



# Report of the Sixth South Asia Regional Ministerial Conference

*Commemorating Beijing*



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## Commemorating Beijing

17-19 January 2008  
New Delhi, India



United Nations Development Fund for Women  
South Asia Regional Office  
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**UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies to foster women's empowerment and gender equality. Placing the advancement of women's human rights at the centre of all of its efforts, UNIFEM focuses its activities on four strategic areas:**

- Reducing feminized poverty;
- Ending violence against women;
- Reversing the spread of HIV/AIDS among women and girls;
- Achieving gender equality in democratic governance in times of peace as well as war.

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It is the end of January, 2008, and the Sixth South Asia Regional Ministerial Conference: Commemorating Beijing has just concluded. Co-hosted by the Ministry of Women and Child Development, Government of India and UNIFEM South Asia, the meeting was held in New Delhi on January 17-19, 2008. With the print of the conference so fresh, it gives me great pleasure to share with you, its proceedings and outcomes.

As many of you may know, UNIFEM South Asia Office has been organising these Regional Ministerial Conferences in collaboration with regional governments, ever since the first anniversary of the Beijing Conference. Thus, beginning from the first conference in New Delhi, India in September 1996, meetings were held at Kathmandu, Nepal in 1998, at Bandos Island in the Maldives in 2000, at Paro, Bhutan in 2003, and at Islamabad, Pakistan in 2005.

The aim is to keep alive the spirit and momentum of Beijing by tracking progress on the implementation of the Platform for Action and the priorities listed in the declaration of the last Regional Conference – in this case, the Islamabad Declaration. The journey is a collective one, involving all key stakeholders – and this is what makes it so special. In this process, we have partners who have been present since Beijing; others who have come in later; and still others, who have just joined. And yet the extraordinary thing is that for each of us in this journey – there is a great sense of ownership, partnership and commitment.

It is truly a unique platform where governments and civil society including gender advocates and institutions of research and the SAARC Secretariat, come together as one: to collectively share what worked and what did not; to identify the obstacles and hurdles that need to be surmounted; to distinguish immediate challenges that need urgent and immediate attention; and to craft the next steps.

These meetings involve the State at its highest levels – thus in Kathmandu, it was the Deputy Prime Minister who inaugurated the meeting; in Maldives, the President; at Paro, the Prime Minister; at Islamabad, it was the Prime Minister with the President hosting a banquet; in India, it was the President, who also hosted a banquet, with the Minister of Women's Affairs playing a leading role in the Conference. These are a barometer, which show that these reviews are in that respect, different from other ministerial level meetings.

We reached a very important milestone at this meeting. The SAARC Gender Database was launched by the SAARC Secretary General. This is something for which the SAARC Secretariat, Member Nations of SAARC, UNIFEM and the technical committee dedicated to this task, have been working since 2005. Responding to key priorities of the region, the Gender Database is being seeded with data on violence against women, especially trafficking, women's overall health, including women

# Foreword

and HIV/AIDS and feminization of poverty. The ultimate aim is to have a comprehensive Gender Data Shop which houses a single data pool on gender issues. Another special feature at this meeting was the active participation of Afghanistan as the eighth country of SAARC. Their proposal to host the next such meeting in 2010, is a validation of the process, and of their commitment.

At the meeting in New Delhi, participants took stock of progress made on the last strategic document i.e. the Islamabad Declaration, with a particular focus on violence against women, economic and political empowerment of women, disaster preparedness and disaster management, and women in the social sector – which had been identified as areas of concern. Deliberations opened up a range of issues, many of which were the reaffirmation of those identified at Islamabad, as well as others, which had not been articulated before. Thus, issues of violence against women included trafficking and female foeticide, women's human rights concerns in situations of conflict and disaster, including their participation in peace and conflict resolution processes, women's citizenship rights and implementation of the CEDAW Committee's Concluding Comments in a more effective manner, were some of the areas identified as critical.

In order to facilitate regional sharing and learning, time had been made for peer learning. The session focused on CEDAW reporting and implementation, Gender responsive budgeting, the SAARC Gender Database, and Engendering of national planning processes. I extend my grateful thanks to the resource persons – valued allies of UNIFEM, who with their knowledge and expertise were able to successfully demystify these processes.

To promote learning, UNIFEM was privileged to partner with eminent gender advocates like Prof Savitri Goonesekere, currently emeritus Professor of Law at Colombo University and formerly Vice-Chancellor and member of the Expert Committee monitoring CEDAW, who presented the paper on Substantive Equality and Gender Justice in South Asia. Ms Indira Jaising, currently the Director of the Lawyers Collective Women's Rights Initiative (LCWRI), who became the first woman to be designated as a Senior Advocate by the High Court of Bombay in 1986, was the distinguished discussant.

To share the experiences of networks which have emerged from UNIFEM initiatives, representatives from the Positive Women's Network, HomeNet, Interfaith Leaders Network, MenEngage, Migrant Women Worker's Network and the National Coalition of Media Persons, were there to present a first hand account. I would like to warmly thank them.

This Report captures all of this and more. It includes an overview of the Progress of Women in South Asia 2007, which presents a snapshot of the situation of women in

South Asia, and forms the base document for this Regional Conference. It is multi-purposed: it helps in chalking out a regional way forward; it provides one of the mechanisms to track progress on the Beijing Platform for Action (BPFA) in the region; and it fills the need for a single combined document, showcasing some Government and civil actions on areas of critical concern. I would like to take this opportunity to extend my sincere appreciation to Ms Ratna Sudarshan and her expert team at the Indian Institute of Social Studies Trust, (ISST), for producing these excellent reports. Painstaking analytical and well-researched, they provide a valuable resource for those working on gender issues.

I would also like to acknowledge and thank the Ford Foundation for the extensive support that they have provided to UNIFEM with processes related to following-up on Beijing, including this publication.

I take this opportunity to express my appreciation to all the eight Governments of South Asia, to the SAARC Secretariat and our valuable partners, for their active participation, positive approach and enriching discussions at this Sixth South Asia Regional Ministerial Conference Commemorating Beijing. I extend heartfelt thanks to my team for the tremendous synergy they brought in hosting this conference. I would particularly like to acknowledge and thank my colleagues, Ms Firoza Mehrotra and Ms Gitanjali Singh for so ably facilitating the process, and I want to thank the different committee members of my team in Delhi, Nepal, Bangladesh and Pakistan, for giving their best in making this Regional Conference so successful and so meaningful.



Chandni Joshi  
Regional Programme Director  
UNIFEM South Asia  
January 28, 2008



# Inaugural Session

Thirteen years after world leaders met to make a commitment on gender equality, the goal is yet to be achieved. UNIFEM's South Asia Regional Office has been facilitating a collective journey together with Governments, NGOs, Women's groups, the SAARC Secretariat and holding Regional Conferences biennially to keep up the momentum of the Beijing Conference and track progress on the implementation of the Beijing Platform for Action (BPFA). The inaugural session was addressed by the Honourable President of India Smt Pratibha Devisingh Patil, Honourable Minister of State (Independent Charge) for Woman and Child Development Smt Renuka Chowdhury, Ms Chandni Joshi, Regional Programme Director, UNIFEM South Asia, H.E. Mr Lyonpo Chenkyab Dorji, SAARC Secretary General and Dr Afra Syeda Zehra, Head of Delegation, Pakistan. Members of the SAARC countries and civil society organisations were also an integral part of the conference.

Addressing the inaugural session, the Honourable President of India **Smt. Pratibha Devisingh Patil** said she is delighted to be present at the Sixth South Asia Regional Meeting Commemorating the 1995 World Conference on Women held in Beijing, where she had participated as a member of the Indian delegation. India is honoured to host the Regional Meeting for the second time, she said and



respective countries.

extended her welcome to the delegates.

She said that over a decade has passed since the Beijing Platform for Action was adopted and it's time to evaluate the performance in attaining gender equality – a task that still remains incomplete in the world, in South Asia and in the

Outlining the position of women in the region, the President added that India has had a dynamic woman Prime Minister – Smt Indira Gandhi, similarly Sri Lanka, Pakistan and Bangladesh have also had such leadership in their countries. However, it is also equally true that a significant proportion of women in the region live below the poverty line and have not benefited from the process of globalisation, resulting in feminisation of poverty. Regional performance on gender-related issues has been mixed. Meetings like these provide opportunities to share views and experiences in implementing decisions taken at the Beijing Conference and build fruitful partnerships in the region for gender equality, gender

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justice and empowerment. The President said she is delighted that SAARC is addressing gender issues and has launched two pioneering projects targeting women under the SAARC Development Fund – Women and Child Care including Immunisation and Women Empowerment for home-based workers which should be encouraged.

Reflecting on the role of women in the Indian freedom struggle, she said women fought shoulder to shoulder with men. India's first Prime Minister Pandit Nehru, said, "Most of us men folk were in prison. And then a remarkable thing happened. Our women came to the front and took charge of the struggle. Women had always been there of course, but now there was an avalanche of them, which took not only the British Government but their own men folk by surprise". Such is the strength of our women and all that is needed is to give them the opportunities for realising their potential, the President added.

On legal aspects of gender equality, the President said the principles protecting the rights and privileges of women and children are enshrined in the Constitution of India, which not only guarantees equality to women at par with men, but also advocates positive discrimination in favour of women, wherever necessary. These are reinforced through the passage of new legislations and amendments to existing laws so as to remove any gender bias.

In the political field, by amending the constitutional provisions, one-third of the seats have been reserved for women leaders in local bodies, both in the rural and urban areas. As a result, more than a million women are now politically empowered at the grassroots level, the president added.

The president also underlined the fact that women play an important role in agriculture undertaking 60 per cent of farm work and contribute in a big way to food production and economic growth. Women have also increased their participation in high-end vocations. India's economic planning process for women has evolved over the years from a purely "welfare" approach, where women were regarded as objects of charity, to a "development" oriented phase and currently to the plank of "empowerment" that seeks to promote gender equality. She said India has embarked on the 11th Five-Year-Plan period that seeks faster, more broad-based and inclusive economic growth by providing access to basic infrastructure as well as health and educational services to all. Gender will be a cross cutting theme.

A major milestone in women's empowerment in India has been the Self-Help Group (SHG) movement, she said. "We have over 2.2 million Self Help Groups at the grassroots level throughout the country, which translates into more than 33 million households. We extend collateral free loans to these SHGs and many government programmes are also run through these SHGs. Such groups need our continued support and encouragement," she added.

The President also spoke about the importance of education in fostering gender equality. "India has launched the Sarva Shiksha Abhiyan programme which

seeks to provide elementary education to all children in the 6-14 years age group by 2010 and has a pronounced gender focus, where it seeks to address both in-school and external factors. As a result, we have been able to reduce the gender gap in enrolment and retention at the school level. Through concerted efforts, female literacy has grown significantly from about 40 per cent in 1991 to about 54 per cent in 2001. The focus is now on improving women's participation in higher education, technical education and vocational courses," she said.

The President also spoke of the strides made on gender budgeting. More than 52 ministries have set up gender budget cells and the Ministry of Women and Child Development is constantly interacting with these cells for building capacities and facilitating the integration of gender analysis into the government's policies, plans, programmes and budgets.

Empowering women is the most effective tool for development as well as poverty reduction. Women who are educated and have been given a chance, have proved that they excel in their professions and careers. Educated and enlightened women can take care of families better, make societies compassionate and make nations progressive.

The President called for an overall agenda for the empowerment of women which will cover gender needs and concerns at every stage and sphere of life – "From protection in the womb by prohibiting female foeticide, to preventing female infanticide by giving better nutrition and care to the girl child and addressing gender preferences in families, to giving equal educational opportunities to the girl child by sensitising society to look at a girl child as a boon, making women economically independent by imparting skills to them, ensuring work places are safe for women by having fast track implementation of stringent laws against sexual harassment, addressing issues like dowry and domestic violence, making women feel secure by taking strict action against those who indulge in reprehensible acts like teasing and molesting and allowing women to fully realize their capacities."

The President also called for the collaboration of government and society – "To ensure that women are facilitated in joining as equal partners in all aspects of growth of society and the nation as well as to get justice. There is a gap between de-jure and de-facto position regarding the rights of women. The need of the hour is speedy implementation of legislative and policy measures for empowerment of women. There is often lack of awareness about schemes for promoting welfare and development among women. This results in women not availing of the benefits. This situation needs to be rectified. This can only be achieved through an awareness programme. We need a band of "gender advocates" whose mission is to bring about effective implementation of the policies and programmes for women's empowerment."

Lastly, the President said, "Women must also be motivated to fight discrimination. They should work determinedly for



The Minister spoke of the goal of human development being intertwined with women's development. Women as an independent group constitute almost 50 per cent of the total population in most countries. They comprise not only the valuable human resources of the country but their socio economic development sets the pace for sustainable growth of the rest of the economy. Quoting the Indian Prime Minister Dr Manmohan Singh, she said, "India's quest for freedom, dignity and self respect for all our citizens can never become a living reality unless our women are equal partners in all processes of development and governance." The Indian Constitution provides for equal rights for men and women and the Government is committed to the cause of women and gender equality is a cornerstone of the National

Common Minimum Programme adopted in 2004. The Common Minimum Programme is committed to empowering women politically, economically and legally. The Minister said, "One of the aims of our government is to make complete legal equality for women in all spheres, a practical reality, especially by removing discriminatory legislations and enacting new legislations." The Government has also set up an inter-ministerial committee for this purpose.

their own empowerment. One important step in this direction is imparting physical education like Judo and Karate for self-defence to girl students from a very early age so as to make them physically strong and to build up self-confidence to face the challenges of life. Self-defence is the best defence. I am also pleased to note that in India a large number of women are joining the police force. Those who needed protection earlier are now giving protection to others. This is a big change!"

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The President said it's time that every individual, particularly those who have the capacity and means, ask what can I do to make a difference to reduce poverty and ignorance and to make the world a place where all, including women have the opportunity to grow? The answers and contributions will make a difference to the world. Recollecting the lines of a verse the President studied in school she said, "If all the trees were one tree, what a great tree it would be; If all rivers were one river, what a great river it would be; Similarly, "If all the women in the world speak in one voice, what a great voice it will be to bring peace, prosperity and happiness in the world."

**Renuka Chowdhury**, the Minister of State for Woman and Child Development welcomed the delegates. She said India is honoured to be hosting the Sixth South Asia Regional Ministerial Conference Commemorating Beijing. Thanking the President of India for her presence, she said, "This establishes the support that our Government is attaching to the important issue of gender equality. I feel proud in stating that we are one amongst the few countries to have a woman as the Head of State."



The biennial review process facilitated by UNIFEM since 1996 has kept Beijing alive. The objective is to assess the progress made, identify challenges, fill in gaps, strategies for the future and facilitate cross-regional, peerlearning and share the best practices, she added.

Highlighting some recent initiatives, she mentioned the passing of a law to protect women from domestic violence, amending the Hindu Succession Act to give daughters equal rights in ancestral property and initiating the National Rural Employment Guarantee Scheme reserving 30 per cent of the employment created for women through an act of Parliament. Additionally, the Right to Information Act 2005, was enacted to promote transparency and accountability in the working of any public authority. The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, recognises the need for vesting of rights over the forest and occupation in the forestlands with the scheduled tribe people who are dwelling in the forest and other traditional forest dwellers who have been residing in forests for generations. The Indian Penal Code and Criminal Procedure Code has also been amended to prohibit arrest of a woman after sunset and before sunrise, make judicial enquiry mandatory in case of rape of a woman while in police custody etc, the Minister added.

On the issue of schemes undertaken by the Ministry of Woman and Child Development, she mentioned that two new schemes have been introduced this year: Ujwala, to prevent trafficking of women and the Conditional Cash Transfer Scheme to encourage families to retain daughters and to prevent female foeticide. Another achievement has been the introduction of gender budgeting in all central and state governments where at least 30 per cent of finances are earmarked for women giving a fillip to mainstreaming gender. The Ministry has measured allocations to women since the past two union budgets and also introduced the outcome budget that measures gender outcomes and gender audits. The



Minister also said that impact analysis of gender budgeting has been undertaken.

Yet, serious problems persist— inverse sex ratio, inequality of educational status, maternal mortality and unequal economic status. The Minister said, "There are no quick-fix solutions or ready-made answers, Gender Mainstreaming and pursuit of a rights-based approach have contributed substantially to the progress made towards achieving gender equality. However, gender equality still remains a distant dream in South Asia."

The Minister hoped that following the deliberations at the meet, there would be renewed commitment in the form of a declaration and one of the participating countries would agree to hold the Seventh South Asia Regional Ministerial Conference.

In her welcome address, Ms Chandni Joshi, Regional Programme Director, UNIFEM South Asia thanked the President of India Smt Pratibha Devisingh Patil for accepting the invitation to inaugurate the Sixth South Asia Regional Ministerial Conference Commemorating Beijing. She also extended her gratitude to the Government of India for co-hosting the conference along with UNIFEM and to the partners from across the Region for keeping the Beijing torch burning. She thanked Ms Renuka Chowdhury, Minister for Women and Child Development, for her support and outstanding leadership. Ms Joshi acknowledged the presence of ministers and senior officials from the governments of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka and gender advocates from across South Asia, whose unflinching resolve has brought forth a new dawn for women, enabling them to reclaim their personhood.

"The biennial review process has been facilitating a unique accountability forum which brings together governments of the region, representatives of women's movement, the SAARC Secretariat and key regional institutions, to collectively track progress on the implementation of the Beijing platform for Action (BPFA). Co-hosted by governments of the region in turns, these processes have been participatory and transparent and have entailed introspection, and analysis of successes and gaps, followed by the formulation of an action plan to address key priorities

of the Region," she said. The consensus document from these reviews have guided UNIFEM's work in South Asia, along with priorities set out in the BPFA, the Millennium Declaration, the CEDAW and Security Council Resolution 1325.

Ms Joshi pointed out that this journey has been evolutionary and in the course given shape to several needs articulated in the BPFA. For instance, the need for sex disaggregated data and gender-sensitive analysis which has led to the establishment of the SAARC Gender Database housed in the SAARC Secretariat. Ms Joshi congratulated the SAARC Secretary General on the launch of the Database. "It is a demonstration of commitment and cooperation at the highest levels – the governments of South Asia, the SAARC

Secretariat—and the core technical committee which has driven and steered the process. We feel privileged to be an integral part of this regional process," she added.

Referring to the mixed picture of gender equality in the region, Ms Joshi said a strong commitment to gender justice has been evident in the region. "Ministries of Women's Affairs have been strengthened and national policies and plans put in place for the advancement of women. There is increased compliance to international human rights standards like the CEDAW and significant growth in judicial and legislative activism, as evidenced by the enactment of the Domestic Violence Act in India and Sri Lanka and the ongoing advocacy in Nepal; as seen in the property reforms in India, amendment to the Hindu Succession Act; in the citizenship reforms in Nepal; in the Personal Law reforms in Bangladesh; in the ratification of the SAARC Convention on trafficking; in the growing leadership of women at the local levels and the institutionalisation of gender-sensitive curriculum in several training academies for legal professionals and law enforcement officials in the region," she said.

However, inequalities have persisted and been perpetuated. Women continue to be excluded. "Women are still on the fringes of social, economic and political developments, and key processes towards participation and decision-making. This inequality and discrimination has led to massive socio-economic and human costs. According to the UNESCAP 2007 Survey, gender discrimination costs the Asia Pacific region almost US \$80 billion per year," Ms Joshi added. The declining sex ratio, increasing threats of gender-based violence, reported growth in the trafficking of women and girls, increasing feminisation of poverty, HIV/AIDS and unsafe migration and displacements due to disaster and armed conflicts have been fuelling inequalities and insecurity for girls in the region, she further added.

In conclusion, Ms Joshi expressed her conviction that gender equality is an achievable goal with political commitment and appropriate resources. "How could it be otherwise when the process itself has been enriched with the engagement of such eminent people as those who are here today? How could it be otherwise when there are millions of women, even in the remotest corners of the region, who are finding their meaning in life and the voice



and intention to realise it? How can it be otherwise when there is a remarkable growth in the constituency of gender sensitive men," she said.

**H.E. Mr Lyonpo Chenkyab Dorji**, SAARC Secretary General in his inaugural address thanked the President of India and other officials for their commitment to the cause of gender equality. He also commended UNIFEM and other agencies of the Government of India for hosting the conference.

He said the Fourth World Conference on Women held in Beijing in September 1995 was an important milestone in the endeavour to address the challenges faced by women.

Since then, two sessions, namely, the Beijing Plus Five and the Beijing Plus Ten have been held to take stock of the progress made since the 1995 Conference. This conference is of special significance for SAARC since it marks the launch of the SAARC Gender Database – the outcome of collective efforts of SAARC and UNIFEM over the last three years.



The Secretary General added that SAARC has attached high importance to regional cooperation on issues relating to women. Four ministerial conferences on women's issues have been held (by the SAARC Secretariat). Besides, the SAARC Social Charter adopted by the Twelfth Summit held in Islamabad in January 2004 embodies a broad range of targets, including the empowerment of women, to be achieved across the region. Following the Thirteenth Summit Directive, two meetings of the National Coordination Committees were held to review progress in the implementation of the Charter.

The Secretary General also pointed out that SAARC has adopted two regional conventions in 2002 – the Convention on Preventing and Combating Trafficking in Women and Children

for Prostitution, and the Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia, the implementation of which is under review. A number of projects to address the needs of women have been proposed under the SAARC Development Fund.

Referring to the relationship between SAARC and UNIFEM, the Secretary General said they have come a long way since the signing of a MoU in December 2001. Last year, SAARC and UNIFEM published Gender Initiatives in SAARC: A Primer. The most tangible outcome of the collaboration has been the development of the SAARC Gender Database.

In conclusion, the SAARC Secretary General expressed his firm belief that women and children of the region will be able to live in dignity and realise their full potential.

**Dr Arfa Syeda Zehra**, Head of Delegation, Pakistan, in her vote of thanks said that a commitment and pledge was being reinforced for the sixth time on behalf of half the population of the world which waits to be seen as an equal half. "We in South Asia take pride in our culture, values, respect for life,

but all of these are reversed in the case of women. Separation of heart and mind causes deprivation. The condensation has to become understanding. The exclusive has to be inclusive. This is not the time to ask for concessions, but confessions about what has been amiss. The world has to make it up to women and make it up rapidly. We women of the world, especially of South Asia wish to hold our heads



high with no prejudice in our hearts. While the world explodes, women explore within the spaces they have," she said. UNIFEM is not only the conscience of the UN but also of governments and civil society, she added. "We have the greatest challenge on our hands. We have to change history – let us share that burden equally," she said.

On a lighter note Dr Zehra added, "The Honorable Minister, Ms Renuka Chowdhury has promised us glorious weather. It shows what control women have!"

A documentary film, Ananya, on the education policy of the girl child, produced by the Ministry of Woman and Child Development, Government of India, was screened at the inaugural session.



# Our Journey Since Beijing

Ms Chandni Joshi, Regional Programme Director, UNIFEM South Asia Regional Office, New Delhi

Ms Chandni Joshi welcomed the delegates to the Sixth South Asia Regional Ministerial Conference Commemorating Beijing, jointly co-hosted by the Government of India and UNIFEM. She accorded her special gratitude to the Ministry of Women and Child Development, Government of India, for co-hosting the meeting which will assist in charting the future course of action for the South Asia region in the next two years.

Retracing the history of the global women's movement, Ms Joshi pointed out that the 1995 Fourth World Conference on Women in Beijing mobilised strategic alliances and collective power. World leaders from 189 countries met to promise equality and gender justice to the world's women. Over 40,000 women and men from across the globe worked to develop a global action plan, the Beijing Platform for Action (BPFA), which was

adopted by 189 countries. It facilitated the moving forward of women's issues and has become the base document for measuring progress on gender justice and women's empowerment.

Ms Joshi underlined the fact that following the deliberations at Beijing, governments arrived at a consensus that 'Equality between women and men is a matter of human rights, a condition for social justice and is also a necessary and fundamental prerequisite for equality, development and peace' (BPFA, para 1). Beijing was also significant for the sheer sweep of issues covered. Women played a leading role, not only in building a new vision of development, but in articulating the implementation of systems and processes that would create a sustainable future for all. A major achievement of the conference was that gender as a social construct of the relationships between women and men, was debated and appears in the Plan of Action. Ms Joshi said that several strong gender equality advocates from South

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Asia, who were involved in preparing the blueprint at Beijing have become an integral part of the biennial meetings and actions.

Ms Joshi added that UNIFEM South Asia felt responsible for ensuring that the Beijing torch remained alive. UNIFEM's mission, policy framework and strategies were strongly endorsed by the Beijing Conference—and one of the commitments made was that the implementation of the BPFA would be followed through at the national, regional and global levels. To facilitate the process, structures were built and a tremendous momentum of government and NGO partnership created in South Asia.

Subsequently, most countries formulated national policies and plans of action for the empowerment of women and developed gender auditing mechanisms and innovative programmes for women, including women in difficult circumstances. Ms Joshi pointed out that media, judicial and legislative activism, and increased compliance to international human rights standards like CEDAW have complemented this process. As evident, there is not only greater visibility and dialogue on Violence Against Women, HIV/AIDS and anti-trafficking, but there are new legislations to address different forms of violence against women as well.

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Yet, as studies and reports indicate, these efforts are inadequate. Inequalities persist within households, before the law and in the corridors of political power; in the gender division of labour within the economy, and in domestic and unpaid work, entailing huge human, economic and social costs.

Referring to the May 2005 Review Meeting in Islamabad, Ms Joshi said many of the issues, including feminisation of poverty, agriculture, migration and women's work in the informal sector continue to be an area of focus. Governments and civil society expressed concerns about the inadequate progress made on equal access to economic opportunities for women, and access to land and livelihoods, that ensure dignity and personal security. Governments, while affirming their commitment to women's rights issues also recognised the need to work on disaster management, violence against women and

issues related to health and education. The 2008 meeting was a collective stock taking exercise, said Ms Joshi, and a means of measuring the progress towards the goals set at Islamabad.

