the Women's Component Plan has ensured that planners and administrators now track the flow of funds and benefits to women in other development sectors also, with greater attention.

Enabling women's political participation, the 73rd and 74th Constitutional Amendments have allowed women, especially those from socially excluded groups, to negotiate political and decision-making space. As an innovative programme of empowerment, the Government gave the example of the Mahila Samakhya Programme (Education for Women's Equality), which through a strategy of collective learning for empowerment, has been catalyzing a process of social change in many of the villages where it operates since 1987.

Reporting on the Indian census exercise, the Government stated that it is the largest operation of its kind in the world and has been conducted every 10 years, without a break since 1881. It was noted that the census data, particularly the adverse sex ratio, declining throughout the 20th century, is a key driver of gender policy and planning. The announcement of the 2001 Census child sex ratio figures, led to a nation-wide mobilization of political leaders, religious heads, administrators and the society against female foeticide. Undercounting of women and invisibility of women's contribution in economic life have been key issues in the census exercise and efforts have been ongoing to make it more responsive to gender concerns. Efforts were made to ensure better results in the 2001 Census and to fill the gaps of the 1991 exercise. Thus, in the 2001 Census a more accurate picture of women's contribution to the agricultural sector has emerged through the expansion of the definition of 'work'. Significant gains have been made in building a more detailed and accurate profile of women's contribution to the economy and special tables providing detailed information on women in diverse settings have been generated.

The Government informed that globalization has been a mixed experience. The economic reform programme launched by the Government in 1991 had benefited women with skills, but offered few opportunities to unorganized sector workers, though it did open up new markets which workers could reach by adapting existing or traditional skills. For example employment opportunities for women in a traditional industry, like handicrafts is growing and their participation increasing. However, though outsourcing and sub-contracting have created new opportunities for home-based work, women often work very long hours, earn well below the minimum wage and have no safety nets. Economic reform processes have led to increasing mechanization of many work processes. Various micro studies have shown that technical change has eliminated many jobs traditionally performed by women and alternative job opportunities have not been created for women at the same rate as for men. One of the worst forms of globalization has been the abuse of technologies, such

as the Internet, for trafficking. The online pornography industry has claimed victims in India and legal measures to halt the trade have been put in place in the past two years.

The Government noted that as it prepares its Second Periodic Report on CEDAW implementation, a review of the impact of globalization on women's work and quality of life would be included. Making visible women's real contribution to the economy through gender sensitization of the census, ensuring the budget allocations and expenditures, which have been explicitly tailored to women's needs, are direct outcomes of the broader policy agenda.

#### Deliberations on Country Paper: India

##### Response from Civil Society

Dr. Pam Rajput, Former Chairperson Asia Pacific Women's Watch and currently member of the Steering Committee responded on behalf of Civil Society. She remarked that the meeting should be spread over a period of three working days, and should include more people from civil society and Parliament. Dr. Rajput raised the following issues:

- There is a need for an Action Plan to operationalize the National Policy for the Empowerment of Women
- Implementation and monitoring are of the greatest importance in ensuring that laws and policies reach people
- Globalization is having an adverse impact on women, particularly women at the grassroots, a fact corroborated by testimonies in a report of the National Commission for Women
- An amendment is needed to ensure women's active participation in decision-making levels at the local level. Though India has the institution of the Gram Sabhas, women do not reach these levels
- The DWCD needs to advocate on the Bill seeking 33% reservation for women in Parliament
- Planners at all levels need to be sensitized in order to effectively implement the Women's Component Plan
- It is important to sensitize people on gender budgeting as it is generally felt that it is not applicable at the district level
- In the process for the GoI's next report to CEDAW in 2004, along with civil society consultations with the Government, there is a need for a monitoring body for implementing CEDAW
- Indicators need to be developed to monitor implementation of the BPFA in South Asia

- The Score Card for South Asia needs to have a time frame to measure progress
- It would be useful for regional governments to hold national consultations to share the outcomes of this meeting – extending the outreach of the biennial reviews.
- Representatives of South Asia should be supported in a bigger way at international conferences, so that women of the South, who have a voice of their own, can speak for themselves.

Ms. Sapna Malla of FWLD, Nepal congratulated India on including elementary education as a fundamental right, but wanted to know the enforcement mechanism of the directive principal.

Dr. Bagchi Advisor, National Institute of Public Finance and Policy remarked that along with progress there was a need to focus on the challenges. With regard to gender budgeting, he said that studies by Govind Rao showed that the Panchayat had very little discretion in spending, and that this dimension may be missed out.

Dr. Ayyar, Secretary, Department of Women & Child Development, responded on behalf of the Government of India. He informed that the Cabinet had approved the SAARC Convention on Trafficking, which had been ratified just the day before (19th May 2003). He informed that national consultations for the next CEDAW Report had already begun through regional consultations. He agreed with Dr. Pam Rajput that indicators needed to be developed. Thinking globally and acting locally remained a challenge. Responding to a question from Bangladesh with regard to SHGs, Dr. Ayyar said that there were approximately a million SHGs in India, though they differed in capacity and inclination. The challenge was to ensure that the SHGs were empowered, such as non-governmental institutions like SEWA and Maryada. Though the Rashtriya Mahila Kosh had been overtaken by events, SHGs are being taken seriously by NABARD, which has come up with a programme to set up SHGs in Banks. Promoting SHGs in the Hindu heartland remains a challenge. He informed that the volume of micro finance is approximately a hundred million. The Government's rate of lending is low, ranging between to 8%-12%. With regard to repayments, the rate of recovery in SHGs is far higher than lending to other defaulters. The Government has passed a Bill that enables the Bank to mortgage the assets of defaulters, though this does not apply to women or those who are vulnerable. In response to a query on the demand for 33% reservation for women in Parliament, Dr. Ayyar said that power cannot be measured in economic terms; the fact that a woman is a MLA is important.