The report, *Progress of Women in South Asia*, particularly focuses on the areas spotlighted for attention at Islamabad. Ms Joshi pointed out that it is a substantive gender report which has assisted in the development of a regional blue print for the way forward. The overwhelming message of the report is that gender development indices in most countries have not kept pace with the extraordinary growth trends. It suggests that besides national and regional non-traditional security threats such as migration, trafficking, HIV/AIDs and disaster need to be integrated into national policy making and regional agreements.

Ms Joshi pointed out that UNIFEM looks upon the biennial reviews as a model that has been born in South Asia. It provides exceptional opportunities for developing an overarching framework for greater accountability to women; a model that helps keep the Beijing torch alive and in the process facilitates the creation of a gender community without borders. This community is dedicated to ensuring that the road map towards gender equality in South Asia remains dynamic, meaningful and participatory.

Ms Joshi said that it is not Beijing + Five or Beijing + Ten or the MDGs that is responsible for these biennial reviews, but a sense of ownership and responsibility to the commitments by those involved in the journey. "As visionaries and pioneers, we have the courage to be candid and self-critical and because we have learned that developing a 360-degree ownership to our own development agenda will help us sustain progress," she added.

Governments, gender advocates and the media have come together in this journey. SAARC has been a co-traveler. Ms Joshi called for the need to strive ahead to hasten the transformation of the dream of a gender equal world into a reality. 2008 marks the 60th anniversary of the Universal Declaration of Human Rights, and is therefore, an appropriate time to strengthen the resolve and accelerate progress.

# Progress of Women in South Asia 2007



## **Presentation by Ms Ratna M. Sudarshan, Indian Institute of Social Studies Trust, India**

Session chaired by H.E. Mr Lyonpo Dago Tshering, Ambassador Extraordinary and Plenipotentiary, Royal Bhutanese Embassy

Ms Ratna Sudarshan, presented the fifth in the series on the Progress of Women in South Asia, the base document for the biennial review of the Beijing Platform for Action (BPFA). Ms Sudarshan pointed out that overall, Governments in South Asia have been forward looking and demonstrated commitment to gender equality. Yet, much more needs to be done. Often, difficult development choices have to be made to protect vulnerable groups. Corporate and business interests outweigh the concerns of gender activists. The study maps the situation and status of women and brings together Government and Civil Society initiatives in the areas prioritised by the last conference, namely, violence against women, economic and political empowerment, disaster preparedness and health and education.

Outlining the developments in the Region, Ms Sudarshan said new legislation on domestic violence has been passed in India and Sri Lanka, in 2005. In Pakistan, the Protection of Women (Criminal Laws Amendment) Act, 2006 has brought about significant changes in punishment in cases of rape and adultery. In Afghanistan, a commission was set up in 2005 on the elimination of domestic violence. Maldives has undertaken a nationwide survey on Violence Against Women in 2006. In Nepal, the Gender Equality Act was passed in 2006 that has repealed and amended 56 discriminatory provisions of various Acts and has incorporated provisions to ensure women's rights in marriage, property, adoption, abortion and rape. Additionally, a joint UN Regional Programme 2008-11 has been initiated to support violence prevention and ensure that boys and men are part of the process.

With respect to economic empowerment, Ms Sudarshan said land rights are especially important, given that across South Asia, women on average, account for almost 40 per cent of the agricultural workforce. In India, the Hindu Succession (Amendment) Act 2005 has deleted the gender discriminatory clause on agricultural land. Nepal has passed the Foreign Employment Act which protects the rights of women migrant workers.

Ms Sudarshan stated that the process of economic empowerment was accompanied by the extensive feminisation of poverty since Islamabad 2005. This is best understood in the large and increasing proportions of women in agriculture, casual wage labour and unpaid work, along with a gendered distribution of assets unfavourable to women. There has also been the growing informalisation of women's work, mainly as home-based workers and unpaid family workers. A persisting statistical invisibility and failure to correctly measure their contribution to the economy is a challenge. Women migrants are largely unprotected by law even though the

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numbers are increasing and their remittances are growing. Female wages continue to be between 40-60 per cent of male wages. The 2007 Policy Conference on Home-Based Workers of South Asia set a concrete agenda to advocate policies for home-based workers of South Asia. Other important initiatives included advocacy to support migrant women workers and gender budgeting, to engender programmes and policies, including city budgeting, and women's access to new opportunities in information and communication technologies.

There is increased representation of women in governance through introduction of a quota in Bangladesh at the national level. At the local level, Nepal, India, Pakistan and Bangladesh are ensuring reservation of seats for women. But Ms Sudarshan emphasised that effective participation, rather than quotas, remains a key challenge for women. For instance, in Bhutan there has been effective participation of women in public village meetings, at almost 70 per cent and serious efforts to enhance capacities of elected women for transformational leadership are also in evidence.

In the field of education, women registered steady progress in most indicators, but Bangladesh has the best record, registering the highest gender parity in enrolment – in particular, secondary school enrolment has increased remarkably since 1996 from 13 to 56 per cent. This is not withstanding a drop in public expenditure on education in Bangladesh (and India) between 2001-04. Spending on health as a percentage of GDP fell in Bangladesh, Bhutan and Pakistan. Maldives registered an increase in the Maternal Mortality Rate (MMR) and a drop in primary school enrolment, but the reason for this could be that in the aftermath of tsunami, the conditions were serious.

Post tsunami reconstruction has engaged both Sri Lanka and Maldives over the last few years, and important lessons on the management of disaster learned by the entire region.

On the issue of disaster management, Ms Sudarshan said the Islamabad Declaration, "A declaration to recognise women's resilience and institutionalise risk reduction in recovery from disaster, so as to effectively engender disaster management" of 2005 is the model. There should be a rights-based approach addressing women's entitlements to assets, ownership and compensation benefits. A gender perspective needs to be incorporated in plans and resources for disaster risk reduction and management. Individual identity and social security cards need to be issued and compulsory birth and marriage registration need to be undertaken.

Ms Sudarshan concluded by outlining the several challenges that exist in furthering the Islamabad agenda. There is need to interrogate the dominant development discourse and question the nature of national growth. The mainstream media is not necessarily receptive to this issue. It is necessary to improve the quality of women's workforce. Women's ownership of the natural resource management agenda

is a critical concern, and strategies to insulate women from the immediate impact and longer-term threat of environmental damage is needed. Migration-related challenges such as HIV/AIDS and cross-border trafficking continues to be a serious concern. Preventing exploitation of women by registering agencies, facilitating greater publicity for women's movements and thereby granting visibility to migrants would be beneficial. Migrants need both safety and access to utilities and transport. To reduce pressure to migrate, there is need to link education to life skills. One way would be to lower entry qualification for vocational education such as relaxing the Class X requirement, as in India.

On a broader plane, national legislations and policies need to be supplemented by adequate resources and programmes for awareness, training of staff, counseling and support. There is an immediate need to focus on implementation, information and awareness. Regional networks and conventions play a significant role in building solidarity and helping change social norms. There is also a need to build public-private partnership to further the cause of gender equality. Moreover, it is essential to include men as part of the process.

## DISCUSSION

Delegates made several suggestions to widen the scope of the report. On the issue of education, a delegate commented that though enrolment has increased in Bangladesh, it is important to look at the drop-out figure along with enrolment. Another delegate said that under economic empowerment in the reform processes, countries have emphasised on incentives for big producers, but there is need to address the fate of the small producers as well. It was also felt that the report needed to address issues like terrorism, conflict and refugees, the urban mafia and the security of women.

A delegate queried that under the SAARC Gender Database, each country was providing data, but how would one compare the different country statistics because each country has its own measuring indicators. In response, Ms Sudarshan said the study has only used UN data.

Another member drew attention to the need to make a connection between different marginalised categories such as Dalits, indigenous and tribal groups, when speaking of marginalised women's groups in areas like trafficking, violence against women, HIV/AIDS, natural disaster and man-made disasters. The impact of globalisation on these groups cannot be overlooked. The micro situation cannot be seen in isolation to the macro context she added.

In connection with legislation to empower women, a delegate said change was evident and the police in her country cannot take women to prisons after sunset or before sunrise. In addition, rape in custody is a serious issue.

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# Country Reports

## Commitments, Action Plans and Challenges

### Afghanistan

Presented by the Minister for Women's Affairs  
Hussn Banu Ghazanfar, Islamic Republic of  
Afghanistan

Session chaired by Ms Indrani Sugathadasa,  
Secretary, Ministry of Child Development and  
Women's Empowerment, Government of Sri Lanka

H.E. Dr Hussn Banu Ghazanfar, Minister for Women's Affairs, Islamic Republic of Afghanistan, proposed to host the next regional conference.

Reviewing the abysmal condition of women in her country, she said, "It is one of the worst in the world." Women's life expectancy is only 44 years, adult literacy is 14 per cent, net enrolment ratio of girls in schools 35 per cent. Women are discriminated in pay, have no access to productive assets, denied inheritance rights and constantly suffer from threats of violence at home and in public spaces. In fact, an estimate shows that one Afghan woman dies every 30 minutes due to reproductive health complications. Amid this, women's political participation is improving as they represent 22.2 per cent of civil servants holding regular positions and 28 per cent of the National Assembly.

Outlining the progress, the Minister said, a strong policy framework for women's advancement is in place. A ten-year National Action Plan for the Women of Afghanistan (NAPWA) and institutional mechanisms for gender equality have been established in many ministries. Gender equity is central to the Afghanistan National Development Strategy (ANDS). There is also international support and capacity building programmes on gender mainstreaming which are being implemented in a number of ministries, including the Ministry of Women's Affairs.

The Minister evaluated the achievements of Afghanistan vis-a-vis the 2005 Islamabad Declaration, as follows:

#### **ELIMINATION OF VIOLENCE AGAINST WOMEN (VAW)**

The major gain in this area has been the recognition of VAW as a matter of public policy and action. A commission has been created and a legislative bill drafted on the elimination of VAW. They have conducted VAW awareness campaigns as well as consultative meetings to foster cooperation. They have also established a special fund on EAW and database and referral centres in some provinces of the country.

#### **ECONOMIC EMPOWERMENT OF WOMEN**

The situation of women in the economy is not encouraging. Current economic programmes for women are generally unsustainable, with limited markets. Women's economic productivity is hindered by constraints to mobility, illiteracy, reproductive responsibilities, lack of capital, technology, skills and security. The Government is taking steps to improve women's access to education, literacy and vocational training; review economic laws from a gender perspective, promote recognition of women as economic agents, support women entrepreneurs and increase women's access to capital, market, technology and productive assets.

#### **POLITICAL EMPOWERMENT OF WOMEN**

In terms of political participation, as per the MDG, Afghanistan aims to achieve a target of 30 per cent representation of women in all governance institutions by 2020. The Civil Service Commission, MOWA and UNIFEM are implementing a project that will institutionalise policies and programmes for women in the civil service. Women in public life receive capacity building support but they are also threatened by



violence. Various measures to support women's participation in public life will be pursued under the NAPWA and the ANDS.

**HEALTH**

Women's low health status is caused by complex cultural, economic and social factors including illiteracy, poverty, lack of roads and transportation, limited number of female health professionals, poor health facilities and services and women's disempowered status. The Government's focus in the health sector is in reducing maternal deaths by improving reproductive health services, increasing the number of female health practitioners, strengthening the family planning programme, developing a national population policy, targeting men as partners, and improving maternal units in hospitals.'

**EDUCATION**

The low status of women in education is linked to the same factors that cause their low status in health and other sectors. These include lack of appreciation of the value of female education, inadequate female teachers, remote location of schools, bad roads and limited transportation, lack of security, etc. The Government gives high importance to education and is promoting women's' access to education by giving food incentives, implementing a policy on compulsory education, increasing the number of female teachers, implementing a policy on equitable access to transportation, constructing dormitories and guest houses for female students and teachers, affirmative

action for girls in entrance to universities, mandatory establishment of teachers' training institutes in every province and improving the security in schools and university campuses.

In conclusion, the Minister said the problems of women are serious in Afghanistan. The country is just beginning to recover from the devastation of over two decades of war and they have limited resources and capacities to address the problems of women.

**Civil Society Response**

**Ms Afifa Azim, Executive Director, Afghan Women's Network and Ms Ghizaal Haress, Senior Programme Manager, National Democratic Institute**

Highlighting the ground realities, the civil society representative said that violence against women was unnaturally high in Afghanistan. Women and children have suffered during and after the war and the cycle of violence continues. The war destroyed the social and political structure of the country and affected both men and women. It brought about a mind shift in men to think of women as passive subjects and deny them opportunities to participate, reduce social access and even inflict violence on them. This continues till date. Most women in the male-dominated Afghan society are suffering from different kinds of violence – domestic violence, psychological and physical violence. It is difficult for government and civil society to intervene in such situations of violence. "If communities think of women as having to do with honour, it is difficult to do

anything.” Some 80 per cent of the marriages are forced, 75 per cent girls are married before the age of 16. In the event of a dispute between families, girls are exchanged to resolve problems.

The government and civil society are taking steps to improve the condition of women. Programmes include working with women and girls, articulating the rights of women in Islam, eschewing violence against women. The media has played an important role by highlighting cases and government departments are beginning to register cases of violence.

Projects on economic empowerment of women are short-term and not working for women. However, the Ministry has established gender cells.

On political empowerment, Ms Azim said, “We have a female governor, a female ambassador, but that is all. We had three ministers to begin with, but only one now. We have good, educated women, but we have challenges too. There are no women in higher positions in the judiciary.”

On the issue of health, Ms Azim said professional midwives undertake 15 per cent of childbirth, infant mortality is 165 per thousand live births, and child mortality is 257 per thousand children under 5 years.

Another civil society representative, Ms Orzala Ashraf, Director, Humanitarian Assistance for Women and Children of Afghanistan (HAWCA) highlighted the need to exchange experiences on how to legislate an Act on violence against women. She also requested the representatives from the civil society to share their learnings on Civil Society Reports for CEDAW. Ms Ashraf said security and violence are the major problems for women as most places are considered unsafe, those in rural areas can't move freely to make products or sell them and girls are killed for going to school. However, she expressed the hope that they were moving forward and their determination is greater than the challenges.

## DISCUSSION

A delegate commented that a huge paradox in Afghanistan was that despite 28 per cent women in the National Assembly, it has not improved the condition of women on the ground. In reply, the Minister said, “We have passed decades of war and have a new Parliament and women have not been a part of decision-making. Some 28 per cent women are present in Parliament now, they are first-time parliamentarians, and we are pleased with them because this is their first experience with higher levels of decision-making.”

Another query raised was whether with the help of UNIFEM, Afghanistan could link the issues of VAW,

security and terrorism to UN instruments. In reply, the Minister said Afghanistan has signed and ratified a number of treaties including CEDAW and UDHR. However, it is not in a position to implement them at once. These treaties and agreements are being gradually reflected in the national laws of the country.

Lauding the women of Afghanistan for their courage, another delegate pointed out that while Afghanistan had 28 per cent women in Parliament, there is VAW at the community level. In Sri Lanka, which has one of the best indicators on women, has just 5 per cent women in Parliament. She wanted to know how Afghanistan was addressing this contradiction. She added that education has an impact on women's health and empowerment and asked how Afghanistan was going to connect that. In reply, the Minister said, women could not study during the Taliban regime and many of them had to hide their books in basements. The entire education system was destroyed, girls were not allowed to go to school. Now they have to start afresh. When 28 per cent women came to Parliament, it was not easy. Efforts were focused on raising awareness at community level for them to take part in the Parliament.

Centering on the same issue, another delegate pointed out that the 28 per cent representation for women in Parliament would be difficult to sustain. She asked about the status of the women's movement in Afghanistan.

In reply, the Minister said women are extremely resilient in Afghanistan and they have made a difference. Where they are not allowed to go out and meet each other, they go from house to house. They teach their children at home, teach them to eschew violence. A women's network has been in existence for a number of years and has received support from women's organisations in Pakistan, and has today become a very big movement. The momentum is building up and many Afghan women are active. The 28 per cent women in Parliament are the outcome of the struggle of those women. There are lots of political gains even within the Parliament. There is a new network of women Parliament members and civil society in Afghanistan. In fact, MPs and the civil society are working together on gender and are supporting the Ministry of Women's Affairs.

The Minister added that in December 2007, they met the Education Minister and raised the issue of gender budget. The Women's Affairs Ministry also drafted the VAW Act but the Parliament rejected it. They are redrafting it, educating men in the Parliament on it and will try to get it passed in the next session. At one point, there were even efforts to stymie a Women's Affairs Ministry. But women Parliamentarians made it happen and worked with men to achieve it.



## Bangladesh

Presented by H.E. Mr Zulfikar Rehman, Deputy High Commissioner to India, People's Republic of Bangladesh  
 Session chaired by Mr Liaquat Ali Choudhry, High Commissioner to India, People's Republic of Bangladesh

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Presenting the report on Bangladesh, H.E. Mr Zulfikar Rehman, emphasised that gender equality was enshrined in the constitution of the country. Mainstreaming of women has been a key element in the policies and strategies of the five-year plans. The Fifth Five-Year Plan, the last plan for Bangladesh, aims at increasing women's participation in political, civil, economic, social and cultural life and in governance and administration and creating effective institutions to mainstream women's concerns in all aspects and sectors of development.

The Government of Bangladesh ratified the BPFA and immediately undertook positive and pro-active policies, programmes and actions for implementation. The National Policy for Women's Advancement was announced and the National Action Plan (NAP) for the implementation of the BPFA was put in place. The goals of the NAP includes:

- Making women's development an integral part of all national development programmes
- Establishing women as equal partners in development with equal roles in policy and decision-making in the family, community and the nation at large
- Removing legal, economic, political and cultural barriers that prevent women from exercising equal rights and undertaking policy reforms and strong affirmative actions to that end
- Raising public awareness about women's differential needs and interests.

The announcement of the National Policy for Women's Advancement and formulation of the National Action Plan

were the essential steps towards the implementation of the BPFA. It focused on the following areas:

### WOMEN AND POVERTY

Mr Rehman pointed out that the government has taken steps to promote women's participation in gainful economic activities both in formal and non-formal sectors. They are also engaged in self-employment activities. Manufacturing industries have opened new employment opportunities for women. A large number are working in readymade garments, assembling of electronic goods, traditional cottage industry and so on.

Mr Rehman said studies showed that early marriage is one of the consequences of poverty that creates a number of health hazards for women and impedes their development and empowerment. Legal sanctions against early marriage are in place. Moreover, a law relating to birth registration has been enacted. As per this, birth registration has been made compulsory.

### BUDGET ALLOCATION

Gender concerns have been integrated into budget allocation. The allocation for destitute women is on the increase and now constitutes a major item of public expenditure. The Vulnerable Group Development Programme (VGD) is the largest development intervention that extensively targets destitute women. It is a multi-donor assisted nationwide programme covering 750,000 hard-core poor rural women in Bangladesh.

The main features of the programme are:

- Provision of food aid (30 kilogram food grain per month per woman), for a cycle of 24 months;
- Capacity building activities including mobilisation of savings, training on marketable income generation skills, functional literacy and group-based awareness-raising on social issues which are undertaken mainly by NGOs; and

- Graduation of women into NGO programmes after termination of the food support which enables the women to seek employment in income generating activities for self-reliance.

Among the beneficiaries, 95 per cent have less than 0.5 acres of arable land, 40 per cent of women are single and two-thirds have below poverty level intake of calories. Female members, elected directly to Union Parishads (the local government body of the lowest tier), have been engaged in selection of the beneficiaries, distribution of food grains, training and providing other services.

The Government has also undertaken Financial Management Reform Programme (FMRP) under the Ministry of Finance. Three objectives for engendering the budget are:

- Creating a database on gender poverty project, programme and expenditure from 2004-05
- Allocation of resources with focus on women's advancement activities in priority ministries as per the National Strategy for Accelerated Poverty Reduction
- Building capacity of the government officials through training in financial management with a focus on gender budgeting.

### POVERTY ALLEVIATION PROJECTS

The Rural Maintenance Programme (RMP) is another large project for engaging women in gainful economic activities to alleviate poverty and empowering them. RMP provides employment to destitute women on maintenance of rural earthen roads for four years.

There are 32 other poverty alleviation projects being implemented by the Ministry of Women and Child Affairs (MoWCA) and its agencies. The beneficiaries, numbering over 1.3 million, get skill training and credit to use the training for income generation.

### MICRO-CREDIT

Bangladesh is the pioneer of micro-credit. And 90 per cent of total beneficiaries are women. Success of the programme can be perceived from its rate of recovery that stands at 97.17 per cent. Micro-credit has been invested mainly in small business (41.79 per cent), livestock (17.64 per cent), agriculture (12.31 per cent) and fisheries (7.39 per cent) and has transformed the life and livelihood of poverty stricken women.

Women have become the focus of micro-credit institutions and agencies. It has also been observed that giving women the control and responsibility of small loans raises their socio-economic status, which is seen as a positive change in many of the current relationships of gender and class.

### EDUCATION OF WOMEN

The government has been implementing specific initiatives to promote girls' education. These include:

- Recruitment of female teachers (60 per cent) at the primary school level

- Stipend programmes for girls up to higher secondary level
- Free education up to higher secondary level. These initiatives have led to an increase in enrolment and decrease in drop-outs.
- The government is also encouraging technical education for girls. There are Technical Training Centres and Vocational Training Institutes in all sixty-four districts. There are also Polytechnic Institutes at divisional headquarters. Graduate girls from the technical institutes are not only be eligible for employment within the country, but overseas as well.
- Women are provided congenial environment and special scholarships to enroll in vocational and trade institutes. Plans are afoot to introduce a vocational training programme at all district level schools and 51 district level schools have already introduced vocational courses. This arrangement will encourage and provide opportunity to women to enroll as the training will be available near home and thus eliminate the constraint of moving out of the home.
- Establishment of three Women's Polytechnic Institutes at three Divisional Headquarters are also under implementation.

### WOMEN AND HEALTH

The Government of Bangladesh has been implementing the National Health Policy, 2000. The Ministry of Health has developed a Gender Equity Strategy and through its gender issue office and behavior change communication strategy impacted women's health in a positive way. Maternal Mortality Rate in Bangladesh has decreased from 600 per hundred thousand in 1995 to 400 in 2001. Yet, maternal mortality and infant and child mortality rate are still matters of great concern. Life expectancy of females and males is the same.

A comprehensive health policy has been adopted by the Government and a Health and Population Sector Strategy (HPSS) has been approved. Initiative has been taken to engender policy and research in relation to health through the Gender and NGO Stakeholder Participation Unit of the Ministry of Health and Family Welfare. The Ministry has developed a Gender Equity Strategy (GES) to provide overall strategic direction to gender mainstreaming in Health and Population programmes.

### VIOLENCE AGAINST WOMEN

There are many laws relating to safeguarding women's rights especially on violence against them. The MoWCA has initiated a process of compiling all women and children-related laws, rules and administrative orders to publish two books.

An inter-ministerial committee is in place for monitoring the situation of women in Bangladesh. Headed by the minister of MoWCA, the committee holds bi-monthly meetings. It collects reports on women's empowerment as well as violence against women from district level, analyses them and recommends actions.

The central cell in MoWCA and two other cells are working regularly to eliminate violence against women. The central cell in the MoWCA holds monthly coordination meetings with the law enforcing agencies to review the situation of violence. Six Shelter Homes and six Legal Aid Centres in six Divisional Headquarters have undertaken proactive steps to this end. The nature of support for their proper rehabilitation and reintegration in society is explored through consultation. The support includes continued education, life skill training, developing small-scale business, raising livestock and poultry. The objective is to empower them economically, increase their decision making power in the family which contribute to reducing the incidence of violence. During November 2006–December 2007 various support of various kinds were provided to a total of 226 victims.

Many NGOs provide legal support to women and children victims of violence throughout the country. An alliance to end domestic violence has brought together approximately 200,000 change makers all over the country for mobilising common people against violence at the grassroots level.

Six One Stop Crisis Centres (OSCC) have been established to provide medical and legal support to the victims of violence. A total of 78 training programmes, workshops and seminars were organised for various stakeholders and professionals for disseminating the services of OSCC and DNA profiling activities. More than 8,032 personnel of 15 professional groups participated in these programmes. The training and workshops on Forensic DNA Profiling mainly focussed on magistrates, judges, doctors, police personnel, lawyers, and DNA lab personnel for developing a joint effort for supporting the legal system to identify the perpetrators within the shortest possible time.

Mr Rehman pointed out that elimination of violence against women and girls will require change in deep-rooted values, beliefs and attitudes and cannot be separated from the subordinate position of women and the unequal power relations between women and men.

Like other countries, Bangladesh also faces various hurdles in the process of achieving the goals of gender equality in all spheres of national life. However, it can be hoped that with a unity of efforts, the Government will be able to achieve the goals in the near future.

## Civil Society Response

**Dr Mahmuda Islam, President, Women for Women, Bangladesh**

Underlining the dynamism of the women's movement in Bangladesh, Prof Islam pointed out that it played a significant role in raising the government's commitment. The National Policy for Women's Advancement was the most important action taken after Beijing and gender dimensions have been incorporated into sectoral policies like information, training, education and their subsequent implementation strategies. There are direct elections to

reserved seats in local elections since 1997. The first PRSP, the PRSP formulation process and the contents of the documents were engendered by significant input from civil society groups called Gender and PRSP Group (GPG). There was a change brought up in the Allocation of Business (AoB) of the MoWCA in consultation with the development partners and congruence of the thoughts under a programme-based approach for MoWCA.

### GAPS AND CHALLENGES

Prof Islam pointed out that carefully worded amendments were made to the 1997 National Women's Policy which undermined women's rights in 2005. Since then, reinstatement of the old policy has become a demand of the women's movement. But till date, this has not been met although the present government is likely to come up with a revised version of the policy. Women's groups have been demanding the restoration of the Women's Development Policy of 1997 and the withdrawal of the 14th Amendment to the Constitution. This would bring up the issue of direct election to Parliament by women and also increase the number of seats for women.

The women's movement has also been demanding the full ratification of CEDAW, right to information, increasing participation of women in decision-making, ensuring equal wage, recognition of women's contribution in the national economy, security of women, increased share of women into the national resources etc. Prof Islam added that women's groups have also been calling for a proper catalytic role of MoWCA where there is enough room for consultation and coordination between MoWCA and other relevant ministries. Additionally, it has also been demanding the establishment of a national women's commission.

### DISCUSSION

A delegate asked how Bangladesh was going about strengthening the MoWCA, obviously considered a marginal ministry. In reply, it was highlighted that MoWCA has been striving but met several roadblocks – for instance, coordinating with other ministries. And since the Ministry is considered weak, it has never been able to establish its position as a technically sound coordinating Ministry. The AoB was changed for MoWCA alone. But there is need to modify the AoB for other relevant line ministries as well.

Another question raised was whether the micro-credit programme was able to increase women's access to resources. In response, it was pointed out that while micro-credit programmes had contributed to women's access to resources and decision-making processes, the interventions alone cannot bring all-encompassing solutions to women's issues. Micro-credit programmes have their own success and failures as well as limits. In many cases, women do not hold the resources within the household. Bangladesh takes pride in increasing the enrolment of girls in schools but realistically speaking, there is also a high drop out rate. Thus, the drop-out rates for girls as well as the quality of the curriculum plays a role in deciding the actual rate of enrolment.



## Bhutan

**Presented by Ms Kunzang Lhamu, Chief Planning Officer, Planning Commission, Royal Government of Bhutan**

**Session chaired by Dr Arfa Syeda Zehra, Chairperson, National Commission on the Status of Women, Government of Pakistan**

Presenting the country report, Ms Kunzang Lhamu, said her country's unique people-centered development path has been heightened with the adoption of Gross National Happiness (GNH) over Gross National Product. The happiness of the people is paramount. In many ways, Bhutan's gender situation is regarded favorable. No overt gender discrimination exists in the country and in general, Bhutanese women enjoy a high status and equality under the law. Women and children have been placed in the centre of the social development policy and the theme of women's development has also been featured as an integral part of the country's five-year plans. The Royal Government of Bhutan has conscientiously worked to ensure equal opportunities for men and women to participate and share in the benefits of development. The country is party to various international conventions such as the Beijing Platform for Action (BPFA), CEDAW, MDGs, SDGs and a host of regional conventions.

However, an analysis of the current situation and data reveals that gender gaps do exist. As such, there remains a need to strengthen and develop appropriate policies and strategies that take into consideration the different needs, roles and capabilities of women on the basis of gender mainstreaming. Hence, the 10th Plan (2008-13) has identified poverty alleviation and gender mainstreaming as the major goals.

Women's rights have also been addressed in the draft constitution of Bhutan under Article 7(15) and in the Principles of State Policy. To facilitate the achievement of these gender goals and targets, a Draft National Plan of Action for Gender (NPAG) has been formulated. It identifies seven priority areas:

### GOOD GOVERNANCE

Since the issuance of the royal decree in 1998 that underlines the importance of women's representation in the National Assembly, importance has been given to increasing women's participation in governance. But in percentage terms, there has been a decline in the representation of women in the National Assembly, from 11 per cent in 2001 to 3 per cent in 2006.

### EDUCATION AND TRAINING

Bhutan has made good progress towards ensuring gender equity in education and according to the Population and Housing Census 2005, the boy to girl ratio at both primary and secondary education is 1.07. The MDG target to attain gender parity is likely to be achieved before 2015. However, establishing gender parity at the tertiary level poses a serious challenge as the male-female ratio in the secondary and tertiary levels rises to 1.51 and 1.79 respectively. Females represented 36 per cent of the total enrolment in vocational training institutes in 2005 showing an improvement from the past when this area was largely male-dominated.

### ECONOMIC DEVELOPMENT WITH FOCUS ON EMPLOYMENT

The majority of the women labour force today is still involved in agriculture. As per the 2005 Census, 62.8 per cent of women are employed in the agriculture sector. According to the Gender Diagnostic Study, 2004, a large section is involved in road infrastructure projects – out of 3,361 workers, 43 per cent are women. They are among the most vulnerable groups with limited access to alternative employment and social services. The 2005 Census showed female unemployment rates to be higher than male at 3.3 per cent and 2.9 per cent respectively. The main reasons are perceived to be a preference for male employees due to the preconceived notions that males are more competent, versatile and flexible.

### HEALTH

Women's health, particularly reproductive health is given special attention in the government policies and programmes. Advocacy on reproductive health issues has always been actively promoted. The Maternal Mortality Rate has improved slightly from 255 in 2000 to 215 per 100,000 live births as



indicated by the 2005 Census. While the antenatal care (ANC) attendance in at least one ANC clinic has reached 100 per cent, 45 per cent of pregnant women still deliver at home. Despite awareness programmes on adolescent reproductive health issues, the 2005 Census shows that 11 per cent of all births were among 15-19 year olds. Improvements can be seen in the infant mortality rate. The under-five mortality rate per 1,000 live births between 2000-05 decreased from 60.5 per cent to 40.1 per cent and 84 to 61.5 per cent respectively. The 2002 National Anemia Survey found that the anemia prevalence rate was highest among women of child-bearing age at 55 per cent and children at 80 per cent which led to the initiation of an iron supplementation programme.

According to the Ministry of Health, as of March 2006 women comprise 47 per cent of the total number of people detected with HIV/AIDS and the infection is highest among housewives. Reasons for women's vulnerability to HIV/AIDS may be attributed to lack of awareness on protection from the disease.

### **VIOLENCE AGAINST WOMEN**

As in most societies, there exists a culture of silence when it comes to domestic violence. No information is available on the prevalence rate of domestic violence. The three most cited reasons for domestic violence are alcoholism, financial pressure and suspicions of infidelity. Although laws to protect women against violence exist, many cases go unreported due to fear of social stigma, emotional and financial insecurity, lack of support mechanisms, etc. The extent and prevalence of trafficking and prostitution in the country is not known due to the lack of data and information.

### **PREJUDICES AND STEREOTYPES**

The Gender Pilot Study 2001 underlined the fact that socio-cultural perceptions of both women and men see

women as less capable and confident than men.

### **AGEING, MENTAL HEALTH AND DISABILITIES**

Bhutan has an elderly population of 7 per cent out of which 48.4 per cent are females, with the old age dependency ratio estimated at 7.5 per cent. The National Pension and Provident Fund remains one of the few initiatives to provide support mechanisms after retirement. However, since the civil service is predominantly male-dominated, large proportion of women are without any security and fully dependent on their spouses, children or relatives.

In the area of mental health, gender-disaggregated data from the Jigme Dorji Wangchuck National Referral Hospital revealed that depression and anxiety disorder are most common among female patients. The differently able comprised 3.1 per cent of the total population, of which 46 per cent are female and are vulnerable to physical abuse and have fewer economic security opportunities.

On the MDG goal of Gender Equality and Empowerment, Ms Lhamu pointed out that while the country remains broadly on track towards promoting gender equality and women's empowerment, there are some significant challenges that need to be addressed. These include the weak transition of girls to tertiary level education and the workplace, high levels of female youth unemployment and underemployment, low levels of participation in political and high public office and the reality of domestic violence prevalent in many households.

While the number of boys to girls at the primary and lower secondary education levels are now virtually at par, gender parity at the tertiary education level is still low. The weaker educational attainments and lower literacy levels also explain, to some extent, the prevailing gender gaps in representation in politics, public office and the civil service.

### **GENDER EQUITY IN NATIONAL PARLIAMENT, PUBLIC OFFICE AND CIVIL SERVICE**

The government is targeting the involvement of women, youth and the differently abled in the electoral process by involving local leaders and community organisations.

Although there is a highly supportive legal and policy environment to encourage women's participation in development activities and decision-making, women are still poorly represented in the legislative, judiciary and executive branches of government. In 2006, women represented 3 per cent in the National Assembly (Chimis), a decline from

11 per cent in 2001 and only 4 per cent of the Chimis are women, down from 16 per cent in 2001 and 8 per cent in 2005. From 2001-05, there were no women representatives in the National Assembly. Female representation in the Royal Advisory Council is equally low. With the adoption of parliamentary democracy in 2008 and the elections for 15 dzongkhags (districts) completed, three women have been elected to the National Council. It is yet to be seen whether the elections for the remaining five dzongkhags and the National Assembly will result in an increase in women's representation.

In the judiciary, women account for only 2 per cent of the Drangpons (Judges) and 6 per cent of the Drangpon Rabjams (Chief Justice). There is greater representation of women at the lower registrar level (40 per cent), but the total number of registrars remains very low. In the civil service, women account for 29 per cent of the total number of civil servants in 2007, up from 12 per cent in 1996. While the trends reflect a positive growth in the number of women in the civil service, their representation is lowest at the top level i.e. between Grades 1-3, wherein they comprise only 5 per cent. Women are more equitably represented in the lower grades.

At the local DYT (District Development Committees) and GYT (Village Development Committees) levels, female participation also remains weak. Data compiled by the National Commission for Women and Children (NCWC) from the 20 dzongkhags reveal that out of 2,117 elected representatives in the country, only 4 per cent are women. Despite the election of two female Gups (Village Chief) in 2007, women's representation in this local level public office stands at a mere 1 per cent.

## CURRENT ISSUES AND CHALLENGES

A major challenge is the need for greater effort towards attaining gender parity at the tertiary education levels by 2015. This is an area that has been highlighted in the MDG Progress Report 2005 as needing critical attention. Overcoming the situation of gender gaps in female participation in the national parliament, public office and civil service is another priority. Additionally, there are also other pertinent gender concerns in the employment sector. Women in farming communities are highly vulnerable as they comprise a large portion of poor rural household and many of them are unpaid family workers or earn very low wages. The issue of domestic violence against women needs attention as well.

## MAJOR INTERVENTIONS, COVERAGE TARGETS AND RESOURCE NEEDS ESTIMATES

The total cost of the gender equality and women's empowerment interventions are estimated at Ngultrum 1,343.983 million (2006-15) which comprises around 1.2 per cent of the total MDG resource needs.

Major interventions include:

Helping the Transition of Girls to Work:

- Creating more opportunities at the vocational education level to help girls who are unable to continue

school to learn skills to enable them to find employment

- Facilitating National Graduates Orientation Programme to familiarise graduates with available training and job opportunities and enhance their understanding of Government policies and issues
- Encouraging political participation and representation of women
- Conducting mass media campaigns
- Providing proper support to women candidates standing for elections
- Providing training for elected female parliamentarians
- Ending violence against women
- Prevention-related activities promoted primarily through community-based awareness campaigns, helplines and mass media campaigns
- Protection measures provided through women and child friendly police and court services and short-term shelters/emergency housing for women requiring protection
- Access to income generating activities, skills training and micro-credit schemes with minimal interest rates.

## Systemic Issues:

- Capacity development of the National Commission for Women and Children
- Sensitisation campaigns covering judiciary, bureaucrats and police officials and
- Increasing the number of organisations with gender focal persons.

## Research Needs to be Undertaken in the Following Areas:

- Cause of women's low participation in decision-making
- Factor influencing women's unemployment
- Reasons for girl's low performance from class ten onwards as well as the reasons for girls dropping out at higher levels of education
- Enrolment and drop-out of women at the non-formal education level
- Nature of abortions practiced in and outside the country
- Teenage pregnancy in the country
- Extent, nature and forms of violence against women in the country
- Nature and extent of women's involvement in the informal sector
- Division of labour
- Gender differences in the trends of diseases, health seeking behavior, living arrangements, socio-economic status, experience and impact of elderly women and men, women/girls and men/boys with mental health problems and those with disabilities
- Factors influencing utilisation of health care services, education and training, rehabilitation services for elderly women and men, mental health problems and those with disabilities
- Study on children affected by violence, abuse and exploitation, especially focusing on child domestic labour in urban areas

- Nature, extent and consequences of substance abuse and more particularly alcohol abuse
- Socio-cultural belief and its impacts on gender roles.

## POLICY

Although each successive plan has seen increasing government commitment on gender issues, it needs to be addressed and mainstreamed more. The thematic task force on gender equality and women's empowerment identified several policy issues that need to be addressed:

- Integration of gender perspectives and concerns into all policies and legislations
- Address the root causes of low participation of women in governance
- Increase of women's representation at all levels of governance, especially in the national parliament and local governments
- Development of gender disaggregated data for all sectors and levels of governance
- Review of the eligibility criteria to be elected in view of the low literacy levels among women
- Review of the entry qualification criteria for girls into vocational training institutes and promote affirmative action in order to attain the 50 per cent target enrolment of girls
- Increase the number of gender focal points complemented with capacity building and enhanced recognition of their roles.

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## Civil Society Response

**Dr Duptho Wangmo, Executive Committee Member, RENEW**

Speaking on the role of the civil society in Bhutan, Dr Duptho Wangmo said women and men share rights and it is known to be a gender equitable society, but rural women have not made much headway in the governance structure. Cultural perceptions hold women as less capable and confident than men. Often, women are unaware of the subdued gender bias.

RENEW stands for Respect, Education, Nurture and Empowerment of Women. It was formed by Her Majesty, Queen Ashi Sangay Choden Wangchuck, who realised that education of women is essential for their upliftment. The organisation undertakes programmes to help victims of domestic and sexual violence. They have also been involved in the rehabilitation of victims of rape and commercial sex workers, and teenage mothers. RENEW

offers counseling, micro-credit and training in beauty care, IT, cooking, carpentry etc. for them to rebuild their lives. RENEW also provides links to legal services and access to emergency shelters. A 24-hour help line is in the process of being developed.

Dr Wangmo said RENEW is working closely with the government but there are areas for improvement. She suggested that there is a need to involve men and boys in their programmes to combat violence against women and promote gender equality. Increase the number of women with graduate degrees in government. There is need to focus on women in the secondary and tertiary sectors of education and establish a quota system. She added that a penal code exists but there is need to implement legislation on domestic violence.

## DISCUSSION

A request was made to the government to articulate the equalities that exist in society, not just the inequalities, as Bhutan is one of the few equitable societies. Ms Lhamu assured they would dwell on the issue at the next ministerial conference.

On the issue of HIV/AIDS, a question on reasons for the high prevalence of HIV/AIDS among housewives was raised. In response, Ms Lhamu said a detailed study has not been undertaken, but the general perception is that men usually spend more time outside the home and perhaps women get the virus from men.

Another delegate enquired what programmes the Royal Government of Bhutan is undertaking for women affected by HIV/AIDS. In response, Ms Lhamu said, though the number of women may appear large, when examined in percentage terms, it is actually very small. Out of a total of 135 HIV/AIDS cases, 65 are women. The State's HIV programme includes antenatal visits, voluntary counseling, testing and free access to antiretroviral drugs.

Reasons for the low representation of women in the National Assembly was also raised. From 11 per cent in 2001, the representation has plummeted. In reply, it was clarified that in the previous assembly, the women were nominated. But in the recent polls, three women have been elected and they are the trendsetters.

Another issue on the condition of women refugees was also raised. But the government representative said it is an international issue and hence best left to other machineries of government.



Service Centres (FCSCs) have been officially launched. However, the infrastructure is completed in only three atolls.

Furthermore, the Government's commitment to the Beijing Platform for Action, CEDAW and MDGs, the Islamabad Declaration of Action and other international instruments ratified or acceded by the Government, is reflected in the three year strategic plan (2006-08) formulated by the Ministry.

Gender is a crosscutting factor in the 7th National Development Plan (NDP) 2006-10. It addresses issues such as protection of sexual and reproductive health, right

to information and family planning services, equal access to economic assets such as land and housing, increasing opportunities to pursue vocational and tertiary education, equal labour market opportunities, freedom from violence, and increased representation at all levels of governance.

The following sections will discuss in detail the achievements, commitments and challenges of the five priority areas highlighted in the Islamabad Declaration of Action:

### ELIMINATING VIOLENCE AGAINST WOMEN (VAW)

A study was conducted by the MGF on Women's Health and Life Experiences, based on the WHO Multi-Country Study on Women's Health and Domestic Violence Against Women. The Ministry also launched a 16-day campaign in November 2006, where 27,000 hand prints were publicly displayed, symbolising the pledge to help stop violence against women. This also represented the number of women aged 15-49 years who have experienced some form of violence in their life time.

Violence against women, especially domestic violence, has been an unspoken and undocumented issue. The campaign and findings of the nationally representative survey provided a starting point to bring the issue into public discussion. It revealed shocking facts that one in five women between 15-49 years who have ever been in a relationship, reported some form of physical or sexual violence by an intimate partner and that one in nine women aged 15-49 years, had similar experiences. In all, one in three women in the age group of 15-49 years reported being subjected to some form of physical or sexual violence at least once in their lifetime. This study also emphasised the need to enhance the quality of life of women by increasing the quality of health and social services.

## Maldives

Presented by H.E. Mr Ahmed Shareef, Deputy Minister, Minister of Gender and Family, Government of Maldives

Session chaired by Dr Arfa Syeda Zehra, Chairperson, National Commission on the Status of Women, Government of Pakistan

The Ministry of Gender and Family (MGF) of the Government of Maldives has reviewed the progress and strategised critical concerns related to gender equality and empowerment of women based on the commitments made in the Beijing Platform for Action and the Islamabad Declaration of Action. The National Gender Policy endorsed by the Cabinet in April 2006 has given impetus to Government agencies to uphold gender equality. The policy facilitates gender mainstreaming and provides a holistic approach to achieve equality in social, economical, political and cultural fields.

The Maldives is going through a period of political reform targeted to strengthen democratic governance and human rights protection. In this scenario, the MGF has also made significant changes in its service delivery in the past two years. Since early 2006, the Ministry has integrated its service provision to women, children and families. Hence, the 1992-established Unit for the Rights of Children has been renamed and a Child and Family Protection Authority to oversee the implementation of rights for children, women and to develop policies and legislations.

Similarly, in 2006, the MGF initiated a long-term project to decentralise the Social Protection Services in the 20 atolls of the country and wards of Male. These centres will seek to provide temporary shelters for victims of violence and abuse. To date, 11 Family and Children

A majority of the laws relevant to gender equality are being reformed. The Penal Bill, currently under debate by the Majlis, classifies marital rape as an offence. It however, does not criminalise violence against women. The Penal Bill includes an intricate sentencing guideline, which could be used in instances of violence against women.

One of the biggest challenges with regard to violence against women is the limited scope of the permissible evidence in court. An Evidence Act, which recognises forensic evidence and minors as witnesses, has been drafted and will be sent to the People's Majlis shortly. Similarly, a law on the rights of women is also planned for drafting in January 2008. Besides, a bill on domestic violence is currently being drafted with technical assistance of a local NGO.

Administrative reforms to address VAW include the establishment of a Family Protection Unit at the Indhira Gandhi Memorial Hospital (the main referral hospital in the capital island Male) in August 2005. This unit makes an initial assessment and refers women who need additional assistance to other counselling services including the MGF and Society for Health Education (an NGO).

Currently, the Maldives does not have any temporary shelters for survivors of abuse. In severe cases, the survivors are temporarily housed in the children's home (Villingili Kudakudhinge Hiya) under the jurisdiction of the MGF. Nevertheless, projects have been formulated to establish drop-in-centres/shelters. In this regard, a pilot project will be initiated in 2008 in one of the FCSCs with the assistance of United Nations Population Fund.

Even though prostitution is considered a crime, the current penal code does not have a specific code that deals with prostitution or trafficking and thus, these cases are handled under the article on 'disobedience'. Therefore, statistical information on the number of prostitution cases that have been reported so far is unavailable. Unofficial reports by police officials and other sources confirm that prostitution is on the rise especially with the rising drug addiction. Currently there are no rehabilitative services provided for prostitutes. However, work is underway to hold discussions between the Police, MGF and the Attorney General's Office on how best to deal with the situation and prioritise action required to effectively deal with the problem. There are also unofficial reports of trafficking which would be looked into.

The Government had signed and ratified the SAARC Convention on Trafficking in December 2003.

### **ECONOMIC EMPOWERMENT OF WOMEN**

The goal of the Employment Skills Training project is to increase the number of Maldivians with entry-level occupational qualification and skills for employment or for self-sustaining livelihood initiatives. In other

words, the idea was not to replace expatriate workers but ensure Maldivians have equal opportunity of employment.

With regard to the MGF's micro-credit schemes, a total of 60 loans have been disbursed to women in Male' since the scheme was initiated in 2000. Over three phases, the last was in March 2006, a total sum of MRF 1,000,000/- had been disbursed. A further 35 loans equivalent to MRF 525,000/- had been disbursed to island women by the end of 2006.

After the implementation of a project that sought to engender the National Census of 2006, a special emphasis was made to capture women's contribution to the nation's economy. As a result, the labour force participation rate of females has increased from 37 per cent in the 2000 census which was half that of men for the same year to 52 per cent in the census of 2006.

### **POLITICAL EMPOWERMENT OF WOMEN**

The gender bar in the highest office of the state has been removed. Yet, the proposal to secure reservation for women in the legislature failed in the year 2007. The Ministry intends to propose the provision of a specified percentage of seats for women candidates in the Political Party's Bill that is currently being drafted. It will also increase advocacy programmes on political participation of women, targeting political parties, women and the general public in preparation for the next elections.

Special measures were attempted in the last five years in particular, to accelerate gender equality. However, these efforts in the form of affirmative action to bring women into Parliament through the constitutional reform process has been rejected on grounds that such action results in discrimination against men.

Nonetheless, it is worthwhile to note that the advocacy workshops conducted on the participation of women in politics throughout the country is generally seen as a break-through attempt to increase women's participation in politics. More positively, it is seen that more women contested in the last parliamentary elections, perhaps a direct or indirect result of the increased gender sensitisation conducted through out the years.

### **EMERGENCY SITUATIONS AND DISASTER PREPAREDNESS**

The 2004 tsunami was instrumental in motivating the Government to accord priority to disaster preparedness. Although prior to the tsunami the Maldives had an emergency contingency plan for the Male' International Airport, in July 2005, the Ministry of Health developed a draft health sector Emergency Preparedness and Response (EPR) Plan (MOH, 2005). This includes special programmes to meet the needs of vulnerable groups, including security and housing for women and children.



Moreover, gendering concepts are to be incorporated into the ongoing community-based disaster risk management programmes. UNDP has planned activities for the year 2008 to integrate gender elements into ongoing life skills programmes conducted by the Government and NGOs.

## HEALTH AND EDUCATION

Since the year 1997, the Maternal Mortality Rate (MMR) has reduced from 258.73 per 100,000 live births to 69 in 2006. However, this data needs to be interpreted cautiously to prevent misinterpretation because as MMR is a low number, even a few deaths would result in the MMR to fluctuate. As such, the Health Master Plan 2006-15 (MOH 2006) sets targets to reduce the absolute number of maternal deaths per year.

Proportion of births attended by skilled personnel can also be used as an indicator for MMR. In 2006, routine vital statistics shows that 61.52 per cent of childbirths were conducted by doctors, 32.7 per cent by nurses, 1.1 per cent by health workers and 4.37 per cent by traditional birth attendants. The second emphasis is on the lessons learnt from the implementation of the former plan. The nine policy goals set in the Health Master Plan 2006-15 aims to address these issues while sustaining the achievements of the first plan.

According to the MDG, Maldives Country Report (MPND, 2007), one of the most significant achievements in the education sector is the high literacy rate which stands at 98 per cent, and is the highest in the region. The report also mentions that there are no significant regional or gender disparities in literacy rates. Statistics from the Ministry of Education shows that the net enrolment ratio in primary education has reached 100 per cent since 2002, while the data from the 2006 Census shows that 98 per cent of the children aged 6-12 years are attending school.

Moreover, while there is gender parity in primary, lower and higher secondary education, a significant gender disparity still exists in tertiary education with more men holding tertiary qualifications than women. According to

the MDG Maldives Country Report 2007, the ratio of women to men with tertiary qualifications in 1990 was 24 per cent compared to 58 per cent in 2006. The report, however, positively notes that with the higher net enrolment ratio of girls in secondary education, the gender gap in tertiary education is predicted to narrow further.

## CHALLENGES

### VIOLENCE AGAINST WOMEN:

Formulating laws, providing services and building human resources to deal with survivors of abuse proves to be a constant challenge. These include:

- **Lack of gender sensitivity and accountability at all levels:** Limited understanding and gender sensitivity among Government officials and the parliament is a constant issue. Despite attempts to sensitise and advocate gender equality, widespread gender insensitivity is still apparent. There is need to improve both motivation as well as capacity to mainstream gender.
- **Lack of a strengthened legal system which addresses women's issues:** Currently, majority of the laws relevant to gender equality are being reformed and new bills drafted. These include the Penal Bill, Evidence Bill, Employment Bill, Citizenship Bill, Education Act, a Domestic Violence Act and a Women's Rights Act. However, considering the lack of gender sensitivity among parliamentarians, the question still remains as to whether these bills would get passed and if all the necessary provisions of these bills with regard to gender equality would remain.
- **Lack of available sex disaggregated data on some issues and almost no data on the informal sector:** Even though the 2006 census has sex disaggregated data and also includes some information on gender sensitive issues, statistical data collected annually by different sectors still needs to be sex disaggregated and means of collecting information about the private sector needs to be developed.

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## Civil Society Response

**Ms Aishath Velezine, Co-founder, Hama Jamiyaa**

While speaking on behalf of the civil society, Ms Aishath Velezine said she has been fortunate to be a part of the Beijing process and has participated in most of the meetings so far. She admitted that in the ongoing political transition, there was a systematic effort by 'political Islamists' to segregate and marginalise women. Opposition to the idea of equality of women and men is more vocal and pervasive than ever before. Though the Ministry of Gender and Family is working to bring about gender equality, other ministries are actively working to undermine the cause of women.