## Commitments, Action Plans and Challenges : Maldives Presentation by the Government of Maldives



*“We in the Maldives believe that it is through continuous and constant work aimed at changing long-held beliefs that gender-equality can be achieved and maintained.”*

**T**he Maldives country paper presentation commenced with an outlining of the current, GAD Policy in the Maldives, which tries to ensure gender equity in political and socio-economic development. The GAD Policy broadly focuses on:

- Mainstreaming gender through a structured Gender Management System (GMS), for effective inclusion of gender concerns in all policies, programmes and projects, so as to ensure gender equity in political and socio-economic development
- Eliminating all existing gender disparities through effective gender mainstreaming, and active promotion of gender equity and equality, including affirmative action, where necessary
- Establishing gender equity and equality in all spheres

The Government reported that in the Maldives, the priorities for realizing gender equity and equality include the adoption of a comprehensive National Gender Policy, gender sensitization and a strengthening of the GMS. This included developing priorities for action by identifying and addressing gender issues within all sectors and combating gender-based violence. Providing a brief update on progress made since the Third Commemorating Beijing meeting held in the year 2000, the Minister said the areas of focus have been on mainstreaming of Gender, Family Law, Violence against Women, and on implementing CEDAW.

The Country Paper noted that in 2001, a Gender Management System (GMS) based on the Commonwealth model was put in place under the Government policy of gender mainstreaming to effectively address gender issues. A Gender Equality Council headed by H. E. President Maumoon Abdul Gayoom was established in December 2001 and Gender Focal Points appointed in all sectors. Work is ongoing on strengthening the GMS through capacity building, advocacy and marketing. The Sixth National Development Plan reaffirms gender mainstreaming as a priority policy and incorporates gender as a cross-cutting issue. Gender sensitization/ orientation activities continue at all levels.

Promoting knowledge based advocacy on CEDAW, the Government informed that training on CEDAW was held for Gender Equality Council members, Gender Focal Points and staff of the Ministry of Women's Affairs and Social Security. This sought to create awareness on the obligations of the State in ratifying CEDAW and to develop their skills to apply the principles of the Convention in planning, for the advancement of women in the Maldives. Information was provided on the procedures used by the CEDAW Committee to monitor the Convention and discussions undertaken on the purpose of reporting and the key elements of a CEDAW report. The initial report of the Maldives was reviewed in 2001 and the Concluding Comments of the CEDAW Committee were particularly focused upon, as well as issues pertaining to the implementation of the Convention in the Maldives.

Ms Shanthi Dairiam, Director of the International Women's Rights Action Watch (IWRAP), Asia-Pacific, based in Kuala Lumpur provided the training. She also facilitated consultations for drawing up a Plan of Action to implement CEDAW in the Maldives, as well as address the issues identified in the Concluding Comments of the CEDAW Committee following the presentation of the initial/first report from the Maldives. The training resulted in the participants drawing up a multi-sectoral Action Plan on implementing CEDAW. The Government informed that preparations were underway to organize a training for senior Government officials and community leaders in June 2003, in collaboration with the International Commission of Jurists (ICJ).

The Government informed that the first-ever codified Family Law came into effect on 1<sup>st</sup> July 2001, setting the minimum legal age of marriage at 18 for both girls and boys. The new law also specifies the many rights available to women in the Shari'a, such as pre-nuptial agreements to ensure the rights of both parties within the marriage. Pre-nuptial agreements can also assist in protecting the rights of women in case of unwarranted divorce and polygamy. The Family Law addresses the problem of high divorce that has existed in the Maldives by criminalizing spontaneous and unilateral divorce by husbands. Divorce is possible only through the Court system, and is allowed after exhaustive efforts to reconcile the marriage by arbitrators. Both husbands and wives are allowed to initiate divorce within the existing system.

To combat violence against women, a campaign addressing domestic violence and violence against women was initiated on 8<sup>th</sup> March 2002. This resulted in creating public interest and discourse on the issue; as well as encouraging women to take the initiative to break the cycle of violence with greater support from partner agencies such as the police and health officials. Documentaries were produced and posters were published and widely distributed, to foster public understanding on the issue that Domestic Violence and/or Violence against Women (DV/VAW) is not an issue to be tolerated.

The Ministry of Women's Affairs and Social Security organized an initial training on DV/VAW aimed at setting up a multi-sectoral support system for victims of DV/VAW. Police Officers, Medical Personnel, officials from the Family Court and Ministry of Justice, NGOs, community activists and staff from the Gender and Development section of the Ministry of Women's Affairs and Social Security participated. It focused on creating an understanding of DV/VAW in general, and more specifically in the local context, on identifying participants' understanding of DV/VAW issues and of current practices in addressing it. This led to an Action Plan for a multi-sectoral support system to assist victims of DV/VAW, which provides a basis for ongoing work on the issue. Discussions are underway to draw up legislation on violence against women. With the support of the Attorney General's Office and the Law Commission of Maldives, and the technical assistance of ICJ, it is expected that the draft of a Law on Domestic Violence will be ready by the end of 2004.

To encourage women's participation in politics and in decision-making and to create legal literacy among women, workshops were held for all the Atolls of the Maldives as well as the five wards of Male' at the end of 2001. New developments since the year 2000, include the first time ever appointments of women to two senior posts, those of Atoll Chief and High Commissioner.

Noting the challenges that face the Maldives, the Government said that a lack of adequate human and financial resources, as well as a strong legislative and administrative framework, hindered mainstreaming efforts. The Minister observed that in order to create an enabling environment for the effective working of the GMS, a greater representation and participation of women in decision-making positions is needed, as is a more active involvement of civil society. Gender analysis of budgets is an area, where almost no work as yet has been undertaken.

The Country Paper noted that while trafficking is not identified as a problem in the Maldives, the Government is very much aware of the possibility of the country becoming a host to traffickers, due to the large number of expatriate workers (especially unskilled and semi-skilled labour) from countries of the region. In order to ensure that there is no trafficking, there is a need to monitor inter-island migration, especially from the Atolls to urban Male'. Equally, there is a need for greater

networking and knowledge/expertise sharing within the region to effectively address the issue.