The removal of the gender bar for women in the highest office, a major reform undertaken by the government, was hotly debated. Some 38 per cent voted in favour, 21 per cent were against it, and 23 per cent abstained. Among the abstentions was a former MGF minister. This shows that a significant number of people cannot accept women presidents.

It is of concern that while official reports note gender stereotyping and prejudices as affecting women's human rights and gender equality, the State too continues to disseminate such messages. For example, Friday sermons periodically (most recently in December 2007) 'educate' men that they are permitted to beat their wives if they refuse to obey. In Maldives, the Government regulates the Friday sermons, yet it's evident that the matter is no longer under state control. The propaganda is all pervasive. For instance, a religious programme on the state radio this week informed listeners that, "flowers would wither and die quickly if menstruating women touch them".

Equality and non-discrimination clauses adopted by the Constitution Assembly do not fully reflect Article 1 of CEDAW though the Maldives has been a party to CEDAW since 1993. Ignorance cannot absolve the state of actions.

On the positive aspects, she noted that the MGF study has made VAW in the Maldives an issue that cannot be denied anymore. A draft bill on domestic violence is ready for consultations. The Ministry also has a long-term plan to set up and provide support services to victims of VAW.

Referring to the gaps and challenges, she said that at present survivors of DV/VAW do not have the means or opportunities to access justice due to a lack of support services. Domestic violence is not given the same serious consideration as public violence. In fact, the State does not provide due protection to victims of violence and as a result, victims have been re-victimised with serious consequences. Often a victim who goes to the police with her complaint is told to return home and

sort out the 'domestic issue'. Civil society has raised serious concerns that Maldives may be host to trafficking, as it is a South Asian country taking in a huge number of migrant workers without proper legislation to protect victims of trafficking or hold traffickers to account. She said another emerging issue of serious concern is that of 'foreign order brides'. There have been advertisements in local newspapers offering "18-year-old, beautiful Muslim girls from India" for marriage. The large number of irregular male migrants in the country has also led to a rise in prostitution. Prostitution is a criminal offense and there is no procedure or service to address these issues. She emphasised that though the Ministry of Gender and Family is working for gender equality, the State as a whole is not pushing gender equality. Ignorance does not absolve the State of its responsibility to achieve gender equality.

### DISCUSSION

A delegate asked why the name of the Ministry was changed to the Ministry of Gender and Family where women did not figure. In response, it was pointed out that name change has been a regular phenomenon. Prior to 2005, it was called the Ministry of Women's Affairs but the focus has been on women and family values. It was changed because they wanted to include men and hence, the word Gender was added. The change was necessary to ensure that men are not discriminated.

Another opined that the Ministry was trying to use an apologetic approach in including men. Instead, the need is to focus on women or else the gender gap cannot be reduced.

Commenting on the issue of rising prostitution, a member asked if tourism was linked to prostitution and the promotion of disco bars. She also enquired if the domestic violence consultation would look at victim protection as well.

In response, it was said that tourism does not drive prostitution. Instead it is the rise of the migrant workers. These sections are often isolated and unable to mingle with the natives and hence they are responsible for the rise in prostitution. The Government representative added that they were working on the issue of prostitution and trafficking. They would be able to present a report by the next ministerial conference.

On the Domestic Violence Act, there was concern that the draft bill is still a draft and they hope to have public discussions so it may be difficult for the state to water down the provisions. An assurance was given that the Domestic Violence Act would address the issue of victim protection.

Another delegate asked in which sectors the Female Workforce Participation Rates (FWPR) had increased. But there was no answer from the delegation or civil society due to shortage of time.



## Nepal

Presented by Mr Punya Prasad Neupane, Secretary, Ministry of Women, Children and Social Welfare (MWCSW), Government of Nepal

Session chaired by Dr Arfa Syeda Zehra, Chairperson, Chairperson, National Commission on the Status of Women, Government of Pakistan

While presenting the country report, Mr Punya Prasad Neupane highlighted the political transition of the country. After prolonged violence and instability, in November 2005, a seven-party alliance of parliamentary parties and the Communist Party of Nepal (Maoist) signed an agreement to “establish absolute democracy by ending autocratic monarchy”. In April 2006, mass demonstrations led to the restoration of Parliament. April 2008 has been set for the election of the Constituent Assembly.

The political situation had an adverse impact on women. There were serious violations of international humanitarian law. They became vulnerable to all forms of violence, particularly sexual violence and exploitation, including torture, rape and trafficking. The health consequence for women and girls was enormous. Many women in rural Nepal were left on their own to take on multiple responsibilities during the conflict as men had virtually fled from the villages. They were forced to adapt to new roles which have, to some extent, empowered them in the society. Yet, the conflict has also increased women’s visibility. Many women and girls joined the Maoist army, making up an estimated 40 per cent of combatants.

The Comprehensive Peace Accord (CPA) concluded between the Government of Nepal and the CPN(M) in November 2006, recognises the need to protect the rights of women and children and stop all forms of sexual exploitation and misbehavior.

An Interim Plan (2007-10) has been formulated, the basic goal of which is to build an inclusive society through reformation of all socio-economic development sectoral efforts through a gender-based approach. It has mainstreamed gender in all sectors and focuses on measurement of the care economy for making women’s work visible.

The Secretary said that with technical and financial support of UNIFEM, the National Planning Commission (NPC) is currently working on establishing a Gender Management System for mainstreaming gender concerns in all aspects and at all levels of development and to secure gender equality and equity as a

means to achieve social/gender justice. The NPC has already laid out its objectives in the recently published report Reframing Policies for Gender Equality from Management Perspective.

### GENDER RESPONSIVE BUDGET INITIATIVES

The Gender Responsive Budget Committee (GRBC) instituted under the Ministry of Finance has been making efforts for engendering the entire Government programme and budget process. UNIFEM is supporting the MWCSW and the Ministry of Finance to initiate and take forward the work of gender responsive budgeting since 2002.

The Secretary said that the Government has engendered its programme and budget from this fiscal year (2007-08), and has institutionalised the gender responsive budget approach by developing software.

On the development and strengthening of institutional mechanisms for gender equity and equality, the Secretary outlined the achievements:

- There has been improvement in the laws, policies, institutional and programme implementation related to women’s empowerment, gender equality, and gender mainstreaming
- The National Commission for Women Act 2006 was passed in December 2006. A five-member commission is in place since August 2007.
- MWCSW as a nodal agency for gender has facilitated the establishment of gender focal points in all ministries. The Ministry is also organising regular meetings with the gender focal points to share new policies, legislation, gender assessment tools and sectoral initiatives in line with a gender responsive approach.
- In the newly established Ministry of Peace and Reconstruction, work is in process to establish a Gender Unit with the support of UNIFEM
- To ensure formulation and implementation of gender responsive programmes, the District Development

Committees have been equipped with Gender Focal Persons

- The practice of compulsory participation of women in preparation and implementation of local development programmes has been institutionalised
- The Supreme Court has given a number of important verdicts in the light of CEDAW, CRC and other international instruments
- A resolution has been passed by the Parliament in May 2006 to ensure 33 per cent representation of women in all state mechanisms
- In September 2006, the Parliament passed a landmark legislation which amended some of the laws to ensure gender equality. The Bill ensures equal rights on ancestral property by birth for daughters, full inheritance rights to widows, wife's rights to husband's property, property rights to divorced women, divorced women's right to alimony, daughter's maintenance rights and effectiveness in the execution of judgment in cases relating to the share of the woman. There is also a provision for abortion without the consent of the husband but abortion cannot be undertaken against a woman's consent.

The Secretary underlined the progress made in the linkage between BPFA, CEDAW and MDGs. These include:

- A needs assessment exercise commissioned by the National Planning Commission in 2006 recommended helping transition of girls to work through vocational training programmes and school to work programmes, encouraging political participation, ending violence against women, help lines and short-term housing, gender sensitisation programmes for elected male politicians, judges, bureaucrats, police, gender focal persons
- The Government has also developed National Development Goals (NDGs) on the basis of the MDGs, which has incorporated gender equality
- A committee has been constituted to monitor the progress of BPFA
- A National Plan of Action for implementing CEDAW, BPFA, CRC, MDGs and anti-trafficking have been formulated. The Government of Nepal ratified the Optional Protocol to CEDAW in December 2006. The Ministry of Peace and Reconstruction is planning on developing a National Plan of Action on UN Security Council Resolution 1325 supported by UNIFEM.
- MWCSW has signed a MoU with UNIFEM to promote gender equality and empowerment of women in the context of the present peace process.

The Secretary also highlighted the steps undertaken to eliminate violence against women:

- The CPA has reaffirmed the commitment to respect and protect human rights and international humanitarian law. The policy on 'Zero Tolerance on Violence against Women' has been developed.
- The Interim Constitution has incorporated the rights on violence against women, reproductive rights and reproductive health as fundamental right. Physical, mental or any other form of violence inflicted on women is punishable.

- It prohibits abortion on the basis of sex identification. Legislation on equality in the age for marriage for both male and female has been undertaken. It has increased punishment for child marriage and bigamy. It has also made provisions for equal punishment in marriage by misrepresentation.
- Human Anti-Trafficking Act 2007 was passed and regulations for the same are being developed by the MWCSW with support from UNIFEM
- Three bills — Violence against Women, Sexual Harassment in the Workplace, and Truth and Reconciliation Commission Bill have been drafted and are in the process of being tabled. A guideline to promote in-camera hearing in court is being drafted by the National Judicial Academy with UNIFEM's support.
- The Foreign Employment Act 2007 has removed all discriminatory provisions on migrant women workers
- Nepal has ratified SAARC Convention on Trafficking
- A National Coalition Committee representing 34 different governmental, non-governmental, international organisations and donors has been formed to work in combating all forms of violence against women
- The Ministry with support from different stakeholders and in partnership with NGOs and INGOs has been organising sensitisation programmes for the media, traditional healers, faith leaders and law enforcement agencies on violence against women.

**On the issue of Economic Empowerment of Women, the Secretary underlined the following measures:**

- The Interim Constitution of Nepal has included special provisions for women's education, health and employment by ensuring gender equality, it has provided avenues for women to seek opportunities for economic development
- The Interim Constitution makes it binding on the State to pursue positive discrimination among minorities, landless, squatters, bonded laborers, disabled, backward communities and sections, and the victims of conflict, including women, Dalits, indigenous tribes, Madhesis and Muslims
- The Interim Constitution and Gender Equality Act has ensured equal rights on property inheritance for women. It has also provisioned that married, divorcee and widows have equal rights in parental property.
- The Interim Plan has internalised the effectiveness, uniqueness and substantial differences of gender equality and women empowerment
- The Plan has a policy of improving the standard of life of women
- Substantial participation of men, women and children of deprived groups will be guaranteed in processes of policymaking, planning, implementation, supervision and evaluation
- The Interim Plan has envisaged adopting a policy of positive discrimination and reservation in the areas of education, health, employment, participation, capacity building and public service for the socio-economic security of the deprived
- The Government has introduced incentives in the registration of property in women's name. This has led to 25 per cent increase in the land registered in women's name compared to the last fiscal year.



- The sectoral ministries (agriculture, forestry, industry and labor) have been implementing different economic empowerment programmes for women including micro-credit, microenterprises, skill and entrepreneurship development training, leadership etc. in partnership with different donors and INGOs
- Cooperatives have been able to bring a drastic change in women's lives through economic empowerment
- Women development offices in the districts are working for gender equality, reproductive health, economic prosperity, institutional and community development.

The Government has also taken steps to promote Women's Participation in Peace and Political Empowerment. The awareness level of women has increased as a result of active engagement of the civil society in protection of women's rights. It has ensured sizable representation of women in the Constituent Assembly.

- Women's political awareness has increased significantly. With the implementation of the 33 per cent provision, women's participation in the political process is expected to rise further.
- The Interim Constitution promises inclusiveness for all marginal groups including women
- Nepal has adopted the mixed electoral system for the upcoming Constituent Assembly election, according to which, at least 33 per cent candidates must be women
- The Election Commission is involving women representatives in developing policies, programmes and guidelines on election. Materials for voter's education and promoting women's participation in election process were developed by the Election Commission with support from UNIFEM.
- The Election Commission has adopted the policy to involve a minimum of 50 per cent of women for voter education. The Commission is deploying women polling officers to increase women's participation in the Constituent Assembly Election.
- Women parliamentarians have formed their caucus and drafted an action plan for making women visible in political affairs

- The Government has proposed 45 per cent reservation in the civil service for women and excluded groups
- The new Citizenship Act enables a Nepali citizen to acquire a citizenship certificate with the mother's name
- The Ministry of Peace and Reconstruction (MoPR) has signed a MoU with UNIFEM to promote women's participation in peace and importantly, to promote implementation of the UNSCR 1325.

In the area of Emergency Preparedness, the Government has undertaken several policies in accordance with the UN Security Council Resolution (UNSCR) 1325 on Women, Peace, and Security. In the fragile post-conflict situation that Nepal is going through, the UNSCR 1325 proves to be a vital tool for responding to the gendered dimensions of both, war and peace.

- The Ministry of Peace and Reconstruction is developing a plan of action to address issues of women and children affected by conflict based on UNSCR 1325 with the support of UNIFEM
- Gender recommendations on the Truth and Reconciliation Commission (TRC) Bill have been prepared in consultation with women's groups facilitated by UNIFEM.

## CHALLENGES

Despite encouraging progress made on women's issues, there are still challenges. Some of these include:

- Addressing the issues of women in all peace processes and the commitments of all political parties for sustainable peace. Political parties need to materialise 33 per cent representation for women.
- Protecting women and children from conflict by developing gender-friendly state mechanisms
- A national level effort needed for social transformation
- Making women's contribution visible in all spheres
- Adequate resources for the Ministry assigned to look after women, children, marginalised groups, ethnic groups, differently abled and social welfare needed

- Gender mainstreaming needs to be undertaken in all state machineries.

In conclusion, the Secretary hoped that the meeting would contribute in enabling Nepal to set out a concrete Plan of Action for ensuring gender equality and women's rights in all state mechanisms leading to lasting peace. The Secretary also thanked the Government of India and UNIFEM for hosting the meeting.

## Civil Society Response

### Bandana Rana, Vice-President, SAATHI

Ms Bandana Rana began with an assurance that the civil society in Nepal has a very good relationship and collaboration with the Government. Assessing the commitment of the Government, she pointed out that in Nepal, progress has been made and with the Constituent Assembly elections in April 2008, expectations are high. However, gaps still remain. As international focus shifts to Nepal, there is a need to ensure gender mainstreaming in all aspects.

Ms Rana said that as a mechanism for gender equality, gender focal points have been established in each Ministry, but they are often overloaded as gender is not mainstreamed. Contrary to the demand for a joint secretary post for the gender focal point, not much importance has been given. The Government has established the National Commission for Women, but it is yet to acquire an independent status and lacks resources. Ms Rana said the commission should be autonomous and better resourced and members need to rise above political affiliations and unite to take the agenda forward. Gender responsive budget and audit is a positive development. It has been initiated with the help of UNIFEM and others. However, there is a need to institutionalise this process and take it to the district level.

Ms Rana also said that in reality, implementing the provision of 33 per cent reservation for women is a far cry. Women's concerns were often missed and most task forces and committees did not include women's quota. Though Nepal has been a party to BPFA, CEDAW and CRC, implementation is very slow. Ms Rana also said that much of the funding is donor-dependent but the resources were not utilised fully. Moreover, given the volatile political situation, not many donors are willing to disburse their budgets. The Optional CEDAW Protocol has been ratified but gaps remain in implementation.

On the issue of legal provisions on violence against women, Ms Rana said the civil society has been active for the last 12 years. They drafted a bill on domestic violence with the new Ministry, but it is yet to be tabled. She said the civil society is hopeful that it would be brought in as an ordinance and later approved by the Government. The concept of violence has not been defined in the Peace Accord. There is an urgent

need for a Truth and Reconciliation Commission to ensure justice to women whose rights have been violated. There has been no consultation on streamlining the UNSCR 1325 in all the ministries, Ms Rana added. The civil society has been working to sensitise the Ministry of Peace which has the mandate to take 1325 forward. Zero tolerance on VAW in the workplace is an essential concept that needs to be streamlined. As the elections draw near, there is also an urgent need to address the issues of violence against women in politics. Besides, women in leadership positions in political parties are almost non-existent.

The Government also needs to set up shelters for women refugees and the internally displaced. The existing ones are run by the civil society. In terms of economic empowerment of women, Ms Rana said there has been a decline from 42 per cent to 31 per cent. There are more women in agriculture and a large section is also part of the migrating workforce. The Foreign Employment Act has been passed, but is yet to reach the womenfolk in the rural areas. Similarly, the Gender Equality Act was passed through vibrant lobbying from the civil society, but remains to be implemented. Ms Rana said the Property Rights Act is yet to be implemented in the rural areas. She expressed doubt about the 33 per cent reservation for women and added that it has to be thought through. Another gap in the Government policies has been the lack of emergency and disaster preparedness plan for women.

Referring to the Peace Trust Fund, Ms Rana said the civil society is waiting to see how the fund would be utilised to address women's interests. In conclusion, she said there is need to look at poverty and unless the concerns of the poor are met, the civil society will not be able to make a difference. She added that Nepal has a vibrant women's movement and they are behind the Government.

### DISCUSSION:

The issue of Gender Equality Law was raised. A delegate said such a law is unusual and asked if the private sector was covered under the provision. In response, it was said that the Gender Equality Law comprises all discriminatory laws which were listed together as a bill and tabled. For example, there were no provisions for maternity leave for judges in Nepal. All such provisions were compiled and called Gender Equality Law.

Another member asked about the amendment in the Citizenship Act to include women. In reply, it was pointed out that previously citizenship certificates could not be issued in the name of the mother. Now the names of both father and mother can be used.

The Chair also pointed out that civil society works as a conscience of the Government and the Government is happy to work with them. There are words and there are meanings and there is a need to thank UNIFEM for giving the opportunity for finding meanings.



Commission on the Status of Women was established in 2000, with a mandate to examine the relevance and efficacy of policies and programmes. The National Gender Reform Action Plan (GRAP) is the largest project on the portfolio of the MoWD. GRAP is expected to undertake a coherent gender reform agenda through a process of phased implementation with particular focus on gender mainstreaming in the following areas:

- Political Participation of Women
- Institutional Restructuring
- Women's Employment in Public Sector
- Policy, Budgeting and Public Expenditure Mechanism (Gender Responsive)
- Related Capacity Building Interventions.

## Pakistan

Presented by Mr Mahmood Salim Mahmood, Secretary, Ministry of Women Development, Islamic Republic of Pakistan

Session chaired by H.E. Mr Ahmed Shareef, Deputy Minister, Ministry of Gender and Family, Government of Maldives

Although women form half the population of Pakistan, their participation in the development process is much below the desirable level. Socio-cultural traditions reinforced by lack of access to opportunity and resources relegate majority of the women to traditional roles. In this regard, Mr Mahmood Salim Mahmood assured the meeting that the Government of Pakistan is making all necessary efforts to fulfill its national and international commitments to protect women's rights. As an active SAARC member, Pakistan hosted the Fifth South Asia Regional Ministerial Conference Commemorating Beijing Plus Ten in 2005. Efforts are being made to remove inequality/imbalances in all socio-economic development sectors in order to ensure women equal access to development benefits.

Additionally, in keeping with the provisions of the UN MDGs, there is an emphasis on the participation of women as equal partners in national development and decision-making processes in the community and society. This report highlights the actions taken by the Government and achievements for the political economic, social and legal empowerment of women.

### INSTITUTIONAL MECHANISM ON GENDER

The Secretary said that the Federal Ministry for Women Development was now more focused on women's issues and has assumed greater scope and mandate in this regard. At the provincial level, Women's Development Departments are functioning with similar focus. A National

GRAP has set up Gender Development Sections in six line Ministries/Divisions and is in the process of developing a sound monitoring and evaluation system. An amount of Rs 250 million has been allocated to all district level government bodies to create women-friendly facilities/services.

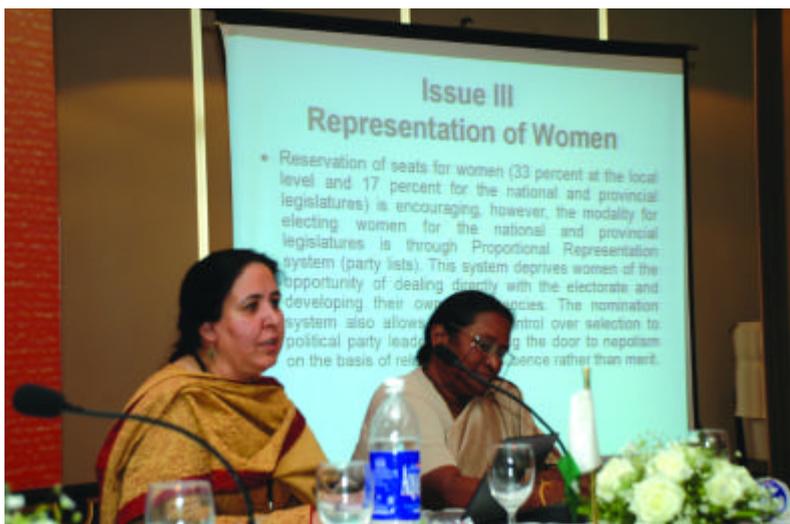
Under GRAP, a significant intervention of the Government has been the reservation of 10 per cent of seats for women in all public sector jobs.

The Government, with assistance from the Asian Development Bank, is implementing the Access to Justice Programme (AJP). A major focus of this programme includes institutional reforms, delay reduction in the courts and gender justice.

With assistance from the UNDP, the Planning and Development Division has completed a three-year project on Gender Mainstreaming. The project developed gender-screening tools for the stakeholders and has trained public sector officials in gender sensitisation and gender mainstreaming.

Mindful of the need to develop Gender Responsive Budgeting, the Government expressed its support in the draft Poverty Reduction Strategy Paper-II. The Federal Ministry of Finance and the Finance Department, Government of Punjab with the support of the Gender Responsive Budgeting Initiative project, have incorporated various gender-sensitive amendments in the Government's Medium Term Budgetary Framework Budget Call Circular (2007-08).

Many international donors are assisting the Government of Pakistan in building its capacity with ongoing local and international training. For instance, the Ministry of Development, with its increased role is being assisted by such international organisations as the German Technical Cooperation (GTC), UNIFEM, UNFPA, UNDP etc.



- Free legal aid to women provided through Government-run Women Centers
- Induction of Women Police Officers encouraged
- Crimes involving females to be investigated by a female police-investigating officer where available
- Around 1,300 women languishing in jails for crimes other than terrorism and murder released from jails on bail in 2006, under the Code of Criminal Procedure (Amendment) Ordinance, 2006.

The Government has also initiated community campaigns on Violence against Women. An amount of Rs 38,000 million for a period of 24 months (2005-07) has been allocated for the programme. Till June 2007, the MoWD had established 25 Women Centres in different districts of the country. These also act as temporary shelters. Free legal aid, medical aid, counselling and micro credit facilities are provided here. Steps are being taken to implement the CEDAW provisions. Pakistan's first, second and third consolidated report was submitted to the CEDAW Committee in 2005. The report was examined in 2007.

The National Plan of Action for Women has been implemented. It sets out 184 actions in twelve critical areas namely Women and Poverty; Education and Training of Women; Women and Health; Violence against Women etc.

The economic empowerment of women has been another objective of the Government. A Poverty Reduction Strategy Paper to alleviate poverty on a priority basis has been initiated. Several income-generation projects, like Crop Maximisation Project, Integration of Agricultural Research and Extension Activities, Introduction of Herbs as Crops, the Three-Year Training Programme for Rearing Livestock and Dairy Animals introduced since 2001-02 (under implementation) are expected to provide direct benefits to rural women. Under the National Fund for Advancement of Rural Women (Project Jafaquash Aurat), rural and informal sectors have been given priority. The First Women's Bank, run by women for women in particular, helps women to secure micro-credit.

Legal measures have also been adopted to facilitate women's employment. These include, the ratification of Convention 100 of ILO on Non-Discrimination of Wages on the basis of sex. Projects have been undertaken to strengthen the capacity of women in trade unions and chambers of commerce and industry. The minimum wage was enhanced to Rs 4,000 per month during the financial year 2006-07 and the Government has also allocated Rs 100 million for bonded laborers.

### POLITICAL EMPOWERMENT OF WOMEN

District Resource Centres for Women Councillors have been set up as a pilot initiative in 12 districts throughout the country. The objective is to provide physical space to elected women councillors, to facilitate their frequent interface and effective participation in decision-making at the local level. Women's

### ELIMINATION OF VIOLENCE AGAINST WOMEN

To ensure the empowerment of women, legal provisions have been reviewed and amended. The Criminal Law (Amendment) Act, 2004, has made honour killing punishable.

In 2006, an ordinance was promulgated by amending Section 497 of the Criminal Penal Code to grant bail to women in jails on charges other than terrorism and murder. Protection of Women (Criminal Laws Amendment) Act, 2006, has been enacted to provide relief and protection to women against misuse and abuse of law and to prevent their exploitation. This Act contains 30 important amendments in the existing Offence of Zina and Qazf (Enforcement of Hudood Ordinance 1979), the Pakistan Penal Code (Act XLV of 1860), the Code of Criminal Procedure 1898 (Act V of 1898) and the Dissolution of Muslim Marriages Act, 1939.

Draft legislations include the Domestic Violence Against Women and Children (Prevention and Protection) Bill, 2007. The draft bill has been forwarded to the concerned Ministries/Divisions/Departments for views/comments. To end harmful age-old customary practices like forced marriages, marriage with the Quran, Vani-Swara (giving a woman/girl in marriage for settlement of feuds) etc, a draft bill on the Prevention of Anti-Women Practices (Criminal Law Amendments), Bill 2006 is also in the pipeline.

Other significant initiatives in assisting/facilitating women victims of violence include:

- Establishment of a Gender Crime Cell in the National Police Bureau
- Human Rights wing working in the Ministry of Law and Justice
- Establishment of Separate Complaint Cells in police stations headed by women police officers where women victims of violence can register their complaints
- A National Committee on Prevention of Violence Against Women, headed by the Interior Minister and assisted by the Gender Crime Cell to monitor gender-based crime



Political School has been established for the training of women councillors, creating linkages between them and other organisations, and creating a local level resource pool for women councillors. It has trained 25,576 women councillors. In addition, 3,100 women councillors were given basic IT education in 43 districts.

### DISASTER PREPAREDNESS

The Gender Policy was developed in recognition of women, men, girls and boys affected by the October 2005 earthquake. Its intent is also to provide Earthquake Reconstruction and Rehabilitation Authority (ERRA) and the partner organisations, a framework that builds on existing commitments to gender equality in key documents and sectoral policies. This policy aims to ensure that sectoral strategies, programme implementation, monitoring and evaluation take into account gender considerations, thereby increasing the likelihood that the benefits of reconstruction and rehabilitation accrue to women, men, girls and boys, as well as to members of vulnerable groups.

Earthquake Reconstruction and Rehabilitation Authority and MoWD are collaborating on the establishment of Women Development Centres (WDC) for the rehabilitation of girls/women in distress.

ERRA has decided (within its given mandate of reconstruction) to offer financial support to construct WDCs in nine earthquake-affected areas. The recurring expenditure will remain the responsibility of MoWD up to a period of three years.

### HEALTH

The National Health Policy 2001 was the comprehensive guideline in the health sector. In 2005-06, the Government invested Rs 148.8 million on the AIDS Control Programme. Other measures adopted include a national screening programme for breast cancer. A 400-bed hospital for women and chest diseases has been established in Rawalpindi. Efforts are being undertaken to

control Tuberculosis through DOTS strategy. To improve the overall health of women and girls in rural areas, the Women's Health Project has been launched at the federal and provincial levels. Emphasis is being given to the population welfare programme through the formation of the National Commission for Population Welfare. An international Ulema Conference on population and development was held in 2005. During 2005-06 and 2006-07, 16 projects at the cost of Rs 15,496.311 million were launched.

### EDUCATION

A National Education Census 2005-06 was conducted for the first time in the history of Pakistan. A survey has identified the missing facilities in schools and the army has been assigned the task of addressing this gap. The Government has also taken steps to assert and involve the private sector and civil society in the financing, management and delivery of education services. The Academy of Educational Planning and Management has been entrusted with the major task of assisting the Ministry of Education in policy formulation. Non-formal community schools have been launched. The Madrassa Reforms (teaching of formal subjects in Deeni Madaris) project was adopted in 2002-03 to mainstream the Madrassa education system, through the introduction of formal subjects in the curricula.

Mr Mahmood added that Pakistan's next CEDAW report is due in 2009 and the Ministry will work on its timely preparation. He said the MoWD would continue its collaboration with international partners like GTZ, UNIFEM, UNPFA and UNDP for capacity building of the staff and officers, as well as review of policies and plans with a gender lens. The Secretary concluded with the assurance that the recommendations of the Delhi Declaration would serve as a basis for future consultation and agenda setting.

## Civil Society Response

**Ms Rukshanda Naz, Resident Director, Aurat Foundation**

Ms Naz endorsed the presentation of the Government but said there was a need to spell out the recommendations of the civil society. The MoWD is marginalised even within the national bureaucracy and its mandate is restricted. The Ministry needs additional resources, she added. A comprehensive draft of the Women Protection Bill, finalised through consultations with diverse stakeholders and representatives from different political parties, was presented by the Ministry, but its provisions were altered and weakened by the Law Ministry. The National Commission on the Status of Women, a long demand of the civil society, was established in 2000, but it does not enjoy independence and has limited influence to make a

difference. Resource and capacity strengthening is required. On the issue of political empowerment of women, Ms Naz said numerical representations in National Assemblies should not be the basis for the evaluation of political participation of women. Nevertheless, reserved seats have created space for women and have not hindered them. There is disparity in the amount one has to pay the political parties to acquire a ticket to fight elections – a man pays Rs 2,500 whereas a woman has to pay Rs 25,000. Moreover, women parliamentarians are not encouraged to spend their development fund in their constituency. Despite the odds, a notable achievement has been the positive shift in political participation where 50 women are contesting on general seats in addition to the reserved seats even though often women are selected on the basis of family member affiliation.

Ms Naz also pointed out that there is no mechanism in the country to collect sex disaggregated data. In fact, sex disaggregated data does not exist as the definition of work is problematic.

Another demand of the Civil Society is to accord recognition to home-based women workers and include them in the Labour Force Survey. She said the MoWD has initiated the process of consultation on home-based women workers, but it would closely involve the Ministry of Labour and Manpower to push for the HBWW Bill.

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Ms Naz also added that women and minorities are still discriminated on the criteria for witness. The Criminal Law Amendment Act has amended the Hudood Ordinances but the discrimination persists. It has failed to protect women from honour killing. The law has failed to remove main legal lacunas responsible for 'honour' crimes, i.e. the perpetrators still enjoy immunity through the waiver of retribution (qisas) and/or payment of compensation (diyat) by the heirs (wali) who are usually common descendant in the family, where most of the 'honour' crimes are committed. These include:

- The age of adulthood in the Zina Ordinance remains "18 years for a male, 16 years for a female or puberty"
- Testimony of female and non-Muslim citizens remains absent. This means that women cannot be eye-witnesses in the cases of zina (fornication) liable to Hadd, and non-Muslims can only be witnesses if the accused is non-Muslim.
- Non-Muslims cannot be a presiding officer of the court if the accused is Muslim
- The Hudood Ordinances are applicable on religious minorities which is a discrimination on the basis of religion.

A bill on the Prevention of Anti-Women Practices will be tabled before the Parliament. However, this is a watered

down version and punishment has been reduced from the previous provisions. An ordinance on Human Trafficking was passed in 2002, but it has failed to address the issue of internal trafficking and customary practices. Ms Naz also added that there is no mechanism to review laws affecting minorities. The law bans early marriage, but in many areas, such practices continue. There has been no appointment of a female judge in the High Court since 1994. The Domestic Violence Bill is still pending. Of the 25 crisis centres set up for women victims of violence, only 17 are working. Moreover, the quality of services is not up to the mark. There is need to train the personnel handling these centres, Ms Naz added. Often, the existence of Gender Crime Cells is not known and women cannot reach out to these cells. The laws of the country are still discriminatory with regard to citizenship. The foreign spouse of a Pakistani woman is denied Pakistani citizenship.

## DISCUSSION

A question on the role of the State to ameliorate the condition of women in conflict areas was raised. The delegate also enquired what recommendations of the CEDAW Committee were being implemented. The Secretary responded by spelling out the actions taken. He said a debriefing session on CEDAW reporting was held and the report of the Core Committee was translated in Urdu and disseminated. The Government has undertaken consultations on home-based women workers with diverse stakeholders and noted their demands. He assured that the draft policy on home-based women workers is being prepared. He said his Ministry has taken on board other Government departments like the Ministry of Interior for the review of 2002 Anti-Trafficking Ordinance. An inter-ministerial taskforce for the implementation of the Core Committee recommendations has been initiated. The MoWD is also holding meetings with other line ministries in this regard.

On the question of conflict areas, the Secretary said it is an international issue and a law and order problem. The priority of the State is to ensure the internal and external security of the nation.

Citing the case of changes in the Women's Protection Bill by the Ministry of Law, a delegate asked, how other Ministries could be engaged so that a commitment from the Government was assured. In response, the Secretary admitted that despite their efforts to engage other Ministries through consistent persuasion, gaps still prevail. However, they are trying to elicit the cooperation of other ministries.

On a question on the Government's intervention in Waziristan, the Secretary stated that it is the duty of the State to look after the internal security.



## India

Presented by Dr Kiran Chadha, Joint Secretary, Ministry of Women and Child Development, Government of India

Session chaired by H.E. Mr Ahmed Shareef, Deputy Minister, Ministry of Gender and Family, Government of Maldives

Dr Kiran Chadha began by saying that the Beijing Platform for Action was accepted in 1995 but India's journey towards gender equality started much before. Social reformers like Raja Ram Mohan Roy and Ishwar Chandra Vidyasagar fought against the practice of Sati and propagated widow remarriage. She also quoted India's first Prime Minister Pandit Jawaharlal Nehru, saying, "You can tell the condition of a nation by looking at the status of its women".

Dr Chadha said the extent of empowerment of women is determined largely by economic, social and political identity. It is only when all three factors are simultaneously addressed that the woman can be truly empowered. The Constitution of the country has not only accorded equality to women, but also empowered the State to adopt measures of positive discrimination in their favour.

The Joint Secretary said that in consonance with international shifts in the global paradigm from a growth-oriented to a human development approach, the Indian Government in recent years, has focused on women's empowerment and recognised this as the central issue in determining the status of women. The following sections list the actions taken by the Indian Government since the 2005 Islamabad Declaration.

### DEVELOP AND STRENGTHEN INSTITUTIONAL MECHANISM

Gender equality has been a key guiding principle of the National Common Minimum Programme that the

Government adopted in 2004. It has identified six basic principles for governance, one of which is to fully empower women politically, educationally, economically and legally. As a step towards this, an independent Ministry for Women and Child Development was created in 2006. An inter-Ministerial committee has been constituted by the Ministry to review laws and amend provisions that are discriminatory against women. The Government has also passed the Disaster Management Act in December 2005. It takes cognisance of the vulnerabilities of women and children in disaster situations.

### GENDER BUDGETING

The importance of Gender Budgeting has been emphasised in the Indian budgets. The Union Finance Minister in his budget speech of 2004-05 perceived the need for budget data to be presented in a manner that emphasised gender sensitiveness of budgetary allocations and mandated the setting up of Gender Budgeting Cells in 52 Ministries/Departments. These serve as focal points for coordinating both intra and inter ministerial gender budgeting initiatives for women in 27 Ministries and Departments in the 2006-07 budget, amounting to Rs 31,178 crore.

### ELIMINATION OF VIOLENCE AGAINST WOMEN AND GIRLS

#### Domestic Violence

The Domestic Violence Act 2005, mooted by the Ministry of Women and Child Development was enacted in 2006. This provides civil remedies to prevent domestic violence and protects against such violence by providing immediate and emergency relief to women in such situations.

#### Trafficking

A National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children was formulated in 1998 with the objective to mainstream and reintegrate women and child victims of commercial sexual exploitation. A Central Advisory Committee has been constituted with members from Central and State Governments, which are important as source, transit or destination for trafficking. The Ministry has also formulated a protocol for pre-rescue, rescue and post-rescue operations of victims of trafficking. It is formulating a National Missing Children Tracking System for speedy and effective restoration of missing, runaway, abducted or trafficked children back to their families. Certain Amendments are proposed to Immoral Traffic (Prevention) Act, 1956 to widen its scope to focus on traffickers and prevent revictimisation and make its implementation more effective.

A new comprehensive scheme, Ujjwala was launched in 2007 for prevention of trafficking and rescue, rehabilitation,

reintegration and repatriation of victims of trafficking. Rescue and rehabilitation would be through the setting up of special homes and provision of rescue costs, counseling, medical care, legal aid, witness/victim protection, education vocational training, networking with various stakeholders.

The problem of cross border trafficking especially of young children and women trafficked from Bangladesh and Nepal into India for the purposes of prostitution has been growing in recent years. A major problem faced is the repatriation of these victims to their country of origin after their rescue. To enable a humane and quick repatriation, UNICEF has been requested to initiate a rapid assessment of the existing processes and mechanisms concerning rescue. The Ministry of External Affairs has been requested to take steps to operationalise the SAARC Convention on Preventing and Combating Trafficking of Women and Children in Prostitution.

### **Female Foeticide**

One of the major problems faced is the persisting adverse female sex ratio which has declined from 976 in 1961 to 927 in 2001. This discrimination is mainly on account of the negative perceptions of society towards a girl child. In order to enable economically impoverished sections to retain their daughters, the Government has launched a Conditional Cash Transfer Scheme. The transfers will be provided directly to the family of the girl child (preferably the mother) on fulfilling four specific conditions – birth and registration of the girl child; immunisation; enrolment and retention in school; and delaying the marriage age beyond 18 years. Legislation to prevent pre-conceptual and prenatal sex determination and consequent female foeticide, the Pre Conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (PC and PNDT Act) is already in place. Measures to ensure adherence to the provisions of the act is being strictly monitored with stringent penalties and punitive action for all violations.

In the Eleventh Five-Year Plan under the aegis of the Integrated Child Protection Scheme, specially appointed cradle centres supported by the State are being set up where unwanted female children can be left. The State will ensure the well being of the child.

### **LEGISLATIVE MEASURES**

Besides laws to curtail violence against women, other legislations have been passed towards empowerment of women. A significant move has been the amendment to the Hindu Succession Act 1956, wherein daughters are recognised as coparceners and given equal right as sons in ancestral property. The Indian Penal Code and Criminal Procedure Code have been amended to prohibit arrest of women after sunset and before sunrise, and judicial enquiry is mandatory in case of rape in police custody.

### **ECONOMIC EMPOWERMENT OF WOMEN**

Through the National Rural Employment Guarantee Act, a programme to enhance livelihood security of households in the rural areas has been launched. It provides at least one hundred days of guaranteed wage employment in a financial

year. Every household whose adult members volunteer for unskilled manual work are eligible under this scheme. One-third of the jobs are reserved for women. Another major milestone has been the Self-Help Group (SHG) movement. It has reached an exceptional number of poor households since inception and has been recognised as the largest micro-finance programme in the world. Today there are more than three million SHGs with bank accounts. Micro-finance has emerged as an important tool to meet the needs of poor women. Rashtriya Mahila Kosh (National Credit Fund for Women) was established in 1993, in order to extend micro-finance services exclusively to poor women in the informal sector. It has pioneered a collateral-free alternative credit delivery mechanism to the women. Additionally, the Government is in the process of drafting a bill on social security for unorganised sector workers.

### **SOCIAL EMPOWERMENT OF WOMEN**

Recognising the importance of education and its impact on women and girls, especially as an agent of social change and empowerment, the Government has made elementary education a Fundamental Right since 2002. In pursuance of this objective, a major national programme for universalisation of elementary education, namely the Sarva Shiksha Abhiyan has been initiated. To contain the spread of HIV/AIDS epidemic, India has implemented programmes through the National AIDS Control Programme (NACP). Under the Eleventh Plan, Phase III of the programme will be taken up.

### **GENDER DISAGGREGATED DATABASE**

The Tenth SAARC Summit in Colombo in 1998 noted the need for a gender disaggregated database. An MoU was signed between SAARC and UNIFEM in December 2001 to promote the rights of women in the region and develop a SAARC Gender Database. The MWCD has been identified as the lead agency in India to take forward the SAARC Gender Database.

### **DISCUSSION**

On the issue of trafficking, the Honourable Minister Renuka Chowdhury was asked about the best practices in India that could be adopted as a guideline for the entire region. In response, the Minister said the Government was taking steps to protect the girl child from the womb. Ujjwala is one such scheme for the rehabilitation and repatriation of trafficked women to their home country. Half-way homes are being constructed in the border areas to shelter victims. She said the scheme could be replicated. She also said that prevention is a bigger role and hence, it is imperative to raise awareness and educate women. The Minister also called for conscious effort to raise the status of women and set a collective agenda.

On the declining sex ratio, a delegate said it was a problem in her country as well and asked what the Government of India was doing to redress it. In response, the Minister said killing the girl child in the womb is a reason for national shame in India and the rich and educated participate in this crime in large numbers. A national campaign is also being carried out. In this regard, religious leaders like the priest

of the Golden Temple in Amritsar have been roped in to spread awareness and stop the killing of the girl child. The Minister also spoke of the Palna Scheme where families who don't want girl children can leave them in the Palna and the State will ensure their well being. There is a huge paradox where most families want to adopt daughters while others are killing them. "I want to make sure our girl children live because of this paradox," she said. UNICEF and UNIFEM are partners in this effort.

Another delegate said in their country the Ministry of Women and Child is marginalised and asked what India's experience was in this regard. The Minister said, initially the Ministry of Women and Child Development was part of HRD. In 2006, when the Ministry was launched, she was ordered to take it up. Since then, it has ensured gender is a priority in all areas of the government. For instance, 53 other Ministries have gender budgeting cells and others too are falling in line.

Another delegate asked how the Ministry has ensured accountability from other Ministries. The Minister, in reply said, gender budgeting has become part of the budgeting procedure and is helping her Ministry. Most Ministries voluntarily offer 30 per cent for schemes to benefit women and often meet officials of the Ministry of Women and Child Development to decide the areas of allocation.

A delegate asked if the Government of India is using research institutions, doctors and ICT in combating female foeticide. The Minister said the matter was addressed with doctors. She added that technology was being used against women. The latest problem is the gender testing kits and the Ministry is working hard to ensure such kits are not imported. Studies show that in households where there are two girl children, the survival of the third girl child is 20 per cent. Yet, it's been an uphill task for the Ministry, for instance, in rural areas where the Ministry has made it mandatory, to register a pregnant woman to ensure she gets the required medical attention, NGOs criticise the scheme and say the Government is interfering. "I was invited to the Ramlila grounds and we made 20,000 people take oath to safeguard the girl child. We are telling them that the genetic pool is reducing. The issue is being dealt with at the level of a national emergency," she said.

The lack of budgetary allocation for HIV positive women was also raised. The Minister said that in all schemes undertaken by her Ministry, there is no discrimination for HIV/AIDS. They are all equally eligible.

Another member said that on issues of reservation, the men in her country often feel women want to take the place of men. How can seats be reserved for women and more women Ministers inducted into the National Assembly, she asked. In reply, the Minister said, "I want to congratulate you for your passion for the cause of women. The system will change if the women want change. Even in a democratic country like India, we had a lot of problems. If you saw the women who came in through the reservation quota, they were scared. Their husbands were taking decisions for



them in the constituencies. We have done extensive leadership and capacity building programmes. Your country has one woman Minister. Support her as it is not easy for her to survive in a male-dominated Parliament," she added.

## Civil Society Response

**Ms Ruth Manorama, President, National Alliance of Women (NAWO) and Women's Voice**

Ms Ruth Manorama said India has changed the discourse from welfare approach to human rights approach through these meetings. Women's advice is sought on all major global issues, not just women's issues. As the largest democracy, India has women Ministers at the federal level, but there is need for more representation. On economic empowerment of women, she said despite 9.5 per cent growth, the GDI shows only minimal improvement. Feminisation of poverty is apparent and there has been an increase in the number of women in the unorganised sector. The economic reform has had a negative impact and social security for informal sector is yet to be implemented. Another issue is the special economic zones which are encouraging internal displacement. The conversion of agricultural land into industries is also adversely affecting the condition of women.

Ms Manorama also raised the issue of security and rural development which are important particularly for women's access to health. Mortality rate, anemia, feminisation of HIV continues to be a major hurdle. On the Domestic Violence Act, she said there is need for visible strategies to help the victims. Curbing violence cannot be done only by legal reforms. Women's human rights should be upheld she added. She also proposed that the natural disaster work be engendered.

In reply, the Minister agreed there is need for more representation of women in the Government. Women are playing a major role in international peace processes. For instance, the CRPF's all-women team has made a huge impact in Liberia. "Civil society must recognise that they are not on the other side of the table. We have eight per cent growth. It cannot become 10 per cent without women becoming 50 per cent," she added.



## Sri Lanka

Presented by Ms Indrani Sugathadasa, Secretary, Ministry of Child Development and Women's Empowerment, Government of Sri Lanka  
 Session chaired by H.E. Ms Pampha Bhusal, Minister, Ministry of Women, Children and Social Welfare, Government of Nepal

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Outlining the importance of the Beijing conference, the Secretary, Ms Indrani Sugathadasa said Sri Lanka has undertaken numerous legislative changes, policy reforms, institutional developments and programmes in keeping with the BPFA. The biennial review meetings facilitated by UNIFEM has enabled the sharing of the developments among SAARC countries. Reporting on the status of the implementation of the Islamabad Declaration, she highlighted the actions taken by the Government and other partners from 2005-07.

Mahinda Chintanaya which outlines the policy of the present government which came to power in 2005, has special emphasis on gender equality through various measures.

Linkages between CEDAW, BPFA, MDGs and National Plans:

The Constitution of Sri Lanka (1978), guarantees equal rights without discrimination on grounds of sex and provides for affirmative action to ensure equal rights. Sri Lanka ratified CEDAW in 1981 without reservations. A Women's Charter was formulated in 1993 to ensure justice and equity and the recognition of gender equality in all areas of life.

The Ministry of Child Development and Women's Empowerment is the national machinery and the focal point of the Government in relation to achieving gender equity and equality. The National Plan of Action for Women, originally prepared in 1996 has been reviewed and updated in 2007. While using the rights-based

approach as the conceptual framework, the concluding remarks of the CEDAW, Beijing Platform for Action and MDGs have been taken into consideration in preparing the plan. A wider area of subjects has been covered including disaster preparedness, law and legal policy reforms and peace building.

### ECONOMIC EMPOWERMENT OF WOMEN

Despite an increase in employment and the resultant decline in the rate of unemployment, income inequalities in Sri Lanka have remained. Despite poverty alleviation programmes and increased economic growth (7.4 per cent in 2006, the highest growth since 1970), a significant segment of the population lives below the poverty line.

The fact that more than half the population are women, highlights the impact of the poverty status on women. Although female unemployment rate has decreased over the past few years (2004:12.8%, 2005: 11.9%, 2006: 9.7%) due to increased female labour force participation, women's unemployment remains significantly higher when compared to that of men.

Self-employment programmes for women have been strengthened through training, skill development, marketing assistance and micro-credit. The economic empowerment programmes implemented by the Women's Bureau in the Ministry of Child Development and Women's Empowerment are supplemented by programmes conducted by the Provincial Councils, Vocational Training Authority, Samurdhi, the Rural Development Ministry and several NGOs. Home-based programmes are also encouraged.

Access to credit is not a significant problem for women as many State and private banks offer micro-credit for small-scale enterprises. A new bank, Lanka Putra Bank was established in 2006, especially to assist small and medium scale enterprises. However, women still have problems in obtaining loans due to the attitude of bank officials.

All national surveys have shown that the labour force participation in the informal sector is always higher than in the formal sector. In 2006, of the 62 per cent employed in the informal sector, 32 per cent were women.

However, with the Government policy of eradicating poverty and programmes such as Samurdhi, positive change is envisaged in the economic empowerment of women. The Sri Lanka Action Plan 2008-15 of the SAARC Social Charter also focuses specifically on poverty reduction and concentrates mainly on vulnerable groups among low income families and reducing inter and intra regional imbalances and disparities, targeting the poorest of the poor.

## WOMEN AND HEALTH

The Secretary argued that there is no gender disparity in the health sector. Extensive provisions for maternal and child health are available, with a few exceptions.

Maternal mortality ratio is estimated as 43 per 100,000 live births in 2003 and 38 per 100,000 in 2004. This is the lowest recorded for the last few years. An important contributory factor is access of pregnant mothers to care. Over 90 per cent of childbirths take place in institutions with trained care. The Government provides both preventive and curative care free of cost. Approximately 95 per cent of pregnant mothers are registered with Public Health Midwives. The Family Health Workers (FHW) at local levels are engaged in this task.

However, teenage pregnancies are on the rise. Abortions have become a contributor to maternal deaths mostly among married women.

While mortality levels declined, some new health issues such as iron deficiency have emerged. At least 1/3 of pregnant mothers and 26 per cent of adolescent girls are affected by anemia and poor weight gain during pregnancy.

The Family Health Bureau and the Health Education Bureau of the Ministry of Health conduct extensive awareness programmes at the community level, educating pregnant mothers, young men and women and parents on community health and other specific health issues.

There are 350 Government-run Well Women Clinics which provide screening services in relation to hypertension, diabetes, breast malignancies and cervical cancers.

Free health facilities – both primary health care and curative services are made available in areas under LTTE control.

## GENDER EQUALITY IN EDUCATION

Sri Lanka has achieved gender equality in access to general education as a consequence of the introduction of free education in 1945 and the provision, since then, of incentives such as scholarships, free textbooks, uniform materials and a free mid-day school meal in disadvantaged schools.

The MDG of universal primary education has been nearly reached, as around 95 per cent of children are enrolled in primary grades. The drop out rate is lower for girls.

There is gender equality in access to university education. The percentage of women students has increased from 50.9 per cent in 1997-98 to 52.8 per cent in 2004-05 and the total enrolment of women has increased from 45.7 per cent to 54.3 per cent. However, women are under-represented in engineering (18.5 per cent) and information technology (25.4 per cent). This may be due to gendered perceptions that technology is an area for males. However, a change is

apparent in recent years on enrolment in computer courses, but it appears that most women students are enrolled in relatively low-level skilled courses, such as word processing, so that gender gap remains.

Women form one third of the participants in vocational training courses, but only a few have opted for technical study. It is necessary to counter this impact through gender sensitisation of students and educational personnel. The elimination of gender stereotypes reflected in education materials and social climate of educational institutions, and the development of gender sensitive activities and teaching, learning processes and any other strategies will promote the social, economic, political empowerment of women.

The Education Sector Development Framework Programme in 2006 and the Ten Year Horizon Development Framework, 2006-16 focuses on four themes equity in access to education; improvement of the quality; efficient resource allocation and strengthening education governance and delivery of services.