#### Deliberations on Country Paper: Maldives

##### Response from Civil Society

Ms. Husna Razee Executive Member, G. Rasthara Foundation for the Advancement of Self-Help in Attaining Needs (FASHAN), thanked the Minister for looking to the civil society as partners in the process. Reaffirming the progress made in the Maldives, Ms. Razee said that it has several pride pointers, but its translation into action is of the greatest importance. “The family law has certainly contributed to women's empowerment but we need to ensure the implementation of this law. At the same time we need to sensitize the media on legal literacy with regard to the family law.” She identified this area as one where there could be collaboration between the civil society and the Government. Another very positive and big step that had been taken was speaking about VAW in the public media. The appointment of two women as assistant general managers in a bank was another milestone with regard to women in decision-making positions.

She identified areas, where more work was needed. These included:

- Examining existing laws. For example, there is no law to protect women from threats of violence, and no action is possible until an act of violence has been committed. It is important to have a law, which can protect women, while they are trying to get out of an abusive relationship, as divorce is a long process
- The inclusion of women at decision-making levels in non-traditional areas, as they are generally limited to traditional sectors such as health and education
- Affirmative action to have more women in governance. This calls for the setting of time-bound targets, providing tools to campaign and win and enhancing their capacity to play an active part in advancing the cause of women
- Increased research and documentation on gender issues. For example, research on the socio-economic situation can be an important advocacy tool
- Forming linkages with policymakers and ongoing interaction to facilitate NGO work vis-à-vis realities on the ground.

##### Discussion/Deliberations

Mr. P.M. Nair from ISS, India, commented that though the Government had said that trafficking is not an issue in the Maldives, he had information that women were being trafficked from the Maldives to India for sexual services, often on the pretext of education.

##### Country Presentations

Chaired by H.E. Ms. Aneesa Ahmed, Minister, Ministry of Women's Affairs and Social Security, Maldives

Commitments, Action Plans and Challenges: Nepal

Presentation by Mr. Pratap Pathak, Joint Secretary, Ministry of Labour, Government of Nepal

Commitments, Action Plans and Challenges: Pakistan

Presentation by Mrs. Nilofer Bakhtiar, Adviser to the Prime Minister and in-charge Ministry of Women Development,

Social Welfare and Special Education, Government of Pakistan

Commitments, Action Plans and Challenges: Sri Lanka

Presentation by Ms. Lalitha Dissanayake, Secretary, Ministry of Women's Affairs, Government of Sri Lanka

Commitments, Action Plans and Challenges: Nepal

Presentation by His Majesty's Government of Nepal (HMG/N)



*“Mainstreaming gender perspectives and concerns in all the development programs has been the major focus and strategy of the Plan in achieving the long term-goal of alleviating poverty.”*

**D**espite Nepal's commitment to the implementation of the Beijing Platform for Action (BPFA), the Government noted that gender disparities and social, economic and legal discrimination against women continue to prevail. This is mainly due to poverty and underdevelopment. It recommended using the Social Development Committee under the SAARC mechanism as a common forum for dealing with gender disparity in the region, as SAARC member countries are the major stakeholders of the South Asian nations.

The Government informed that the Maldives meeting had been successful in adding new benchmarks to the programmes already developed and in reinstating previous commitments. Despite considerable progress in several areas, challenges still remained.

The Constitution of the Kingdom of Nepal 1990 guarantees the human rights of women and prohibits all types of discrimination including gender discrimination. The Government reported that human trafficking has been made illegal. The Tenth Five-year Plan has set "poverty alleviation" as the single long-term goal, with the mainstreaming of gender perspectives and concerns in all development programs as the major focus and strategy of the Plan. Committed to implementing the BPFA and CEDAW, the Government reported on some of the major initiatives undertaken in line with the Maldives Forward Moving Strategies to implement the BPFA. These include the following:

His Majesty's Government of Nepal (HMG/Nepal) developed a National Plan of Action (NPA) on Gender Equality and Empowerment of Women in 1997 and implemented it in consultation with all concerned stakeholders including the Ministry of Women, Children and Social Welfare (MWCSW) and civil society. In line with the Beijing + 5 Outcome Document, the NPA has been reviewed and is in the process of being approved. The process of engendering the twenty-year Population Perspective Plan has been initiated.

Some measures for affirmative action have been adopted to increase the participation of women at the decision-making levels. The Civil Service Act is being reviewed in order to amend the Act to make it more gender sensitive.

A National Women's Commission has been established and Gender Focal Points appointed and strengthened in concerned line ministries/agencies. Women Police Cells have been established and strengthened in 16 districts including at Police Headquarters. A study on the working of the National Women's Machinery in Nepal has been undertaken and training, seminars, workshops and meetings organized for Gender Focal Points on the empowerment of women and gender equality.

A Gender Audit of three Ministries namely the Ministries of Agriculture, Health and Education and Sports has been conducted as well as a gender audit of the civil service. A Gender Auditing of MWCSW and the Ministry of Local Development is underway.

A Central Legal Aid Committee has been constituted to provide legal aid to victims of domestic violence, gender discrimination and trafficking. Property, reproductive and abortion rights of women have been guaranteed through the 11th Civil Code amendment. This also grants divorcees and widows a share in the husband's property and provides for stringent punishment in cases of child marriage, polygamy, and rape among others.

Efforts are being made to build capacity of elected and nominated women ward representatives through training. Orientation programmes for Village Development Committees, District Development Committees and Community Based Organizations have been organized in ten districts on CEDAW, BPFA and the

empowerment of women. A series of workshops have been organized among Members of Parliament to build consensus for the establishment of parliamentary committees.

To promote gender mainstreaming, the curriculum of different training institutes, including the National Administrative Staff College, has been engendered. The Government declared that HMG/Nepal is committed to implementing Education for All, as set out in the Jomtien Declaration of 1990.

The Government has set the goal of attaining gender equality in primary and secondary education by 2015. Gender sensitive indicators have been developed for effective planning, implementing and monitoring of programmes.

Focusing on gender analysis of budgets, the Government informed that the annual budget and programme guidelines have been reviewed and gender perspectives incorporated. The National Planning Commission has circulated these engendered guidelines to all the line ministries for use in preparing the annual budget and programmes. A format has been designed to collect information on gender budgets and programmes. The Annual Economic Survey will include a separate chapter on women in the coming fiscal year. The revenue policy is being reviewed from a gender perspective. A series of workshops on gender analysis of budgets have been organized at the national and regional level.