## INSTITUTIONAL MECHANISMS

The Ministry of Child Development and Women's Empowerment operates as the national machinery with the National Committee on Women (NCW) and the Women's Bureau (WB) functioning as two arms of the Ministry, at policy and implementation levels respectively.

Although Women's Affairs is not a devolved subject, it is incorporated in the provincial Ministries along with other portfolios such as youth, social services or education. Gender Focal Points have been set up in all Ministries in order to establish an effective gender mainstreaming mechanism. The Ministry of Child Development and Women's Empowerment coordinates with all focal points and holds regular meetings. However, since most officers are transferable, it hampers progress in gender-mainstreaming.

A new cadre of three hundred and twenty five Women Development Officers (WDOs) was appointed in 2005. These officers are attached to each Divisional Secretariat and assigned the task of implementing gender programmes and activities and coordinating gender mainstreaming work at the divisional level. Some 115 Relief Sisters have also been appointed to assist WDOs.

A Women's Caucus in the Parliament comprising female MPs representing different political parties was established in 2006. The idea was to ensure support for engendering legislation. A positive development in this regard has been the recommendation to the parliamentary Select Committee on Electoral Reforms. The report of the Committee tabled in Parliament in July 2007 incorporated this recommendation, and suggested that legal provisions be formulated to increase political participation of women.

A programme is being drawn up to raise consciousness among policymakers and Parliamentarians on the MDGs.



Highlighted in the agenda is the third goal which deals with Gender and also includes sessions on Health,

Environment Sustainability, Water and Sanitation which are also relevant to women.

Although institutions are in place, there is a gap between policy and practice in the promotion of gender equality. The WDOs are an important link in the gender mainstreaming process. They coordinate the activities of Women's Societies and Pradeshiya Bala Mandalas, the umbrella organisation for women's societies at the divisional level. The capacity building of the WDOs was essential as they lacked knowledge and experience on gender at the recruitment level. Here, the financial assistance provided by UNIFEM to the capacity building programme for WDOs in 2006, is gratefully acknowledged.

Lack of gender disaggregated data is a serious problem as it has impaired the development of policies and programmes as well as policy changes on gender.

### **POLITICAL EMPOWERMENT OF WOMEN**

Women's representation in legislative bodies is extremely low; i.e. only 5 per cent of MPs and 2-3 per cent of local authorities are women. There are only three female Cabinet Ministers out of 55 and very few heading local Government bodies.

The reasons for low participation are complex. The multiple roles and time constraints of women, socio-cultural norms of male leadership, lack of democracy in parties, lack of funds and the prevailing climate of violence limit the number of women who come forward to contest elections. Despite commitment and other provisions, women remain under-represented at all levels of political activity, except as voters, where they outnumber men.

The National Plan of Action for Women (NPA) (2008-12) has addressed this issue under three broad categories: initiatives to ensure equal participation in all decision making positions in the public and private sectors, increase

women's representation at all levels of policy and governance; and remove discriminatory traditional practices, stereotypes and perceptions that prevent women's representation in positions of power and decision making.

The Ministry, NCW and some NGOs have launched several programmes to increase women's participation in politics. This includes forum discussions, training programmes in leadership and governance and media. Capacity building of potential women candidates is important, as the common excuse for political parties is non-availability of suitable women candidates. Before the 2006 Pradeshiya Sabha elections, the Ministry's request to political parties to nominate at least 25 per cent women candidates was ignored. Consequently, the Ministry has submitted a cabinet memorandum to amend the Parliament and Local Government Acts to provide legal provisions to ensure that at least 25 per cent women are nominated in provincial/local Government elections.

The Ministry, in partnership with UNDP, has embarked on a project to improve women's leadership skills and raise awareness on women's political rights. This programme will be implemented in 2008.

### **VIOLENCE AGAINST WOMEN**

Violence Against Women (VAW) including physical, emotional and sexual violence has become a serious problem in Sri Lanka despite various remedial measures taken by the Government as well as the NGOs.

The reasons are somewhat similar to all South Asian countries. Other than general poverty, where women have to bear the sole responsibility of upkeep of the home and are often blamed for deprivations, gender inequality in male-dominated family relations is a major cause for Violence against Women. Gender role assumptions are another reason.

The Prevention of Domestic Violence Act (DVA) was passed by the Parliament in 2005. This legislation is useful in combating the issue and can be used as a tool to create awareness that violence in the home should not be tolerated. In this regard, the Ministry has opened two shelters for the aggrieved in Colombo and Kalutara districts in 2007. In addition, 14 counselling centres were also opened in 2006.

Although the Act was passed two years ago, many people including law enforcement officers, civil society and media are still not aware of it. The NCW has prepared an Action Plan to implement a series of programmes to monitor and coordinate the effective operation of the DVA.

Another form of violence, sexual harassment, is on the rise. Although recognised as a criminal offence, there is a

lack of awareness on the seriousness of this offence. The Ministry with the support of the Human Rights Commission took initiatives to form Sexual Harassment Investigating Committees in all Ministries, Departments, Statutory Boards and Public Companies. These Committees are in operation since 2006 and the Ministry holds review meetings with them.

Some Government organisations and NGOs have implemented programmes to eliminate sexual harassment. The Sri Lanka Transport Board together with the Women's Education and Research Centre launched a campaign last year to combat sexual harassment in public transport.

The Human Rights unit of the Sri Lanka Army has an ongoing programme on Gender, International Convention on Violence Against Women and Women's and Children's Rights in situations of armed conflict.

The Legal Aid Commission, a statutory body funded by the Ministry of Justice provides legal assistance to victims of violence. The Legal Aid Commission is at present carrying out a statistical study on domestic violence.

Awareness of Public Interest Litigation was organised by the Ministry of Constitutional Affairs and members of the Judiciary have been sensitised on its importance in the promotion of gender justice.

## CONCLUSION

Despite the Women's Charter of 1993 the law has not been able to provide the necessary protection for women's rights. The law alone is not sufficient. It needs an effective mechanism for enforcement. The Ministry of CD & WE with the support of NGOs has tried to mainstream gender in the Line Ministries through the Focal Points. Despite these efforts, the impact was not satisfactory. There will be no progress without incorporating gender equality requirements into the National Plan and allocating resources through the annual budget. The Government of Sri Lanka will continue its efforts to achieve gender equality despite all these constraints.

## Civil Society Response

**Dr Sepali Kottegoda, Director, The Women and Media Collective**

Speaking on behalf of the Civil Society of Sri Lanka, Dr Kottegoda said the National Committee on Women (NCW) first drew up the National Plan of Action (NPA) with the collaboration of NGO representatives in 1996. It follows critical areas of concern of the BPPA. One of the challenges in the implementation has been the fact that it remains largely outside the overall planning process of Government Ministries and hence not integrated into their annual plans and budgets.

The drafting of the Women's Rights Bill was initiated in 1999 as a collaborative effort between the NCW and NGO

representatives. Its focus is the setting up of an independent and powerful National Commission on Women. The NGOs have consistently been very clear in their demand that the body should be autonomous and empowered to promote and protect the rights of women across class, religious, ethnic, regional identities.

Revising of the Land Development Ordinance has been recognised as an urgent need by Civil Society for a number of years. The current provisions discriminate against women's ownership and control over land, as the concept of the 'male head of the household' dominates the conditions of distribution of State lands. Women's groups, together with Cenwor are continuing efforts to advocate for changes to these provisions which would ensure that women have equal rights to ownership of lands distributed by the State. This has also been the key concern of women's groups involved in providing assistance to the tsunami-affected. Since the official policy is in favour of the male head of household, women victims of the tsunami may be denied legitimate compensation. Large sections have been displaced in the renewed military engagements between the Government and LTTE over the past two years in the northern and the eastern parts of the country.

There are reports of high incidence of under-age marriages among these displaced communities. This trend was also noted in 2005-06 among the displaced as a result of the tsunami.

There is growing concern especially among NGOs which work on issues related to women and conflict, about the conditions of life for displaced women both in the Government-controlled and LTTE-controlled areas. Increased militarisation and recruitment of young men into home guards and paramilitary forces in the conflict affected areas has resulted in the increase of guns in villages raising serious concerns about violence in homes and intimate relationships. Child recruitment by the LTTE and other paramilitary groups is reported to continue unabated. Widows have emerged as a specific concern group following the conflict.

Many women's groups have been engaged in advocacy for peace and have been urging both Government and the LTTE to return to negotiations for the resolution of the ethnic conflict. 2006 saw weekly peace vigils in Colombo, initiated by women's groups and attended by many other concerned Civil Society organisations.

Although the Domestic Violence Act was passed in 2005, after a strong campaign by NGOs and support by the Ministry of Justice and the Ministry of Women's Affairs, there remains a lacuna in the use of the provisions of the Act among law enforcement authorities, legal professionals and the public. Research and complaints received by institutions working with women affected by domestic violence record a significant link to marital rape. The Women and Children's Desks at police stations need to be strengthened, both in terms of resources and trained personnel. Dr Kottegoda also pointed out that there have been very few prosecutions since the Act was passed in 2005. Sexual harassment in the workplace remains largely hidden or overlooked despite ILO

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supported guidelines. There are no comprehensive statistics on incidence of VAW. There are delays of 9 and 12 years before cases of sexual violence (rape/incest) are concluded, due to the two-tier enquiry system (non summary enquiries and high court trials) in the country. Very few hospitals have medical officers designated to examine violations of sexual abuse. Only Junior Medical Officers have the required training; according to practicing lawyers, these are very few in number.

In the sphere of economic empowerment of women, there are high levels of literacy and education and unemployment of women has reduced from 17.7 per cent in 1996 to 10.1 per cent in 2006. Most women workers remain classified as unskilled or semi-skilled, placed mostly in the lower echelons of the labour market. There are many micro-credit interventions being advocated by a range of organisations, however, the long-term benefits of these interventions remain unclear. The feminisation of poverty is apparent in the fact that about 80 per cent of the participants in State poverty alleviation programmes are women.

Approximately 21 per cent of households are female headed. This is excluding the conflict-affected north and east of the country. Social norms and state policy, largely exclude men or overlook men's roles within the family specifically in relation to housework and childcare. Given the increased economic burdens on the households as, for example, the rapidly rising cost of living, this places an unfair and at times unbearable burden on women, who are expected to continue to look after their families as well as engage in income earning activities. Women also form the majority of overseas employment migrants.

Sri Lanka has a fast ageing population and women have a longer life span than men. There is inadequate focus on these issues, for example, in relation to the onset of menopause. The total number of widows far outnumbers the widowers (5.5% widows compared to 0.9% widowers). These comprise war widows, tsunami widows as well as those living in other parts of the country. This requires social welfare, economic security, as well as reproductive health programmes especially for this segment of the population.

In the area of political empowerment, Dr Kottegoda pointed out that Sri Lanka has less than five per cent of women in Parliament and a lower proportion of women in provincial or local Government institutions. A number of women's groups have periodically supported women to be trained in local Government administration. There has been support to interested women's groups to contest elections at the local government and provincial level.

Sri Lankan women's NGOs are engaged in the discussions that have taken place on the restructuring of the gender architecture of the UN. In 2006, they drafted a Sri Lanka Position Paper which clearly argued for a strong unit to support women's empowerment and advocated the strengthening of UNIFEM as the key agency in this regard.

## DISCUSSION

A question was raised on the role of other ministries in the implementation of NPA. In response, the Government representative said each Ministry has its own mandate and hence, are overloaded with work. There is no personnel to look after NPA implementation in other Ministries so focal points were appointed. But that too has not been satisfactory.

Another delegate raised the issue of the Human Rights Commission and how it could be used effectively if NCWs are not functioning in a proper manner. In reply, it was said that there were issues with regard to the functioning of the human rights commission in Sri Lanka. She added that the civil society was very keen to get the bill on the NCW passed but some changes were made and it's autonomy was curbed.

Another question raised was with regard to the definition of a widow. If a woman's husband has disappeared, is she considered a widow and hence eligible for widow's pension? In response it was said that in an event of disappearance there is welfare provision for the women. But the procedures for declaring a missing person dead are difficult.

# Panel Presentation: Peer Learning



**Session Chaired by Dr Kiran Chadha, Joint Secretary, Ministry of Women and Child Welfare, Government of India**

## **CEDAW REPORTING AND IMPLEMENTATION PROCESS**

**Mr Mahmood Salim Mahmood, Secretary, Ministry of Women Development, Islamic Republic of Pakistan**

In 1996, Pakistan acceded to CEDAW, thereby entering the world committee of nations. The Initial Report was submitted in 2005. Prior to its appearance before the 38th Session of the CEDAW Committee in May-June 2007, the Ministry of Women Development sought the help and experience of UNIFEM to prepare for the reporting. Thus, a peer learning meeting on CEDAW reporting and implementation was facilitated. This helped the Ministry in acquiring greater clarity about procedures and practical follow up on CEDAW. The Secretary said, it clarified their role and obligation on how to present the case of Pakistan, in a straightforward manner without any fear or being defensive.

The reporting, which began on May 26, 2007, was an interactive seven-hour session with questions being asked by experts. The Secretary, Mr Mahmood Salim Mahmood headed the delegation, answering questions to their satisfaction. Subsequently, the Secretary has held a debriefing session with Civil Society and donors and is working with UNIFEM to address the obligations raised by experts of the CEDAW Core Committee. The Ministry is also trying to involve other Ministries including Law, Justice, Labour, and Health to implement the Concluding

Comments of the CEDAW Committee and develop a road map for the future.

## **GENDER BUDGET INITIATIVES IN NEPAL**

**Mr Punya Prasad Neupane, Secretary, Ministry of Women, Children and Social Welfare, Government of Nepal**

Nepal ratified CEDAW in 1991 and the Optional Protocol in 2007. In keeping with these provisions, a Gender Responsive Budget (GRB) was identified as the key to expedite the implementation of BPFA, CEDAW and MDGs.

The main reason for adopting GRB was to attain the goal of women's empowerment and gender equality, institutionalise the gender perspective in public budgets and make changes in budgeting and planning instruments. Additionally, there was also the need to narrow gender gaps in public employment, and guarantee that public policy is firmly grounded in a model of society focusing on quality of life, where women and men would be viewed not only as resources for production, but fundamentally as people entitled to well being.

Three dimensions of GRB include gender sensitivity in revenue policy, gender responsive budget allocation and the impact of expenditure on gender allocation. It involves reprioritisation rather than an increase in the overall expenditures. Under this provision, programmes are reoriented.

It was during the 9th Plan that the Government accepted the principles of GRB. A UNIFEM/IIDS-sponsored Study on Gender Budget Audit was undertaken in Nepal in 2002. The UNDP sponsored Mainstreaming Gender Equity Programme was also conducted.

Gender Budget Committees (GBC) have been set up in various Government departments. Its work involves reviewing and monitoring the patterns of budget allocation and implementation to make budgets gender responsive. It also evaluates public expenditure from a gender perspective. The committees have also been involved in orienting gender focal points and planning divisions of sectoral Ministries responsible for budgeting. It also

disseminates information on GRB in order to provide inputs to the Government to ensure that budgets are gender responsive.

The activities of the GRBC includes preparing and disseminating IEC materials on the importance and approach of GRB; conducting orientations/workshops for various levels of Government officials on initiating the planning process using a GRB approach.

It has conducted Gender Budget Audit in the Ministry of Labour and Transport Management and Ministry of Forest and Soil Conservation. The Committee has also helped in developing gender audit guidelines.

The Government has established quality indicators for gender budgeting and there has been widespread impact of GRB. Auditing and Monitoring Unit, Legal Protection Committees in all districts, and a National Fund for girls' education have been set up. There has been an increase in the allocation of funds in education and health-related programmes for women. The move has also helped envisage programmes to combat violence against women. The Government is working to invest more on reducing poverty among women and allocate more funds in women-friendly technology. There is a need to ensure budgetary provisions address the issues raised by CEDAW and implement the National Plan of Action on the 12 concerned areas as identified by the BPFA.

## SAARC GENDER DATABASE

### Dr Rinchen Chopel, SAARC-UNIFEM Technical Group

The SAARC Secretary General launched the G-Data Shop at the inauguration of the Sixth South Asian Regional Conference on January 17, 2008. It has been uploaded on the SAARC website. Efforts to establish the Data Shop goes back to the Tenth SAARC Summit in Colombo in 1998 where the heads of states noted that a gender disaggregated database would be a valuable means of assisting the formulation of national and regional policies and programmes with respect to women and the girl child.

In 2001, an MoU was signed between SAARC and UNIFEM where they agreed to cooperate in assisting member states to strive towards gender equality and women's empowerment. Another objective behind this move was to promote mutual learning for effectively tackling the challenges relating to gender discrimination, women's human rights and women's participation.

To initiate the process, a brainstorming meeting was held in 2004 between SAARC, UNIFEM, gender advocates and technical experts to determine the scope, content, methodology and processes required to set up and take forward the SAARC Gender Database. It was agreed that the unique databank would comprise both quantitative data, and qualitative information, to enable a better understanding and interpretation of statistical information, thus enabling policy advocacy for gender equality. Three themes were prioritised: Feminisation of Poverty, Health (including HIV/AIDS) and Violence Against

Women (especially in trafficking cases).

The idea is to develop a regional resource database by collecting, processing and analysing all relevant gender-related information in the region. This would enable advocacy with national governments and international agencies for the introduction of a gender perspective in governance and bringing about greater gender equality, equity and sustainable development. Secondly, the objective has also been to catalyse gender mainstreaming in the region by enabling, informing and influencing Governments to develop appropriate and gender-sensitive policies, programmes and plans, using the vast reservoir of gender-related information.

As part of the capacity building initiatives, a SAARC-UNIFEM Technical Group was constituted to provide institutional capacity to take the SAARC Gender Database forward. This group conducted Round Tables in seven of the eight member states (the consultation with Afghanistan will be undertaken shortly) and a two-day Training of Trainers Programme in January 2008.

A pilot phase of six months has been announced which consists of:

- Finalisation of prioritised indicators for the statistical database which will be provided by the member states within three months (by mid-April 2008)
- Collection of qualitative data by the member states will commence with immediate effect
- Uploading qualitative data on the G-Data Shop during the pilot phase by the SAARC Secretariat
- Formats for data entry will be developed by the SAARC-UNIFEM Technical Group and sent to the member states through formal channels by mid-February 2008.

## MAINSTREAMING GENDER IN NATIONAL DEVELOPMENT PLANNING

### Dr Chandra Bhadra, Associate Professor, Tribhuvan University, Kathmandu

This study, undertaken by UNIFEM and the Government of Nepal analyses the process of engendering of national development planning since 1994-95. It recommended gender mainstreaming in macroeconomic and sectoral planning, and engendering the national accounting system and legal framework.

Efforts to engender the 2001 Census were evident. Census officials at different levels were sensitised and gender mainstreaming carried out in four sectors: Agriculture, Industry, Service and Household. Census schedules were engendered by incorporating sex disaggregated variables and variables having gender concerns. There was also the inclusion of 20 per cent women enumerators.

In Nepal, the Women's Bill formulated by a legal task force in the Ministry of Women & Social Welfare (1996) was tabled in the Parliament in 1998. It was the most debated bill in the history of Nepal. After several demises and reincarnations in Parliament, it was finally passed as an Act in 2002.



Agriculture, Population and Energy Perspective Plans were engendered through 1995-2004. Gender Assessment and Gender Budget Audit of sectoral agencies like the Ministry of Education, Ministry of Agriculture and Cooperation, Ministry of Health, Ministry of Women, Children & Social Welfare, Ministry of Local Development, Ministry of Science & Technology and Environment and Ministry of Forestry and Social Conservation was undertaken between 2002-06. To ensure that GRB initiatives are implemented, UNIFEM placed a Gender Responsive Budget Expert in the Ministry of Finance. A committee has also been set up in the Ministry.

The Study also outlines new initiatives. The Gender Equality Act (2006) was passed by the Interim Cabinet. Gender Equality and Women's Empowerment Policy has been made part of the Interim Plan (2008-11). The Zero Tolerance Policy on Violence Against Women is being deliberated upon.

The study advocates mainstreaming gender in peace initiatives by implementing the UN SCR 1325. It also calls for gender mainstreaming in the Truth and Reconciliation Commission Bill. Women's representation in the Constituent Assembly should at least be 33 per cent in first-past-the-post system and 50 per cent in the proportional representation system, which ensures the formulation of a gender responsive Constitution.

## **ENGENDERING THE PLANNING PROCESS IN INDIA**

**Prof Pam Rajput, Convenor, Think Tank**

The development agenda in South Asia is set through Five-Year Plans (FYP), which determine broad directions and priorities. Prof Rajput stated that women's voices and perspectives must inform these policy documents and the plans should reflect the concerns of both women and

men. Therefore, engendering of plans is critical. In India, the process of engendering began with the Ninth FYP (1996) after Beijing with the UNIFEM initiative. In addition to Beijing, there was the Outcome Document of the Special Session of the GA (2000), the Millennium Summit and Millennium Development Goals (2000) and the Monterrey Consensus which advocated the engendering of policies.

The BPFA advocated, among other things, a major focus on mainstreaming gender in policies and programmes. In the Outcome Document 2000, the General Assembly called upon Governments to incorporate a gender perspective into the design, development, adoption and execution of all budgetary processes, as appropriate, in order to promote equitable, effective and appropriate resource allocation and establish adequate budgetary allocations to support gender equality and development programmes. The Monterrey Consensus highlighted the importance of a holistic approach to financing for development, including gender-sensitive development, and encouraged the mainstreaming of a gender perspective into development policies at all levels and in all sectors.

Over the years, there have been shifts in the approaches to planning in India. The first FYP adopted a welfarist approach. There was a shift to Women and Development (WAD) approach in the Sixth FYP. By the Ninth FYP, engendering and the empowerment of women were emphasised. A Women's Component was added to the Plan. UNIFEM had a big contribution in this change. They worked in tandem with the Department of Women and Child, Ministry of HRD and the Planning Commission. Regional consultations were held to bring on board voices of women at the grassroots.

Engendering of the Eleventh FYP has largely been a Civil Society initiative coordinated by the National Alliance of Women. The process has been steered by the Think Tank, a group of representatives of women's organisations, activists, researchers and academicians. Regional consultations were held, interfacing with the Planning Commission. Cross-sectoral and overall recommendations were presented with an emphasis that gender equality and gender justice be articulated as one of the central principles of the Eleventh Plan. There was a demand for engendering the development process and strengthening links between economic growth and gender justice. The importance of an integrated and inter-sectoral approach was underlined. Restricting the focus to "women's issues" would yield limited results.

In conclusion, Prof Rajput said the engendering process should be institutionalised. Work is in progress to take the process to the state level. Preparations for the Twelfth FYP are on.

# Technical Presentation: Substantive Equality and Gender Justice in South Asia



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## THE CONCEPT OF SUBSTANTIVE EQUALITY AND GENDER JUSTICE IN SOUTH ASIA

Presented by Prof Savitri W.E. Goonesekere, Professor emeritus, University of Colombo  
Discussant: Ms Indira Jaising, Lawyers Collective (Women's Rights Initiative)

In her presentation, Prof Savitri Goonesekere examined the evolving concept of substantive equality and its implications for South Asia, a region where, despite some gain, the stark reality of gender-based discrimination is still all pervasive. Substantive equality has emerged from a constricted concept of formal equality of treatment to become a strategy for evaluating gender outcomes of laws and policies. It recognises the importance of context and disadvantage in determining the norm of equality, encourages the State to move beyond formal equality and introduce measures that address unequal outcomes and indirect impact of laws and policy initiatives.

Substantial equality's conceptual focus on reference to outcome and result has special relevance in addressing disadvantage based on sex. The scrutiny of gender neutral formal laws, policies and programmes that treat men and women alike (as per the principle of formal equality) becomes necessary to evaluate whether or not they will accelerate gender equality. This, Prof Goonesekere argues, is particularly important in South Asia for issues like poverty alleviation,

responses to conflict and natural disaster, access to land, violence, taxation, social security and employment, where formal laws and policies that are gender neutral can, in fact, impact to further disadvantage and disempower women. The gap between norms and implementation in South Asia is a reflection of the limitation in focusing exclusively on formal equality.

Substantive equality is thereby linked with the human rights-based approach to gender equality, and making the connection to this concept is essential to accelerate balanced development and achieve gender justice. This principle has been incorporated into the jurisprudence and interpretation of women's rights under the CEDAW Convention. The CEDAW Committee has constantly drawn the attention of State Parties to define gender-based discrimination in harmony with Articles

1,2,3 and 4 of the Convention that require States to eliminate both discrimination of effect and purpose and initiate measures to achieve a standard of both de jure and de facto equality. In fact, the Committee's most recent General Recommendation No 25 on Article 4, interprets equality as including substantive equality rather than the traditional concept of sameness and difference by reference to a male standard of equality of access and opportunity in the public sphere. This General Recommendation requires countries that adopt gender neutral laws and policies which treat men and women, boys and girls, in the same manner, to eliminate discrimination and disadvantage that results from their impact.

Prof Goonesekere's paper discusses the challenges and considers the scope for integrating this concept in South Asia – after tracing its evolution in the context of historical American jurisprudence (that privileged formal equality) and the robust challenges of feminist theory that proposed the more expansive notion of substantive equality. To begin with, CEDAW is a binding international treaty for every country in South Asia; several countries have reported regularly under CEDAW while Bangladesh, Maldives, Nepal and Sri Lanka have ratified the international complaints mechanism under the Optional Protocol of CEDAW. Bangladesh, India, Pakistan, Sri Lanka and Nepal are bound by ILO instruments on equal remuneration and discrimination in employment and are committed to its norms on core labour standards. All countries have ratified

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the Cairo Plan of Action and the international covenants on human rights. Consequently, a basic international and national framework of standards of gender equality is in place in all countries. It has become difficult for Governments to argue that a local standard of gender equity rather than equality must be the determining concept in law and policy reform. Each country has developed gender equality action plans, established gender management systems and initiated law reform, impelled by the vibrant women's groups that have engaged constructively with Governments.