With regard to engendering the census process, the Government shared that it had mainstreamed gender concerns in the Population and Housing Census 2001 for the first time, with support from UN Agencies like UNIFEM, UNFPA, UNDP and UNICEF. This has made available data on women's ownership of land, house and livestock, as well as involvement of women and men in extended economic activities. The Nepal Standard Classification of Occupation and Industry has been prepared up to the four-digit code level and a synopsis published in a leaflet form of gender specific census data, namely "Gender Statistics at a Glance". Specific census data addressing gender issues in separate volumes beyond the traditional type of general census result has also been prepared.

On CEDAW implementation, the Government reported that the Periodical Progress Report (1996 & 2000) had been submitted to the UN CEDAW Committee and is scheduled for presentation in January 2004. The Draft Bill on Discriminatory Laws against Women has been prepared and is in the process of being approved. Training manuals and information packages on CEDAW have been widely disseminated and training programs organized at various levels. The Optional Protocol on CEDAW has been signed and is in the process of ratification. Frequent sensitization programmes for the judiciary have been undertaken resulting in the effective implementation of the CEDAW Convention. It was observed that the judiciary is now more proactive in dealing with cases of women and children. The process of establishing an in-camera court has been initiated and the National Plan of Action on CEDAW prepared.

Globalization, the Government noted, has both negative and positive impacts. With women having limited access to information; with migration being either restricted or unsafe in the South Asian region; and with women not getting enough opportunities to enjoy economic and social rights, the Government informed that it had made some progress through the following initiatives:

A programme on "Empowering Migrant Women Workers of Nepal" has been initiated to empower and facilitate the safe migration of women migrant workers. The restrictions imposed on women migrating to the Gulf for foreign employment in the organized sector have been lifted. However, the Foreign Employment Act needs to be amended to guarantee free mobility of women. For the first time, the Tenth Plan has incorporated policies to empower migrant women workers of Nepal. A Labor attaché has been established in some of the destination countries and Nepalese foreign diplomatic missions have been mobilized for economic diplomacy. The policy of economic liberalization, privatization and acquiring membership of World Trade Organization has been adopted.

The Government noted that the Eleventh SAARC Summit held in Kathmandu in January 2002 was historic, in that the SAARC countries unanimously signed the SAARC Convention on "Preventing and Combating Trafficking of Women and Children for Prostitution". In Nepal, the process of its ratification is underway. Concrete recommendations emerged from the SAARC regional workshop on "Prevention of Trafficking of Women and Regional Cooperation" organized in December 2002 in Kathmandu. These included the proposal that the scope of the SAARC Convention be broadened. The National Plan of Action against Trafficking of Women and Children for Labor and Sexual Exploitation has been reviewed and is being implemented. A new anti-trafficking bill has been presented to the Parliament, as well as a Bill against Domestic Violence. An institutional mechanism, in the form of a National Task Force and District Task Forces has been set up at the national and district level to combat trafficking. A high level committee has been constituted to initiate dialogue and promote regional cooperation in combating trafficking of women and children in the SAARC region. A National Rapporteur on trafficking within the National Human Rights Commission has been established.

Despite visible progress since the Maldives meeting, the region still faced challenges with regard to gender equality and the empowerment of women. The Government identified the following priority areas for addressing gender issues within Nepal and throughout the region:

- Accelerating the implementation of BPFA, CEDAW and CRC
- Establishing a monitoring mechanism to monitor implementation of BPFA, CEDAW and other regional and international legal instruments

- Ratifying the Optional Protocol on CEDAW
- Ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
- Urgent ratification of the SAARC Convention on Preventing and Combating Trafficking of Women and Children for Prostitution
- Utilizing the SAARC structure for coordinated and integrated actions
- Establishing a Regional Criminal Court
- Establishing a Regional Fund for the rehabilitation of survivors of trafficking
- Forming a regional and bilateral mechanism to combat cross border trafficking in women and children
- Enhancing regional cooperation to combat HIV/AIDS
- Adopting special measures based on a substantive mode of equality for the advancement of women
- Developing and implementing regional strategies on IEC and ICT for Gender Equality and Empowerment of Women
- Establishing a Regional Training Center and organizing regional training on gender issues, human rights, violence and different international instruments
- Establishing regional gender disaggregated database

The Government concluded by saying that it remains committed to working in partnership with the region for the promotion of gender equality and the empowerment of women.

#### Deliberations on Country Paper: Nepal

##### Response from Civil Society

Ms. Bandana Rana, Chairperson of Sancharika Samuha, noted that the partnership between civil society and the Government is quite exemplary. Demonstrating examples, she quoted the single combined report prepared by the Government and NGOs for the UN GA SS Women 2000 (Beijing + 5 Session) and the series of consultations between the Government and civil society in the process of formulating the Tenth Plan and in the implementation of the BPFA. Advocacy is ongoing to increase the participation of women in decision making, targeting 20% from its present level of 3%. This however needs to be persistent in order to achieve concrete action.

Advocacy by civil society has been successful in influencing the policy making process. This could be seen in the establishment of the National Commission for Women, and in the passing of the 11<sup>th</sup> Amendment Bill, which provides rights to vulnerable groups,

like widows, and the Migrant Women Workers Bill, which empowers women workers in the organized sector to migrate to countries in the Gulf. Emphasizing the powerful use of media advocacy, Ms. Rana, particularly mentioned the successful media campaign undertaken to lift the ban on migrant workers, two weeks prior to its being lifted. Though Bills and Acts are passed, she said, it is important to see their proper enactment. She also spoke of the need to visibilize those contributing to the advancement of women. Advocacy needs to be extended to the grassroots level and followed up from time to time. Indicators need to be developed to facilitate monitoring and evaluation. Civil society, she informed, is contributing to policy-making processes.

Ms. Sapna Malla Pradhan of the Forum for Women, Law and Development (FWLD) reaffirmed the need for monitoring and evaluation. She said that though Acts are enacted, committees formed, dialogues ongoing and policies in place, it is important to follow through to implementation and see whether and how they have impacted women's lives. Though the Ministry had shared the Outcome Document, it took time for it to go beyond the line ministries to the civil society. The National Women's Commission needs to be autonomous and its role clarified. Women remain vulnerable to rape by the Police, the Army and the Maoists, with women being 40% of Maoist victims. Taking the example of birth registration by husbands, she said that discriminatory laws still persist. Following up on the question raised by Ms. Salma Ali of Pakistan on laws, Ms. Malla stressed that it is important to see their implementation. An unending debate exists on whether law is an instrument for changing society or whether it is for society to change laws. This debate, she said, is an indicator in itself. She also suggested that parliamentarians and members of the judiciary should be invited to such meetings.