However, the reality of continuing discrimination is in stark contrast to these achievements. Women are perceived in poverty programmes as vulnerable groups needing assistance rather than people with human capacity and a right to national resources including land. Access to basic health including reproductive health services and responses to HIV/AIDS remain inadequate. Women perennially face threats to livelihoods. Infrastructure projects on roads, water and sanitation sometimes undermine women's economic productivity and access to markets and even facilitate trafficking. International trade agreements have led to the closure of garment factories, resulting in loss of jobs and retrenchment. Privatisation can impact job losses among women in formal areas of employment. There are discrepancies in wage structures and exploitative working conditions continue to be prevalent in industries regulated by law, as well as in unregulated sectors like domestic service or subcontracting linked to home-based work.

In countries affected by national disasters, women are being marginalised in livelihood programmes, allocation of housing and shelter, and access to land and other resources for recovery. The concept of the male-headed household is often reinforced in disaster management so that women do not receive their entitlements in cash, land, or housing. Further, resources for law enforcement are inadequate while gender bias is evident in judicial attitudes and among prosecutors and law enforcement agencies which perpetuate social customs and traditions that legitimise and contribute to high incidence of domestic and community violence. Discrimination and violence continue to be perpetuated in the name of religion and culture. A combination of religious fundamentalism, prevalent male-biased modes of alternative and informal methods of dispute settlement, and a lack of voice by women in fashioning religious and cultural norms continue to hamper government performance on the commitments undertaken under national constitutions, and international treaties and standards.

To address these challenges, Prof Goonesekere argues that countries should pursue constitutional reform and adopt legislation that produces a definition of gender-based discrimination which corresponds to the standard of substantive equality. South Asian constitutions have recognised the need to move toward substantive equality well before the transition was made in the US, as may be seen in the case of affirmative action provisions. But the limited use of constitutional provisions on affirmative action has prevented the introduction of gender-sensitive

laws and policies to enable women to access land, housing, education and management positions in public and corporate sectors. Affirmative action enables Governments to proactively address the reality of disadvantage, which substantive equality seeks to address.

Prof Goonesekere outlined certain strategies to realise substantive equality. She contends that international commitments on women's rights have to translate into national plans, governance and administration. National plans on gender equality do not guide drafting of national planning documents. It is necessary to create gender expert posts within Finance and Planning Ministries to scrutinise national plans. Strengthening data processes and developing quantitative and qualitative gender disaggregated data through the UNIFEM supported SAARC initiative can become a vital element in development planning. Judicial training for lawyers on emerging positive jurisprudence that recognises women's inheritance, access to education, labour standards, outcomes of public interest litigation in this area would be helpful. Ratification of the Optional Protocol of CEDAW can sensitise the judiciary and the bureaucracy on the need to integrate a rights-based approach. Mainstreaming human rights education programmes in business, law, and medical schools and continuing human rights programmes for judges, civil servants, armed forces and law enforcement agencies should be insisted on.

Corporate social responsibility has enabled multinationals and major corporations to undertake projects to realise women's rights. Prof Goonesekere says including the crucial business sector is an essential dimension of a right-based approach to accelerating equality, especially since globalisation entails a reduced role for the state and the growth of a deregulated economy. She says 'Goal 8 target 12 of the MDGs on framing a global partnership in development and a non-discriminatory trading and financial system should be linked with CEDAW and BPFA para 528 commitments, to bring international and regional financial institutions within the scope of human rights accountability'. She continues, 'the concept of good governance, and corporate social responsibility has helped to create an environment in which self regulatory private sector codes now recognise that they are partners, in respecting, protecting and fulfilling human rights'.

The paper also reviewed the tension between religious beliefs and cultural values with the emergence of jurisprudence on women's rights. Prof Goonesekere suggests that women's groups can link across ethnicity, caste and religion to support legislation and policy measures in areas of common concern, as a way to overcome divisions between different agendas. New areas for common approaches could relate to allocation of state housing and shelter, access to land and livelihood and so on. Through an extended review of several relevant themes, such as legislation on violence against women in South Asia and assessment of competing principles that animate the women's rights agenda in the region, Prof Goonesekere's paper explored the possibilities of the concept of substantive equality as a framework to move toward a human rights-based holistic approach to women's development.



## DISCUSSION

Ms Indira Jaising began by saying that she agreed with most of what was said. In a democracy, where the question of rights is involved, substantive equality is a tool that will take us forward. In some countries like India, women's rights have been taken up with other disadvantaged communities like Dalits, SCs, STs and OBCs. Ms Jaising added that in India, the impetus came from other social movements. Women were just added to the list. Instead of comparisons with the West, it is necessary to take an indigenous view, she said. Ms Jaising further added that we have to stop seeing substantive equality as opposed to formal equality. It's necessary to examine it as sui generis. Comparisons with the US Constitution are not valid. The US Constitution was drafted in 1776 and does not have a sexual equality clause. But most countries had adopted post World War II constitutions and, therefore, inherited a legacy of rights enshrined in international law. The Indian Constitution is similar to the Declaration of Human Rights, Ms Jaising said. It has a rights-based discourse and was born with the sexual equality clause.

In India, laws are viewed differently, she said. Affirmative action is an important concept here because our societies were marked by hierarchies which made women subordinate. Our constitutional task is to dismantle these hierarchies and this is done by substantive equality.

Ms Jaising said another issue the paper raised was the inter-relatedness of rights – which is an important component of substantive equality. In the case of women, it is necessary to focus on the right to work, not merely the conditions of work. All rights are indivisible and interlinked and cannot be separated from each other, she added. Sometimes there are tradeoffs where a protectionist approach can lead to discrimination. In this regard, she mentioned the ongoing case of bar girls. Bars were shut down on the ground that they were against public interest and the interest of the girls who dance in these bars.

This was challenged and the High Court removed the ban, but the matter is pending before the Supreme Court. A women's right to work as a bartender was also challenged in court. The court said that protection cannot be a form of vulnerability and cannot add to denial or impose limits to rights. But the denial of right of using a loudspeaker after 10 pm can uphold community rights over personal rights. Concerns of security cannot triumph right to work. The state is liable to provide security and a conducive environment to work but cannot mar the right to work. The right to life, right to expression, right to work cannot be examined separately, but as a whole. Protectionist approaches only lead to further discrimination.

A delegate expressed anguish about the legal system in her country. She said the Government often uses international treaties

and conventions to build its image but there's a gap in the implementation of these agreements. In fact, very few lawyers are willing to bring up the cases of implementation of international treaties. The approaches of the judges and lawyers are different. Most judges are Arab-educated whereas the lawyers may be trained in the UK or Sri Lanka. In response, Prof Goonesekere said the Optional Protocol of CEDAW has been implemented successfully in many African countries. Nepal implemented a training programme for lawyers. Other countries too should have space for legal training to ensure women's rights under CEDAW.

Another delegate said there were cases where even the Ministry had failed in sensitising the legal council and building capacity. In response, Ms Jaising said, the picture is India is not exactly perfect. There have been many bad judgments. If a country adopts an international theory of precedence, it is certain to be followed in other judgments. Prof Goonesekere added that the country has a situation where people are going overseas for legal training. Hence, there is a need to build capacity from within and find a way out from within the bounds of the country's legal system. In this connection, the case of Nepal was cited where UNIFEM launched the Gender and Judges' Programme which has been successful. It has continued for the last eight years and has now been institutionalised.

Another delegate spoke about the protectionist approach and cited the case of women police officers in Pakistan. After protests, women were finally taken in to the police force. But there have been cases of violence against them. Is it fair to argue the inclusion of women in an institution where violence is institutionalised, she asked. Where does it become protection? In response, Prof Goonesekere said protection is different from protection of rights. For instance, in the aftermath of the tsunami, instead of ensuring that women survivors had space and there were institutions to provide that space, the police were called in to intervene. Protection is often misused and it is at the cost of women.

# The Role of Networks & Alliances in Gender Equality and Women's Empowerment



Session chaired by H.E. Mr Liaquat Ali Choudhry, High Commissioner of Bangladesh to India

## POURAKHI

Ms Manju Gurung, President, Pourakhi

Representing the first national organisation of migrant women workers in Nepal, Ms Manju Gurung said issues of women migrant workers had been invisible in the entire discourse of labour migration for many years. Government policies were discriminatory. Even human rights organisations were not clear about their positioning when it came to allowing women to opt for employment outside their country.

Highlighting the situation in Nepal, she said the decade-long armed conflict has forced many women and men to leave the country in search of employment. It is reported that every day approximately 600 people leave Nepal through the international airport to work abroad, and many women left through informal channels to avoid the Government restrictions. A study by UNIFEM and the Nepal Institute of Development Studies in 2006 indicates that there are about 78,000 Nepali women working in different international markets. According to Sonarcum, the association of recruiting

agencies in Saudi Arabia, there are around 70,000 Nepali women domestic workers in Saudi Arabia alone.

Reflecting on the history of the organisation, Ms Gurung pointed out that UNIFEM was the first to begin advocacy on women migrant workers. However, it took nearly two years for the process to bear fruit. They are now recognised as a key stakeholder in the debate on foreign employment.

On the status of women migrant workers, Ms Gurung pointed out that most of them are illiterate and lack knowledge of their rights and responsibilities. Since domestic work is not protected within the national labour laws, they become vulnerable in the country of employment. On their return, due to the lack of schemes for investing remittances, their earnings are mainly used in running the household. But it has to be pointed out that their remittances have made a difference to the national and household economy. It has been documented, that 11 per cent of the total remittance, which stands at 1 billion Nepali rupees comes from women migrant workers. A study on the impact of remittance has revealed that the money earned is used in providing education for their children especially daughters and improving the health and nutritional status of the household. Many have also been

able to invest in property. Hence, their status has changed significantly. According to the Nepal Living Standard Survey 2005, poverty has reduced by 11 per cent, even in times of conflict.

Discussing the work of Pourakhi, Ms Gurung pointed out that they are advocating for the rights of women migrant workers and being consulted in the process of policymaking such as, drafting of the Foreign Employment Act, Migration Policy etc. They are members of several networks like the National Peace Network, National Network on Safe Migration in Nepal and regional networks like the Coordination of Action Research on Safe Migration (CARAM) Asia and Migrants Forum Asia.

Lauding the recently passed Foreign Employment Act 2007, she said the Bill would be able to regulate foreign employment and protect the rights of migrants. In conclusion, Ms Gurung said, "We have been unheard and unseen for too long. Now it's time to act. I look forward to more commitments towards the cause of migrant women workers from every sector."

## NATIONAL MEDIA COALITION

Ms Mohuya Chaudhuri, Chairperson, National Coalition of Media Persons against Gender Violence, Human Trafficking and HIV/AIDS

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Ms Mohuya Chaudhuri, a senior editor with the news channel NDTV, is also the founder of the National Media Coalition, India, a group of journalists working in the area of gender violence, HIV/AIDS and trafficking. She said her organisation began as a result of a UNIFEM meeting of media people in 2006. Most of them felt strongly

about child trafficking and the need to convince the media that such issues are more than mere NGO jargon. Crime was getting too much focus and being sensationalised, while gender and child rights were ignored.

She said there is a constant fight for space in the media and often these serious issues are dismissed on the ground that they do not have a news peg, apart from the criminal angle. Also, most media organisations have limited travel budget. The Coalition agreed to share data and get a complete story through their networks. For instance, hundreds of women are trafficked and often it is difficult to get a complete picture to sell the idea in the newsroom, and convince the news editors about its importance.

Ms Chaudhuri added that the Coalition has no goals or agenda. Its members were not even conscious of what they were doing – they were merely talking to each other and sharing experiences. However, it has succeeded in bridging the gap between vernacular and English journalists and become an agent of change. It has also helped the Coalition members to get a complete picture of a story. For instance, if a victim from Jharkhand is found in Delhi, the members

can call other Coalition members in Jharkhand to get a background on the victim and thereby get a more complete picture. This helps convincing news editors about the importance of a story.

Highlighting the power of the Media Coalition, she shared the story of a tribal girl from the Northeast who was recently found in Delhi. She spoke only Assamese and somehow found her way to the Resident Commissioner's office. But some reporters got wind of the case and subsequently the National Commission for Women and the police also got involved. Finally, due to the media attention, the girl's family was located and she was flown home. Such a case had never happened before, she said. A visit to any shelter in Haryana will reveal that women have been languishing there for years.

Ms Chaudhuri assured that the Coalition would evaluate the schemes of the Ministry of Women and Child Development, and see how much of what the Minister has promised, will actually be enforced on the ground.

## MENENGAGE

Mr Syed Saghir Bukhari,  
Regional Alliance Coordinator, South Asia



Speaking on the importance of including men in gender issues, Syed Saghir Bukhari began by quoting the ICPD Programme of Action 1994, Para 4.27. He said there is a need to emphasise men's shared responsibility and promote their active involvement in responsible parenting, sexual and reproductive behaviour, family planning; maternal and child health; prevention of STIs and HIV. There is also a need for shared control and contribution to family income, children's education, health and nutrition; and recognition of the equal value of children of both sexes. Additionally, male responsibilities in family life must be included in the education of children from the earliest stages. Special emphasis should also be placed on the prevention of violence against women and children.

Despite the global mandate, Mr Bukhari said there was a long way to go. There are nearly 600,000 maternal-related deaths per year. Some 74 per cent of contraception worldwide are female-methods. Gender-related violence is rampant. It is estimated that women spend 3-4 times more time caring for children than men. There are 340 million new cases of STI per year (excluding HIV/AIDS) in the age group of 15-49 years. Trafficking of women is often, not high on the agenda.

Mr Bukhari argued that the challenge often is to engage with men. Studies have revealed that where men are involved, the problems have reduced significantly. Adequate emphasis needs to be given and it should be made a major policy initiative instead of a short-term project-oriented effort. MenEngage is involved in "building a global network

of organisations and institutions with increased commitment and capacity to implement and document effective interventions with boys and men, and to take the issue into the public sector and influence policy to achieve those ends. Mr Bukhari clarified that MenEngage is not an NGO, a one-off project/intervention, an individual-based alliance or a competitor to women's rights organisations. It works in the areas of advocacy and policy, knowledge sharing, learning and leadership network and resource sharing. It has several international partners like Instituto Promundo (Brazil), Family Violence Prevention Fund (US) and others.

Mr Bukhari added that MenEngage is involved in themes like maternal and child health, fatherhood, reduction of violence against children and the prevention of gender-based violence, prevention and treatment of HIV/AIDS. The organisation has identified several ways of reaching men. These include discussions on gender norms and how these influence behaviour; public debate and critical reflections about these norms and measure changes in attitudes toward gender norms.

Charting the future goals, Mr Bukhari said a country/regional strategy on working with boys and men, focusing on advocacy/capacity-sharing needs to be developed. Their efforts should compliment existing work on women's movement. Mr Bukhari called for the strengthening of the Civil Society and support networks and using it to share experiences.

The session on networking was continued on January 19 with Ms Chandni Joshi chairing the session.

### POSITIVE WOMEN NETWORK

Ms P. Kousalya, President, Positive Women's Network



Speaking on networking, Ms P. Kousalya, the founding Director of the Positive Women's Network (PWN+) began by sharing about her experiences. She said she is HIV positive and contracted the virus from her husband 45 days after her marriage. She hails from a small town in Tamil Nadu called Namakkal where AIDS is rampant. Every one

person in ten houses is HIV positive. Kousalya decided to start a movement to reach out to women living with HIV to fight against the ignorance, stigma and discrimination. PWN was thus born in 1998 with eighteen friends. The number has now increased to 5,000.

Their programme started with support group meetings, counselling and referral services. And over time, their voices became stronger as more issues on treatment, family and society came up. They felt the need for a study from the human rights perspective to develop an advocacy tool in order to highlight key issues concerning positive women's disempowerment. CFAR and UNIFEM came forward to support and train them to be effective advocates for HIV and impart an understanding of the rights of HIV+ women.

In 2003, PWN+ organised its first public hearing on issues of women and children. At the same time, they continued to hold small programmes to strengthen women's voice at the state and national levels. Their first national consultation for children affected by HIV (Joy N Joy) was undertaken in 2006. A major outcome of this was the formulation of a programme which was recognised and has now been implemented by the Government.

Their first business division, Social Light Communications, was started in 2007. PWN is working to ensure that all women and children living with HIV are empowered to live a life of dignity and equality free from stigma and discrimination.

### HOMENET PAKISTAN



Ms Samina Khan,  
Executive Director,  
Sungi Development Foundation,  
Member, Homenet Pakistan

Homenet Pakistan is currently engaged in drafting a National Policy for home-based workers of Pakistan. Elaborating on the setting up of the body, Ms Samina Khan

said, that at the UNIFEM South Asia meeting in 2000, there was an agreement to understand the situation of home-based women workers and evolve a strategy for policymaking and legislation to ensure social protection and labour rights. In Pakistan, Aurat foundation was assigned the task. In 1982, the preliminary results of the 1981 population census showed that women were only 1.76 per cent of workers engaged in livestock and agriculture. In 1983, the Aurat foundation lobbied with the Government of Pakistan to recognize paid and unpaid women's work.

Homenet Pakistan started capacity building training courses for home-based women workers (HBWW) in 2005, exposing them to marketing etc. It also undertook awareness raising programmes at the national and provincial level. The cause of home-based workers was also taken up in the Women in Informal Employment Globalizing and Organizing (WIEGO) General Assembly in South Africa in 2006. Two major concerns emerged from this meeting: advocacy for social protection and collection of data and statistics of home-based workers. In 2007, six WIEGO handbooks on advocacy tools for home-based workers were translated into Urdu. These included, Informal Employment and Social Protection: An introduction; Value Chains and Social Protection; Health Insurance; Occupational Health and Safety; Child Care and Organizations; and Networks and Alliances.

On regional and national initiatives, Ms Khan said UNIFEM's South Asian Regional meeting on HBWWs in January 2007, to prepare a Regional Plan of Action for HBWWs, was attended by a Pakistani women parliamentarian, the Secretary of MoWD, in addition to NGOs like Aurat foundation and Sungi.

In 2007, Sungi, together with Action Aid Pakistan organised a series of consultations to take forward the regional recommendations with HBWWs, entrepreneurs, Government departments, parliamentarians, civil society, the private sector and the media. The findings of the consultation were presented to the MoWD for incorporation into the National Policy on HBWWs, and for ratification of the ILO Convention 177. In June 2007, a two-day national consultation on HBWWs was organised. They pointed out that it was time to move towards formulating a policy to protect the rights of the HBWWs. Additionally, Members of Homenet Pakistan, Sungi, Aurat Foundation, Hawwa Crafts Cooperative, and Karavan Crafts, together with PILER, FIDA, Working Women's Association, Labour Education Foundation, Action Aid Pakistan, and others, campaigned extensively for the policy and legislation of HBWWs' rights. Finally, Sungi was asked to assist the Ministry of Women Development in the formulation of the National Policy on HBWWs.

In 2007, a Parliamentary Resolution was passed in the National Assembly to recognise the work of the HBWWs. Subsequently, a Parliamentary Standing Committee on Women Development of the former Government endorsed a draft bill. In May 2007, the Balochistan Provincial Assembly passed a Resolution on HBWWs drafted by Homenet Pakistan.

Ms Khan said the National Policy needs to reflect the political commitments of the Government, legislators and political parties to ensure the recognition and counting of HBWWs as a vitally important part of the national labour force, in the non-formal and unorganised sector; (it needs to include) their basic right to be counted in the labour force & national economy, along with a right to their due share in national resources; access to land ownership & micro-credit. The Policy will focus on: Minimum Protection, which will include:

- minimum remuneration, pegged to inflation, cost of living, and a fair wage (in line with fair trade in a globalised world);
- regulation of working conditions;
- skill development and literacy programmes;
- occupational health and safety standards and benefits;

Ms Khan added that HBWWs require comprehensive Social Protection, and are first in line for poverty reduction strategies and programmes. Once the policy is in place, there is a need for the Government to work together with HBWWs, NGOs and the private sector to develop a comprehensive action plan. There is a need to build an enabling, conducive environment, through a consultative process, facilitate and support the empowerment and development of home-based women workers in a non-threatening and non-intrusive manner, in accordance to their own wishes and aspirations.

## DISCUSSION

In the discussion that followed the Homenet presentation, a delegate queried, which groups of informal workers had been formalised. In reply, Ms Khan said that Homenet was still working with groups and ensuring they have bank accounts. The only sections that have been organised so far

are the embroidery workers. Homenet is trying to work with the bangle makers as well. The process is in a nascent stage and gradually gaining momentum. The idea is to get labour laws to include them so that they can come under the safety nets.

A delegate noted that gender violence is rampant in her country. A network of women on gender bias has been in existence despite the suppression of women. The movement has now expanded to include 3,000 members but women are still the victims of all forms of violence. She asked how her country could deal with this issue. In response, it was suggested that perhaps they could consult religious leaders and also empower the women in the Cabinet and Civil Society. Adding to the comment, another participant spoke about the network of volunteers in her country that was making visible strides. Consultations are held to communicate every landmark achievement in the gender movement, to the grassroots, and to make people conscious of their rights. UNIFEM has helped in this endeavour. Prof Pam Rajput has held consultations with the people. Another delegate mentioned the peace network in which women are involved. Yet, this needs to be expanded, she added.

## INTERFAITH RELIGIOUS LEADERS' NETWORK

Prof M. Mahbubur Rahman,  
Principal, Bangladesh Madrasa Teachers' Training Institute



In his presentation on the role of networks and alliances in achieving gender equality and women's empowerment, Prof Rahman pointed out that the Government of Bangladesh has taken a number of initiatives aiming at gender equality and women's empowerment with the Ministry of Women and Children Affairs and the Ministry of Education

taking the lead on this issue. In accordance with this, the Bangladesh Madrasa Teachers' Training Institute (BMTTI) implemented a programme on the involvement of inter-faith religious leaders to reduce the vulnerability of women and children to trafficking and violence in 2006.

Prof Rahman pointed out that religion plays a vital role in formulating and regulating family and social life of the people. Religious leaders, have easy access to communities and therefore can use this opportunity to maintain the social equilibrium through their teachings and also initiate a movement against any social evils.

In this regard, the BMTTI in association with churches in Bangladesh, Christian Theological Colleges, Bangladesh Buddhist Federation, Department of Sanskrit and Pali of Dhaka University, Bangladesh Sanskrit and Pali Education Board, has formed a network of Inter-Faith Religious Leaders in Bangladesh. In May 2006, a programme was launched to foster awareness and train the leaders/teachers from these four major religions – Buddhism, Islam, Christianity and Hinduism. The programme included the following phases – formation of

core group of the religious leaders of four major religions; review and compilation of the religious texts on the issue; development of training manuals; capacity building – training of trainers; training of religious leaders/teachers; and a national seminar.

Prof Rahman pointed out that this was the first time that the religious teachers' training institutes of four major religions and distinguished religious leaders and academicians were involved. The programme succeeded in fostering a congenial environment where women participants could express their opinions.

Prof Rahman said the National Seminar held on September 3, 2006 reflected the need for such initiatives in the future, in order to maintain a productive and cooperative atmosphere. Prof Rahman underlined the fact that this four-month long programme should be viewed as only the beginning of a great prospect in using interfaith harmony to fight any international social calamity. In other words, when religious leaders and religious congregations collaborate, they can more effectively pool their resources and expertise and become agents of change. The initiative can be taken forward by – scaling up the programme, undertaking a refreshers course and developing a regional network.

Prof Rahman expressed the hope that they would uphold the theological reflection on the dignity of women and womanhood and that men and women would live in harmony to ensure the rights of women in society.

### **SOUTH ASIAN WOMEN'S CAMPAIGN: SOLIDARITY FOR WOMEN'S EMPOWERMENT AND GENDER EQUALITY**

**Presented by Ms Bandana Rana, Vice President, Saathi, Nepal Session chaired by Chandni Joshi**



The UN Secretary General's High-Level Panel on System-Wide Coherence in the areas of Development, Humanitarian Assistance and the Environment, was formed in February 2006 and mandated to recommend how the UN should be structured at the national and global levels and provide guidance on the implementation of the

MDGs. In March 2006, women's groups across South Asia deplored the lack of gender balance on the panel and the absence of gender equality concerns in the initial mandate, both in terms of gender mainstreaming and women's machineries in the UN system. Among them was the SACGE, initiated in 2006 with the objective to articulate gender rights, took on this issue. The demands of the campaign were:

- Strong gender architecture in the UN System
- A nodal UN agency with appropriate status and adequate resources for women which has a proven track record like UNIFEM and which has operational experience of women's issues and an understanding of what women need, connecting women's voices and concerns to macro policies and global processes

- Adequate resources for women's empowerment and gender equality.

Ms Rana said while there were sporadic attempts at altering the gender architecture at the UN, the actual work for women has not been undertaken. To demand a gender reform, a 15-member Coherence Panel was constituted by the UN to discuss the recommendations. The group from South Asia met with the Prime Minister of Pakistan and requested him to voice the concerns of women in developing countries. A signature campaign was launched by SACGE and five million signatures collected. In November 2007, the Coherence Panel presented its report to the UN General Assembly.

SACGE decided be a part of the International GEAR Campaign (The Global Campaign to Strengthen the Gender Equality Architecture at the UN) to take the voices and movement from South Asia further ahead. The GEAR campaign demands a stronger women's organisation that can deliver results on the ground:

- Support the high level panel's recommendations to strengthen the gender equality architecture of the UN
- Ensure that the new women's organisation has a country presence and a strong "operational" mandate that builds on what is already in place
- Ensure that the new women's organisation has the capacity to deliver with substantial and predictable resources, initially funded at a minimum level of \$500 million to \$1 billion USD with increases over time
- Promote accountability within the new organisation including meaningful involvement of non-governmental organisations, particularly women's organisations, in its ongoing processes at national and global levels
- Promote gender mainstreaming by the integration of gender equality and women's human rights in the One UN Country Pilots and in all UN reform processes.