#### Commitments, Action Plans and Challenges: Pakistan Presentation by the Government of Pakistan



*“The last three years have seen a sustained effort on the part of the Government of Pakistan to bring women into the national mainstream. The Government has been assisted and guided by the civil society in these endeavors. The result is that Pakistan is this much nearer to the realization of the goals of Beijing Declaration and Platform for Action.”*

*“Women in Pakistan have never had it better.”*

In her opening remarks, H.E. Mrs. Nilofar Bakhtiar reiterated the importance of the Beijing Declaration and the BPFA in guiding Governments to advance the situation of women. Noting the progress made in Pakistan in the last three years, she said a wide range of policy, legislative, administrative and grassroots actions for promoting and protecting women's rights had been undertaken. These include:

- The holding of a National Convention on Human Rights and Human Dignity in April 2000 at which the President of Pakistan announced a package of human rights initiatives, many of which related to women.
- The National Plan of Action adopted in 1998 outlines 184 actions under the 12 Areas of Concern, identified in the PFA as well as relevant articles of the CEDAW. An additional section “Girls & Women with Disabilities” was added. The Plan contains several generic activities that are not sector-specific, but cut across all twelve areas of concern. These are Gender Training, Research and Documentation, Lobbying and Advocacy, Information Dissemination and Service Delivery. A national Gender and Development Management Information System (GADMIS) is being established along the lines of the existing Education MIS and Health MIS to follow up on the implementation of the Plan. The projected time frame covers three five-year Plan periods, 1998 - 2013.
- Carrying out an audit of the NPA in 2002 and published in the form of an

implementation matrix, registering progress in most areas.

The Government informed that the recent emphasis has been in the areas of women and poverty and women and economy, political empowerment of women, violence against women, institutional measures for the advancement of women and human rights of women, and education and training of women and the girl child.

The Government noted that the defining development relating to women's rights in Pakistan in the last three years has been reservation of 33% seats in the elections of local bodies and approximately 18% seats in the National Assembly, the Senate and the provincial assemblies. This was actualized through the devolution plan, which revitalized local bodies and created district governments. There are now more than 40,000 women councilors in the local bodies, 17 senators, 73 members of the National Assembly and 128 members of the provincial assemblies in Pakistan. The Ministry and the civil society engaged in training/orientation of women councilors and legislators to enable them to translate their presence in the local bodies and the legislatures into solid pro-women action. Women are also eligible to contest elections for general seats. Additionally the size of the National assemblies and the provincial assemblies has been increased by about a third, thereby indirectly assisting in the political empowerment of women by providing greater electoral opportunities.

The Ministry of Women Development, Social Welfare and Special Education, seizing the opportunity to build upon the breakthrough provided by the reservation of 33% seats for women in the local bodies has launched the National Programme for women's political participation. It is based on the premise that the one-third reservation policy provides a strategic opportunity for women to make a difference but only if they understand their rights, roles and responsibilities and possess the skills to perform their duties.

The Government reported that poverty is the biggest challenge confronting Pakistan currently. As in most other countries, poverty has a feminine and rural face in Pakistan. To meet this challenge effectively, it was important to empower the women economically and politically. To meet the needs of economic empowerment, Pakistan has created a number of institutions. These include the Khushhali Bank, which provides micro-credit to the poor, particularly women; the Pakistan Poverty Alleviation Fund, which disburses micro-credit loans, gives training to micro-entrepreneurs and undertakes community physical infrastructure projects - 36% staff and 40% of its beneficiaries are women. The First Women's Bank, which was established in 1989, is a unique institution run exclusively by women, with one of its main activities being to provide micro-credit to budding Pakistani female entrepreneurs. Nearly 76% of its beneficiaries are women.

To provide equal employment opportunities, Pakistan ratified ILO Convention 100 on equal remuneration on 15 August 2001. The Ministry commissioned a gender analysis

of the Government's Poverty Reduction Strategy Paper, which highlights a number of areas where a gender perspective needs to be applied. Many of the recommendations have been accepted, with one of the main being the introduction of gender budgeting in Pakistan. The document was adopted as official Government of Pakistan Policy at the Pakistan Development Forum meeting held in mid-May 2003.

The Government reported that Pakistan has signed and ratified a number of international instruments relating to women. The Optional Protocol on Sale of Children, Child Prostitution and Child Pornography was signed in September 2001 and the SAARC Convention on Trafficking of Women and Girls ratified in November 2002. A number of new laws have been enacted and some existing ones amended to remove discriminatory aspects. An independent National Commission on the Status of Women was created in July 2000. The Pakistan Citizenship Act 1951 was amended in 2000 and the Prevention and Control of Human Trafficking Ordinance promulgated in November 2002. In March 2002, the National Policy on Women was announced. An ambitious Access to Justice Programme has been launched of which women are the main beneficiaries, enabling access to legal information, aid or protection. A code of conduct for Gender Justice at Workplace for public and private sectors has been evolved and will soon be implemented after approval by the Cabinet. A national dialogue with the civil society networks is a key element of the Government plans.

The Government informed that it is seriously addressing the issue of violence against women. The President of Pakistan has declared honour killings as murder, stating that they would be treated as such. The judiciary plays a pro-active and constructive role in combating violence against women, taking suo moto notice of many cases of VAW. The Government's attempt is to introduce and implement a policy of zero tolerance against violence against women. Routinely highlighted and reported in the media, a heightened awareness has been created. At the policy level, there exists an acute awareness of the need to devote all possible resources to combat it.

The Country Paper observed that many other measures have been taken to combat violence against women. These include operationalizing the Women in Distress Fund with a non-lapsable grant of Rs. 25 million and undertaking jail reforms with special focus on women's jails to enhance their rehabilitative aspect. Women police stations have been established and an additional 8 crisis centers created for women, with shelter homes being added to these centers. These would also offer protection to women victims of trafficking.

The Government informed that the education of the girl child is receiving particular attention. The Tawana (Healthy) Pakistan Programme is one example. It was launched in 29 of the poorest districts of the country to combat two of the most serious challenges facing the girl child - malnutrition and lack of education. The programme

uses food as an incentive for parents to send their daughters to school. As a result parents now willingly send their daughters to school thereby helping educate them and assisting in breaking the vicious cycle of poverty and lack of opportunity. At a higher level there is increasing evidence of enrollment of girls in the information technology sector.

The biggest challenges, the Government shared, are ensuring women's right to education and adequate employment opportunities. Violence against women remains a serious challenge, despite governmental response at all levels, which includes policy, legislative, administrative and field. There is also need for more serious efforts to collect gender disaggregated data. The feeling of national ownership and obligation to international commitments needs to be strengthened, as also coordination among various ministries and departments for an effective implementation of the National Plan and Pakistan's other international obligations relating to women.

The Government concluded that, despite the problems, through a combination of steps taken for the economic, social and political empowerment of women, Pakistani women are now better positioned to realize the galaxy of measures contained not only in the PFA, but also CEDAW and other important international documents relating to women.

#### Deliberations on Country Paper: Pakistan

##### Response from Civil Society

Responding to the Country Paper, Ms. Rukshanda Naz from Aurat Foundation and Ms. Yasmin Zaidi acknowledged the growing partnership between the Government and Civil Society, which had begun with the preparation for Beijing. They congratulated the Government on key initiatives, such as the National Commission on the Status of Women, the civil service reforms and the reservation for women in Parliament. By designating 2003 as the "Fatimah Jinnah Year", they noted that the Government of Pakistan, not only acknowledged Ms. Fatimah Jinnah's contribution to the progress of women in Pakistan, but also recognized the contribution of women. However, they observed that very much more needs to be done.

NGOs expressed concern on the following areas:

##### Political Participation

- The Ministry of Women's Development needs to apply pressure in order to ensure that 33% seat reservation for women is translated at all levels
- There is 17%-18% reservation in the Senate, National Assembly and in the provincial assemblies instead of 33% called for by the National Commission on the Status of Women
- Need for the Ministry to find a means to ensure women's political representation.

Instead of 60,000 women councillors at the provincial level, there are only 40,000, as there were no elections.

- Need for a Standing Committee at the Provincial Level

##### Civil Service

- Need for the Ministry to make inputs into the civil service reform process and to sensitize the civil service on gender issues
- Need to meet the target of 5% quota for women from the current quota of 3%

##### Law

There are grey areas in Women and Law in Pakistan. Discriminatory laws and the rise in violence against women are a challenge for the present government.

- Need to move towards progressive legislation by moving from protective to corrective to non-discriminatory laws
- Though judgments are there in support of existing laws, these have yet to be made visible
- Need to address traditions, customs and practices that constrain women's equality (citizenship law and customary practices)
- Need to address rape and adultery laws that continue to penalize women
- Need for augmented efforts to stop honour killings, domestic violence and VAW as well as efforts to address increased insecurities arising from a conflict between traditional and non-traditional roles of women. The example of four women councilors being murdered for doing their work, two in Punjab and two in the North West Frontier Province was quoted.
- Need to discontinue the practice of stereotyping the life of women (education/health)
- Need for more involvement of women in governance and law

Mr. Suhail Safdar, Additional Secretary, Women Development, Social Welfare and Special Education responded on behalf of the Government of Pakistan:

Women's quota in the civil service: Mr. Safdar informed that it was the intention of the Government to reach the targeted quota, to identify weaknesses and plug them. Though women are given preference for a vacancy, it has to be competitive. Efforts are being made to recruit women laterally, which, he said, was another way of reaching the target of 5%. Women's representation needs to be improved at the middle and upper levels, as their representation at the lower levels is respectable. Women are required at the senior level and the Government is hastening this by special promotion zones. New institutions are being created and the Government is working on new policy shifts.

Law & VAW: Giving evidence of positive relations between Government and civil society, he gave the example of a detailed review of discriminatory laws conducted by Justices for the Report to the Committee on the Status of Women (CSW), and transmitted to the Government. With regard to efforts to combat VAW, Mr. Safdar, elaborated on the ADB funded Access to Justice Programme, which is a comprehensive programme, seeking to increase women's access to legal information, aid and protection from violence, as well as undertaking reforms in the legal and justice system. He informed that the National Commission on the Status of Women is working on the Hudood Ordinances (law) which are considered discriminatory to women. The Committee's recommendation on judiciary reform, which is a massive framework for reorganizing the judicial system, is also in the process.

He proposed that Pakistan host the Fifth Biennial Regional Review.

Ms. Chandni Joshi, RPD UNIFEM, thanked the countries for sharing and contributing so generously. Identifying good practices, which could be documented and disseminated, she said the One-Stop Crisis Centre in Bangladesh, which included the presence of doctors and provided psychosocial counseling, could be tried in all countries. In Pakistan she identified the All Women Police Stations, as also the innovation of having a Women's Cell in a Police Station, as in India. Sharing an example of an informal cross-regional sharing of practices that had worked well, she quoted the UNIFEM facilitated sharing of the National Commission for Women in India, with the then Chairperson, Ms. Mohini Giri, Ms. Margaret Alva, M.P. of India, Ms. Rabya Bhuinyan, lawyer and M.P. of Bangladesh and Ms. Sahana Shrestha, the then Minister of Women's Affairs, His Majesty's Government of Nepal.

#### Commitments, Action Plans and Challenges: Sri Lanka Presentation by the Government of Sri Lanka



*"The situation of women in Sri Lanka is a mix of achievements and setbacks.... Sri Lankan women are less vulnerable to discrimination and oppression within the family as compared to the majority of women in the South Asian region."*

Conveying greetings on behalf of H.E. the Minister of Women's Affairs in Sri Lanka, Ms. Lalitha Dissanayake, Secretary, Ministry of Women's Affairs, began her presentation by stating that Sri Lanka has had progressive achievements in human and social development. These have been due largely to sustained free health and education facilities by the state to the entire population and welfare measures, which cushion the poorest segments of the society. Though the country has been pushed to an economic crisis by the internal conflict of the last twenty years, the cease-fire in 2002 has re-kindled hopes for economic and social revival, re-construction and political stability.

Focusing on the status of women in Sri Lanka, the Government informed that the 1978 Constitution of Sri Lanka guarantees freedom from discrimination on grounds of sex and also recognizes that the State may take affirmative action for the advancement of women. Sri Lanka has ratified almost all significant international conventions, including the United Nations Convention on the Elimination of All Forms of Discrimination against Women, and the CEDAW Optional Protocol (2002).

The Country Paper noted that the situation of women in Sri Lanka is a mix of achievements and setbacks. There is an assumption that it is better off than the rest of South Asia in certain areas. However, the political will shown in statements and manifestos does not receive due priority. In terms of relevant indicators, Sri Lankan women fare better than most of their counterparts in other developing countries.

Women constitute over 51% of the population. Life expectancy at 75.3% is higher than that of their male counterparts, and adult literacy rates at 89%, approximates those of the developed countries. Sri Lankan women are less vulnerable to discrimination and oppression within the family as compared to the majority of women in the South Asian region.

Non-discriminatory state policies are reflected in the universal franchise granted in 1931 and free education policies since 1945, for both women and men. Social welfare policies of consecutive governments have been positive since independence in 1948. Despite the head start, unequal opportunities enjoyed by the women of Sri Lanka are evident today both in the economic and political spheres. The Government informed that it is sensitive to different voices of groups and is considering affirmative action. Education has not kept pace with employment. Despite educational achievements, the unemployment rate of educated women is nearly double that of educated men and female economic activity rate is greatest in low paid agricultural and family labour. 20% of the households are headed by women, who also bear the greater burden of poverty.

Addressing the issue of political participation and decision-making, the Country Paper shared that the current representation of women is as low as 4.4% in Parliament and 2.7% in local government. In management and senior ranks of government, the position has remained stagnant, at around 15% women.

The UN classification ranks Sri Lanka within the Medium Human Development Group, while the Human Development Index reflects a drop in the rank from 84 (HDR 2000) to rank 89 (HDR 2002). It was noted that poverty and economic deprivation collude to making women more vulnerable to abuse. The escalation of social violence in Sri Lanka, particularly violence against women and girls is a matter of grave concern at present.

The Government observed that most indicators have not seen rapid progress and challenges persist in terms of customary, personal or family laws, which determine women's inheritance rights as well as marriage, divorce and custody of children. Being a multi ethnic country, the Government remains very sensitive about taking any actions without the consensus of all concerned. The Concluding Comments of the CEDAW Committee in January 2002 stress the significance of adopting a common law for all Sri Lankans.

Although various labour laws of the country are in consonance with internationally agreed practices, enforcement issues persist. In terms of employment, the unorganized and informal sector is the most vulnerable to exploitation and violation of rights, since it is not covered by labour legislation. There is internal migration into free trade zones. Despite women earning the highest foreign exchange they are the most vulnerable.

The Government recognizes that for gender equity, a wide range of local laws and their applications require in-depth review and reform. The newly appointed Gender-Equity Steering Committee has listed the whole range of laws, which require amendment, referring it to the Law Commission for special attention. Reporting on recent significant legislative reforms, the Government made mention of the amendments to the Penal Code in 1995/1998. It introduces many new offences, such as sexual harassment, trafficking, obscene publications, incest, among others, and prescribes severe penalties for existing offences such as rape.

The Government observed that judicial and law enforcement mechanisms need to be gender sensitized and made more gender responsive. In an effort to strengthen the law enforcement mechanisms and to make them more women friendly, the Department of Police has set up 34 special desks for women and children, coordinated by the Department of Police in Colombo. To curb the high incidence of domestic violence, the Justice Ministry is working to formulate a new legislation on Domestic Violence. There is a proposal for a safe home for victims of violence. It was acknowledged that sensitization programmes need to be initiated.

Based on the recommendations of the National Education Commission (NEC), Compulsory Education Regulations were passed in January 1998, making education compulsory for the age group 5-14 years, for both girls and boys. Recommendations to eliminate gender stereotypes in the curriculum have been put forth by the NEC and the Women's Charter, but have not yet received adequate attention. It was noted that there are inadequate alternative opportunities for higher education outside the Universities as well as vocational training facilities. There is a gender imbalance in enrolment in courses offered at vocational training institutions, with statistics indicating that most women students enroll for "feminine" courses and most men students for technical.

Geographically there is a disparity in educational facilities. Over 80% of urban and rural women have more than secondary education but only 25% of estate women are in this category. Education has been disrupted in the north and the east, where families were displaced due to the war.

The Government reported that the female labour force participation rate was 32% as against 68% for males at the end of 2002. Experiencing higher rates of unemployment, the female labour force is shifting towards low paid jobs in the manufacturing and service sectors, open to the risks of abuse, job insecurity, exploitation and violation of their rights. It was observed that female migrant domestic workers in the Middle Eastern region, numbering about 800,000, are the most vulnerable and abused. Though there are some regulations to restrict women from going to the Middle East for domestic work, the Government is unable to exercise effective control as the entire system of migration takes place within the duration of a few weeks. The outflow

outpaces the facilities that can be provided. The Government of Sri Lanka provides some counseling through the Migration Bureau.

Compared to the quantum of foreign exchange earned for Sri Lanka by the Migrant Women and the Free Trade Zone (FTZ) factory workers, the mechanisms and the investments on improving their working condition and their protection remain grossly inadequate. A social security pension scheme has been operative for women in the informal sector since 1996, with 74,000 worker women having contributed so far.

Long standing national level mass poverty alleviation programmes (PAP) of the Government have continued to support about 2 million families, in an effort to uplift their economic and social status through income support, savings and micro economic activity. Women in these families are the major partners of this scheme.

The Government reported that national health indicators are high. However, unequal access to the benefits of a free primary health care system in remote locations and the high prevalence of iron deficiency among mothers are matters of concern. It was observed that interventions on nutrition need to be made from the early stages of the Girl Child and that there is a need to intensify the ongoing awareness and media programmes of the Health Education Bureau. In response to an increase in the proportion of aging women in the population, special "Well Women's Health Clinics" have been established.

The Maternal and Child Health (MCH) Programmes of the Government of Sri Lanka have long been well established, reaching down to the village level through Family Health Workers. Special programmes have been initiated for the women in plantation areas and in the conflict affected displaced families in the North and East. The age of marriage is rising and there is an increase in pre marital sexual activity, escalating vulnerabilities of the age group. Health care is not adolescent friendly and abortion is a very sensitive issue because of the country's multi ethnic background. The Reproductive Health Awareness and Advocacy Project of the Women Bureau (with UNFPA collaboration) is an ongoing island wide programme.

The Country Paper outlined the significant transformations of the National Machinery for Women in Sri Lanka, which has its origin as the Women's Bureau in 1978. This has evolved over the years and is the Ministry of Women's Affairs at present. Its main arm of implementation continues to be the Women's Bureau, which has its links and activities with the mass of rural women through the Divisional Secretaries (311) and voluntary local women's groups (over 5000).

In order to translate women's rights to the local context, the Ministry of Women's Affairs spearheaded the formulation of the Women's Charter for Sri Lanka through a consultative process. The Government approved this as a policy document in March 1993. The National Committee on Women, (15 members) which was appointed the

same year became part of the National Machinery. Its mandate was for advocacy on and monitoring of the implementation of the standards set out in the Charter and to receive complaints on gender discrimination. A Gender Complaints Centre was added in 1999.

The Government informed that it is currently supporting a proposal to move towards a Rights Based Approach. The proposal calls for a legislative enactment of Women's Rights along with the establishment of a new mechanism with greater executive powers, policy leverage and wider representation of women's interests. The proposed new mechanism is expected to be more powerful and superior to the existing National Commission for Women (NCW). Considering the cross cutting relevance of gender and the resource constraint, methodologies are being explored / launched for greater and direct involvement of the mainstream institutions of the government, NGOs and other prospective partners.

A National Plan of Action has been drafted and shared with all the Ministries and districts to create awareness among mainstream actors and to identify areas of mutual concern/cooperation. Recognizing that mainstreaming is a slow process, the Government observed that it needs to be accompanied with a mass scale gender sensitization and monitoring facility. Noting that gender budget initiatives have been helpful, it was observed that the support of media institutions is indispensable for successful social transformation. However, media personnel need to be gender aware and responsive.

The Government informed that it had reported to the CEDAW Committee in 2002, shared the Concluding Comments and signed the CEDAW Optional Protocol and the SAARC Convention on Trafficking in women.

In conclusion, the Government shared that the current strategy of the Government of Sri Lanka (Dec. 2002) is "Regaining Sri Lanka" (RSL), which aims for accelerated development, connecting growth to the "Poverty Reduction Strategy" (PRS). "Reforming governance and empowering the poor" is one of the priority actions identified and includes a section on combating gender discrimination, which spells out a range of actions as short-term priorities. The indication is that rapid economic growth will be followed up with adequate sensitivity to issues of gender-discrimination. A separate Steering Committee has been appointed to follow up on actions for "Combating Gender Discrimination", providing space for a watch-dog function of implementation processes and its impacts on women of Sri Lanka.

#### Deliberations on Country Paper: Sri Lanka

Response from Civil Society

Responding to the presentation, Dr. Sepali Kottegoda, Coordinator of the Sri Lanka Women's NGO Forum, observed that Government and NGO linkages in Sri Lanka are

good and have been strengthened with the current Secretary of the Ministry of Women's Affairs. Speaking of the draft bill on domestic violence, she said it has been initiated by NGOs in collaboration with lawyers, health personnel and the Women's Ministry and is currently being reviewed by the Ministry of Justice. Sri Lanka has witnessed a severe and destructive war, and was now in the process of negotiating peace. To address gender concerns, a gender sub committee, made up of NGOs and women, has been set up to look into the concerns of women in the conflict and border areas. One-stop crisis centers have established, including two such centres in hospitals by NGOs.

She raised concerns of NGOs and these included:

- The way in which the Poverty Reduction Strategy was drafted. In a 200 page document there is only a page and a half on gender. Though the Government of Sri Lanka accepts mainstreaming gender, its strategy mentions it in only a page and a half
- The level of commitment on the Government's part to mainstreaming gender and challenging patriarchal norms
- Migration and trafficking are being looked at closely by the NGO sector. Though the formal stand is that there is no trafficking in women and children, there is ample evidence to suggest otherwise. Though the SAARC Convention on Trafficking of Women and Girls for Prostitution has been signed, there is a need for a broader definition of trafficking, as women are trafficked for purposes other than prostitution. The definition needs to be broadened from prostitution to slavery or informal workers without rights
- Women's health needs to have a life-cycle approach, instead of just focusing on reproductive health. The issue of aging is a concern
- Though the Sri Lanka PRSP has stated that 20% households are female-headed, the number is much more now, as the North and East were not covered in the last census
- Women's political participation needs to be enhanced through a mechanism or affirmative action, such as in India and Pakistan, to give women the necessary push in politics. The NGOs are convinced about the quota system but need to lobby with the Government for it
- The census exercise needs to be gender sensitized more comprehensively and NGOs would like it to proceed along with the gender budgeting exercise.

#### Discussion/Deliberations

Ms. Salma Ali, Executive Director, (BNWLA), sought information on mechanisms being deployed to disseminate information on the crisis centres, particularly to poor and illiterate women in both Sri Lanka and Pakistan.

With regard to gender sensitization of police, Ms. Yasmin Zaidi of Pakistan informed that ROZAN, an NGO in Pakistan, worked with the Police Training Academy on social conditioning and also sensitized staff that managed the Help Lines. The Ministry of Interior, she informed, is keen to include this in the curricula of the Academy, as institutionalizing training capacity is a concern.

Ms. Lalitha Dissanayake stated that one-stop crisis centres in Sri Lanka are few and sought help from Pakistan on their mechanism for police training, as there is a need to train people on the frontline and there is receptivity at the senior levels.

H.E. Ms. Aneesa Ahmed said that the Sri Lanka experience is an example of how, despite civil unrest and war, gains in women's progress are not impeded.