The GEAR Campaign urges all Governments to:

- Move the GEA process forward as soon as possible and ensure it is not held back by controversies over other aspects of UN reform
- Support timely and effective implementation of these GEA proposals
- Provide substantial resources through voluntary contributions for the new women's organisation.

The agenda of GEA also 'promotes gender mainstreaming by the integration of gender equality and women's human rights in the One UN Country Pilots and in all UN reform processes'

The GEAR Campaign in South Asia identified national and regional focal points. These included Dr Pam Rajput and Dr Neelam Gorhe from India, Dr Mahmuda Islam from Bangladesh, Ms Maria Rashid from Pakistan, Dr Savitri Goonesekere from Sri Lanka, Dr Chandra Bhadra from Nepal and Ms Bandana Rana as the Regional Coordinator for South Asia. A meeting of the GEAR Campaign national focal points in South Asia before the CSW at New York is due in February 2008.

Ms Rana called for for timely support and effective implementation of these GEA proposals.

# Concluding Session



commitments to women's empowerment (e.g., MDGs, SC1325, etc.) and human rights (e.g., CEDAW and regional human rights commitments)

- Increase in numbers of Constitutions and legal frameworks and processes – particularly those related to economic security and rights, women's care work, property and inheritance rights, trade, migration, ending VAW, and electoral and security sector reform – that promote and protect women's human rights and eliminate gender inequality
- Greater number of formal and informal justice systems to promote women's human rights at national and local levels

## UNIFEM STRATEGY PLAN 2008-11 ACCELERATING PROGRESS TOWARDS GENDER EQUALITY AND WOMEN'S EMPOWERMENT

Presented by Ms Chandni Joshi, Regional Programme Director, UNIFEM South Asia  
Session chaired by Ms Chandni Joshi

At the very outset, Ms Joshi assured the participants that they were all guardians and motivators of UNIFEM. Deliberating on the guiding framework, she said national ownership is the key to sustainability. Developing countries need to build capacity to strengthen the implementation of CEDAW. UNIFEM's programmes will also take into account the diversities of women's interests, opportunities and challenges. Every UN organisation has the responsibility to ensure gender equality and women's empowerment but need a driver, a role that UNIFEM fills.

Ms Joshi elaborated that the single goal of the Development Results Framework of the UNIFEM Strategic Plan 2008-11 will be supporting the national commitments to advance gender equality and women's empowerment implemented in stable and fragile states. UNIFEM's work will focus on three strategic themes:

- Enhance women's economic security and rights
- Reduce prevalence of violence against women and HIV/AIDS
- Advance gender justice in democratic governance

Emphasis will be given to a high-quality, demand-driven policy advice and catalytic programming and the strategic plan will track the following eight global outcomes:

- Increased number of national development strategies (including PRPs, SWAPs, post-conflict reconstruction strategies, and other nationally-owned plans) incorporate gender equality in line with national

- Increase in the number of budget processes that fully incorporate gender equality
- Gender equality experts, advocates and their organisations and networks enhance their capacity and influence to ensure that there are strong gender equality dimensions in national laws policies and strategies
- The most marginalised women (HIV positive women, women informal sector workers, migrant women, indigenous women, women survivors of sexual and gender-based violence in conflict situations, women with disabilities, etc) are included in relevant national policies, programmes and budgets
- Key policy, service delivery and media institutions have increased resources, structures, procedures, incentives and capacities to implement laws and policies that promote and protect women's human rights in line with global, regional and national agreements
- Increased numbers and relevance of models of community-level initiatives for advancing women's human rights and eliminating gender inequality

## DISCUSSION

Ms Joshi stated that UNIFEM is a catalyst and assumes whatever role the members demand. Several suggestions were made to widen the scope of UNIFEM's programming. They were as follows:

- Problems of refugee women
- Go beyond marginal groups
- Focus on women affected by disaster
- Establish more networks
- Work with the media
- Incorporate issues of single/older women

Finally, Ms Joshi assured that UNIFEM would actively consider suggestions made by the group.



## PEER LEARNING ROUNDTABLES

As part of the deliberations among the delegates, a session on peer learning round tables were organised to enable the different members to exchange their experiences. Four such round tables were constituted: Engendering Plans, National Women's Commission, Interfaith Networks and Network Panels.

**Engendering Plans:** Among the various issues raised in the course of discussion was the fact that many governments actually don't agree that there are gender issues in their country. A delegate said that her country was approaching the 10th Plan and issues of poverty alleviation were overlapping with that of gender. She enquired about the gender mainstreaming strategies of other countries and the manner in which they implemented their action plans. In this respect, it was suggested that the civil society should come together and agree on key issues, and an action plan should be evolved in accordance with this. And together they should begin negotiations with the government.

Another member country said that following the 11th Plan, a 15-point agenda focusing on the priority of the Muslim women's rights was announced. Other issues covered by the agenda include primary health, education, and women's rights. It was suggested that every policy has a different impact on men and women. It is therefore important to convince policymakers about gender mainstreaming.

Some members agreed there were financial problems which was the main reason for the lack of specific gender-sensitive policies and schemes. Other members said a fundamental regional imbalance exists in their country and employment sectors are a problem in certain parts. It was agreed that a commitment to growth had to be backed by enough data, research and advocacy on engendering plans.

**National Commission:** A delegate said the National Commission for Women in her country works to make policies for low-income women and set up shelters in various urban areas. They also provide free legal assistance. But it needs to be strengthened and made autonomous.

Another member said that in her country, the Commission has a four-year tenure. It has worked to set up women and children's cells in police stations. Additionally, it also has the legal mandate to investigate complaints, report to the court and even follow up on these cases.

Roadblocks in the political empowerment of women were also raised. In most countries, women are willing to participate in the political process, but it's difficult to ensure that political parties reserve a certain portion of the tickets for women both at the local and national level.

In conclusion, most members agreed there was a need to make the Commission in their countries more autonomous.

**Network of Religious Leaders:** A member expressed anguish about the manner in which the State was using religion to subjugate women. For instance, the State has established the Supreme Court for Islamic Affairs. And no individual has the right to talk about religion. It is only the prerogative of the licensed people. Any talk on women's issues or women's rights is construed as anti-Islamic. The common agenda of most government machinery is the control of women. There is an ownership of religion in the State. The publication of the UN Declaration on Human Rights has been banned in the local language and equality is tied to religion. In fact, there has been the 'Arabianisation' of dress code for women. Despite all this, some political parties say the State is un-Islamic. Child marriages and sexual molestation is rampant. In fact, the country has gone back to the prophet-era lifestyle, she said.

**Network Panel:** Civil society members discussed the perils of establishing an alliance. An alliance needs to be registered and structured. So, often organisations call themselves networks. The biggest challenge in networking is the problems after growth. As the movement expands, the debate on 'Power and Control' assumes importance. Another member said their organisation, agenda and policy is the focus and it is on this basis that they enter into partnership with other organisations.

## SUMMARISING OF PROCEEDINGS BY THE RAPPOREUR

Dr Arfa Saeda Zehra, chairperson of the National Commission on the Status of Women, the official rapporteur of the meeting summarised the deliberations.



She said the meeting was a ground for opening of hearts and heads of both the government and civil society. It has been a self critique of the policies and hurdles. The participating countries all have identical issues. "We are women, we inhabit the same region and are subject to the same kind of political tactics," she said. The exemplary courage shown by the women of Afghanistan has been a matter of pride. "When we suffer, we know how to appreciate others," Dr Zehra added. A difference can be made, but only through evolution, not revolution.

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"We do not want to paint the world in pink and men in blue," she said. Instead, this is a mechanism to change lives in other colours. "I do not wish to live in a feminine or masculine world, but a human world," said Dr Zehra. The idea is not to replace men, but to work with them as equal beings. Women are not comfortable with mere existence, they want their right to live. The quest for dignity and honour not power, is the resonating theme. The thirst for power can never be quenched, but dignity is satiated. It's the voice of half the population of the world and when change comes, it will be pleasant.

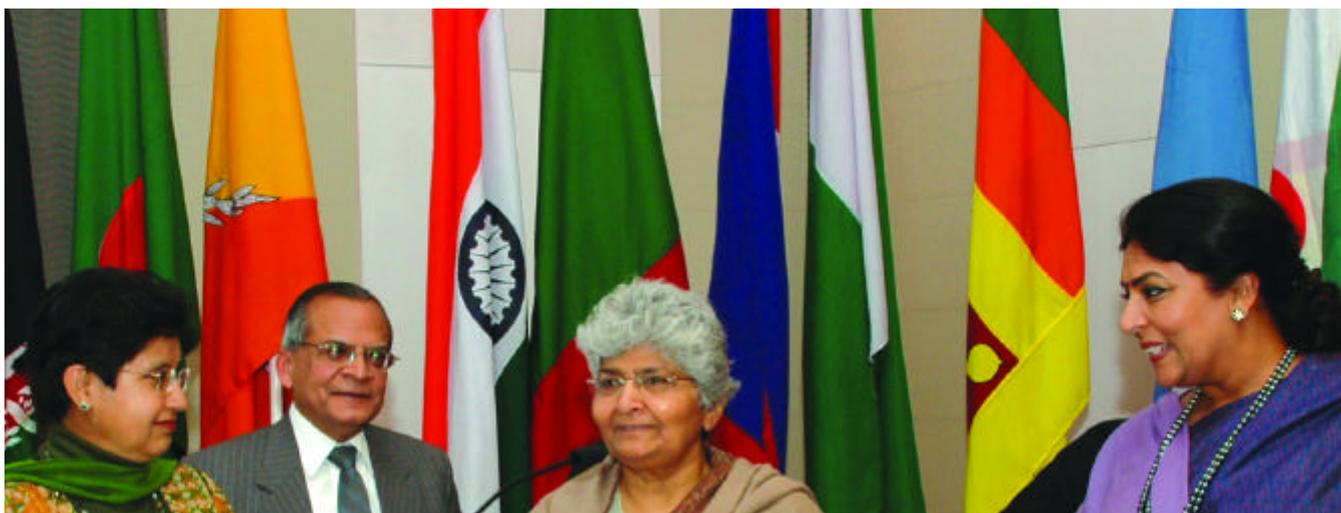
### ADOPTION OF THE DECLARATION

This was followed by the adoption of the Declaration of the Sixth South Asia Regional Ministerial Conference. Prof Savitri Goonesekere read out the priorities laid down by the Declaration. The suggestion to include the provision of

engendering disaster policies and incorporation of HIV/AIDS in the provisions for marginalised section was adopted. Some Civil Society members said a separate task force on women should be demanded under SAARC. In reply, it was felt that such a body would be a recognition of the fact that the efforts of UNIFEM and SAARC were incapable of meeting the needs of the region. The SACG-SAARC had taken up this role but has been integrated into the SAARC technical group on women and children. The SAARC Secretary General further added that the SAARC Council of Ministers took note of the fact that there was no need to duplicate efforts and waste resources. The technical committee is highly empowered and able to take on analytical exercises. Responding to this, a member of the Pakistan civil society added that they were not asking for a replication. Often commitments are forgotten in inter-ministerial debate. Besides, in many countries each ministry or government department does not consult each other. In other words, he said that to ensure that the commitment made at SAARC is implemented, a separate body is essential. However, the matter concluded with the agreement that a review would be undertaken after a year and the demand for a separate body on women's affairs would be reconsidered.

The Declaration, India Forward Moving Strategies for Gender Equality 2008 was passed by a voice vote on January 19, 2008.





### VOTE OF THANKS BY MS RENUKA CHOWDHURY

The Minister for Women and Child Development said this was not a farewell but the beginning of new hope and agenda. She hoped there would be meetings in other parts of the world to address common issues. She called for a need to examine our systems internally and adopt more track II initiatives. The Minister thanked Ms Chandni Joshi and wished her well as she takes on new responsibilities as Global Advisor, UNIFEM. "Chandni is our representative there," the Minister said. The Minister also thanked the delegations from Afghanistan, Bangladesh, Bhutan, Maldives, Nepal, Pakistan and Sri Lanka for their contributions to the conference. She also thanked the SAARC Secretariat and the SAARC Secretary General. She expressed a special gratitude to the Minister from Afghanistan for agreeing to hold the next biennial conference in their country despite the conflict. The Minister also acknowledged her Ministry and especially the Secretary Mr Anil Kumar. She also thanked Ms Feroza Mehrotra, Deputy Regional Programme Director and other members of UNIFEM for their efforts in making the Sixth South Asia Regional Ministerial Conference a reality.

In conclusion, the Minister drew attention to global warming and its devastating impact on women and children. There is little that science can do in this regard, she said. "We are conservers and protectors and we need to raise our voice on the environment," the Minister said.

### VOTE OF THANKS BY MS CHANDNI JOSHI

Ms Chandni Joshi thanked the President of India Smt Pratibha Devisingh Patil for inaugurating the Conference and the Minister for Women and Child Development, Ms Renuka Chowdhury, Secretary, Mr Anil Kumar and Joint Secretary, Dr Kiran Chadha. "The Ministry worked untiringly with UNIFEM to make this conference a reality," she said. She also acknowledged Mr Nandan Singh, Under Secretary, Ministry of Women and Child Development and many others from the Ministry who have contributed to the conference. She also thanked the Ministry of External Affairs for facilitating visas for the delegates. In the President's Office, she thanked Group Captain Bhatt for his efforts.



Ms Joshi also acknowledged the resource persons who shared their knowledge and experience at the meeting—Dr Savitri Goonesekere, Dr Ratna Sudarshan and her team at the Institute of Social Studies Trust and Ms Indira Jaising.

She thanked the heads of delegation, government officials and ministers from the member countries. "We need political commitment," she added. Thanks was also due to the SAARC Secretary General who, while on an official visit, had made time to attend the Conference. Joshi also thanked every member of UNIFEM for their efforts in hosting the Conference.



## Press Conference

Session chaired by Ms Chandni Joshi.

Ms Chandni Joshi began by thanking the press for their presence. She said a very proactive Declaration has been adopted and members have pledged to take steps to meet the deadlines. In two days of deliberations, each country presented their goals and achievements. It's not the end, she said. "The process has just begun and will be taken forward, not overnight but in time," she added.

A representative of Prabhat Khabar asked Joint Secretary Dr Kiran Chadha about the issue to trafficking in India and whether the Government had evolved any mechanisms to combat trafficking. In response, Dr Chadha mentioned that from January 2008, the Government had launched Ujjwala, a project to locate the victims and ensure they return home. Half way houses will be set up along the borders to facilitate their return. Dr Chadha said the scheme has already been discussed at the meeting. She further added that there is no one scheme or one NGO working in this area. There will be other schemes. The corporate sector has been approaching the Ministry to collaborate in their schemes.

A question on the registration and regularisation of domestic help placement agencies was also raised since women very often fall prey to numerous 'fake' agencies

and end up as victims of trafficking. In response Dr Chadha said the matter was not within the purview of the Ministry of Women and Child Development.

Another member of the press enquired whether the deliberations covered the impact of conflict on women as a result of Islamic fundamentalism and terrorism. What steps were countries like Pakistan, Afghanistan and Bangladesh taking in this regard. In response, Dr Arfa Saeda Zehra, Chairperson, National Commission on the Status of Women, Pakistan said only prescriptive measures were discussed at the meeting. The deliberations did not focus on such issues.

The Minister of Women's Affairs, Afghanistan, H.E. Dr Hussn Banu Ghazanfar, added that the focus has been on what can be done and how women can be protected from war and violence. Afghanistan needs to learn to work with neighbours like Pakistan, especially the women, and identify strategies to bring peace in the region she said. The country has a lot of experience of suffering and they are working to help change the lives of women.

Ms Joshi said the issue of fundamentalism was not discussed but there was a session on network of interfaith leaders where leaders from different faiths came together to fight for the rights of women. There is no 'one' solution for terrorism she said.

A representative from the television channel CNN IBN said foeticide was on the rise. Educating women is more important than closing down clinics, she said. What steps was the Government taking in this regard? In reply, Dr Chadha said the Minister of Women and Child Development discussed the matter. Contrary to popular perceptions, education does not affect the declining sex ratio, she added. The visible trend in India is that most families are opting for a single child and hence they want a boy. The Ministry has begun a scheme of conditional cash transfer for the girl child. Certain parameters have been set—the birth of the child has to be registered, she has to be enrolled in a school and complete studies till class X and finally, she had to marry after the age of 18. Some states like Madhya Pradesh have already adopted this scheme, she said. Another alarming factor in this connection are sex determination kits, the import of which the Ministry is opposing.

Another member of the press said women were going into IPO, BPO and IT but lacked the scientific bent of mind. Without this can they claim equality? In response, Dr Chadha said, this cannot be attributed to merely women. Men too are equally superstitious and often change their offices and homes according to vaastu.

A question was also raised about why women were asking for equality and not claiming it. In reply, Ms Joshi said the movement was not a revolution but an evolution.

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# India Forward

## Moving Strategies for Gender Equality 2008

### **SIXTH SOUTH ASIA REGIONAL MINISTERIAL CONFERENCE COMMEMORATING BEIJING 17-19TH JANUARY 2008, NEW DELHI, INDIA**

1. WE, Ministers, Secretaries and Senior Officers of the Governments in South Asia, women's groups/networks, civil society, and researchers from – Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, with representation from the SAARC Secretariat gathered at New Delhi from the 17<sup>th</sup> to 19<sup>th</sup> January 2008 for the Sixth South Asia Ministerial Conference "Commemorating Beijing" jointly organized by the Ministry of Women and Child Development, Government of India and UNIFEM South Asia Sub-Regional Office.
2. We continued the process of regional sharing and learning along with a regional prioritization of key concerns, drawing upon regional trends and analysis. In pursuance of the Islamabad Declaration 2005 which recognized the importance of "integrating the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform of Action (BPFA) into national indicators and all other processes to monitor achievement of the Millennium Development Goals. This meeting also brainstormed and strategized on some critical concerns related to gender equality especially 'Substantive Equality and Gender Justice in South Asia'.
3. While recalling and reaffirming the commitments for the realization of women's human rights and gender equality made in the Beijing Platform for Action 1995, the outcome document of the Beijing + 5 and resolutions of B+10 review at the 49<sup>th</sup> session of the Commission on the Status of Women, the Paris Declaration on Aid Effectiveness, and the substantive framework provided by the Universal Declaration of Human Rights as well as CEDAW ratified by all countries of the region, all other relevant documents including UN Security Council Resolution 1325 on Women, Peace and Security.
4. We acknowledge developments in the following areas:
  - a) Increased commitment and established mechanisms to implement the CEDAW Committee's Concluding Comments
  - b) Increasing efforts to integrate gender equality and inclusive growth in recent developments plans
  - c) Increasing use of gender responsive budgeting as a tool to realize gender equality
  - d) Increasing efforts to incorporate a gender responsive approach in the process of constitution making and reform
  - e) Recognizing the contribution of women in the informal sector; launch of HomeNet South Asia and the adoption of the South Asia Regional Action Plan for Home Based Workers
  - f) Enactment of legislation on domestic violence in some countries and preparing of draft bill in others
  - g) Efforts to engender disaster management including through regional sharing
  - h) Acknowledgement of HIV as a development, security and human rights issue with differential gender implications and impact
  - i) Greater realization of the rights of migrant women workers and their contribution to the economy of their home countries
  - j) Recognition of the need for women's equal rights to property, land and other productive assets
  - k) Development of a jurisprudence on women's rights in conformity with CEDAW, BPFA and other relevant documents in some national courts
  - l) Increasing participation of women in new areas of Information and Communication Technology (ICT)
  - m) A consensus among countries in the region on developing a SAARC Gender Data Base with support from SAARC Secretariat and UNIFEM to facilitate further peer review and achieve gender equality.
5. We recognize the continuing gaps and challenges in the following areas:
  - a) Inadequate implementation of plans, policies and programmes relating to women due to inadequate allocation of resources
  - b) Inadequate accountability in integrating gender equality into policies
  - c) Lack of expeditious enactment of legislation on gender equality and non-repeal and amendment of discriminatory laws, and failure to implement those laws that have been enacted

- d) Inadequate progress in meeting the commitments under Article 9 of CEDAW on gender equality in citizenship laws
  - e) The continued feminization of poverty and its further accentuation due to adverse effects of globalization
  - f) Inadequate progress in giving equal access to economic opportunity, land and livelihoods with dignity and personal security
  - g) Rising phenomenon of all forms of violence against women, including in conflict and disaster situations
  - h) Inadequate commitment, awareness, measures and resources to combat violence against women
  - i) Inadequate attention to eliminating harmful traditional practices that continue to infringe the human rights of women
  - j) The increasing prevalence of HIV/AIDS among women, including exposure to infection from husbands
  - k) Lack of gender sensitive policies and interventions to combat communicable diseases, anaemia, TB, malaria etc
  - l) Inadequate progress in achieving women's equal representation in national and sub national legislatures
  - m) Inadequate, and lack of gender sensitive reproductive and sexual health information and services and care to women
  - n) Inadequate efforts to create awareness amongst men and lack of meaningful male involvement and participation in promoting women's rights and substantive equality
  - o) Continued lack of gender perspectives in macroeconomic policies, trade negotiations, national plans, budgets and investment decisions
  - p) Lack of reliable and relevant sex disaggregated data and gender responsive indicators
  - q) Ineffective gender training and lack of accessible gender analysis tools
  - r) Insufficient resource allocations, authority status for national machineries on the advancement of women, and their marginalization
  - s) The increasing vulnerability and exclusion of women in marginalized groups, especially dalits, indigenous women and positive women
  - t) Inadequate initiatives to address the needs and concerns of women in remote areas and in disadvantaged communities.
  - u) Inadequate progress in adhering to and monitoring time bound commitments
  - v) Consistent and systemic failure to regulate and set decent work/employment standards for domestic work is a special concern particularly in the case of women migrant workers
  - w) Discrimination against women in recruitment, human resource development and career advancement in the formal workforce
  - x) Rise in militarization and terrorism
  - y) Increase in religious fundamentalism and its negative impact on gender equality
  - z) Inadequate efforts to integrate UNSCR 1325 on Women Peace and Security, in response to women's issues in conflict situations and inadequate participation of women in peace and conflict resolution processes.
6. In light of the above and the importance of integrating the norm of substantive equality to achieve gender justice, we agree to prioritize our efforts and actions on a two-year plan on the following areas:
    - a) To introduce mechanisms to ensure follow-up on the CEDAW Concluding Comments
    - b) To prevent violence against women and adopt gender sensitive legislations/amendments and effectively implement existing legislations to end violence against women (VAW)
    - c) To strengthen women's participation and leadership capacity in decision making at all levels
    - d) To promote women's economic security and rights
    - e) To ensure that women have the right to pass their nationality to their children
    - f) To protect the human rights of women in conflict and disaster situations and ensure the participation of women in peace and conflict resolution and disaster management processes.
  7. In pursuit of the above priorities we will:
    - a) Strengthen national mechanisms and institutions for gender equality and women's empowerment:
      - i) Ensure sufficient resource allocations, authority and status for national machineries for women including women's ministries and national commissions as articulated in the Beijing Platform for Action and the CEDAW Committee's Concluding Comments
      - ii) Ensure that mainstream institutions integrate women's human rights and gender concerns into their policies, programmes, activity design and implementation; establish appropriate gender management systems such as gender desks etc and conduct gender impact assessment of all development interventions
      - iii) Ensure ownership of gender equality goals and strategies across line ministries so that they incorporate gender equality objectives into activity, programme or project objectives and periodically monitor gender aspects in line ministries
      - iv) Repeal/amend discriminatory laws against women and initiate integrated efforts to implement laws
      - v) Strengthen capacity of all stakeholders for gender responsive and participatory analysis, planning budgeting and implementation
      - vi) Ensure gender responsive budgeting and identification of allocations and expenditures at all levels needed to support women's advancement
      - vii) Promote mechanisms for meaningful participation of men and boys in creating a gender just society
      - viii) Enhance and encourage corporate social responsibility to minimize the gendered effects of globalization especially among marginalised groups

ix) Further strengthen partnerships with women's movements and civil society organizations to hold institutions accountable for addressing gaps between commitments and practice

x) Support and promote regional women's networks and ensure that the needs of women and realities of women's lives are reflected in national policies and actions

xi) Acknowledge and appreciate the positive contribution of UNIFEM in sustaining and carrying forward the Beijing process and advocating women's rights in the region and lobby for sufficient resource allocations for the organization and appropriate status for it within the UN system.

8. Address violence against women (VAW) and girls.

a) Ensure that international commitments under CEDAW and Beijing Platform for Action and the outcome document of the Beijing + 5 meeting are fulfilled in regard to elimination of violence against women

b) Enact and enforce gender-sensitive laws and human rights norms to address the root causes of the problem, including adoption of domestic violence laws, laws prohibiting honour crimes, criminalization of marital rape, working towards eliminating harmful traditional practices and eliminating under-age and forced marriage practices, and enforcing laws on trafficking in persons and commercial sexual exploitation, with a view to re-integrating and protecting the human rights of victim/survivors and persecuting the perpetrators

c) Prioritize in the following areas for law reform:

i) Law and administrative reforms and actions to address violence against women, through health and other relevant initiatives

ii) Use existing research in law reforms, policy formulation and programmes and encourage further research for effective advocacy and action

iii) Reform of the criminal justice system and provision of adequate resources to make it more responsive to violence against women and sensitization of the judiciary, the administrative and law enforcement machinery particularly the police and health professionals to violence against women

iv) Enact or revise general anti-discrimination laws compatible with international human rights instruments, as well as the International Guidelines on HIV/AIDS and Human Rights (HR/PUB/98/1), in particular concerning all persons living with HIV/AIDS, protect against involuntary HIV testing, guarantee confidentiality of results in all sectors and ensure women's rights to sexual and reproductive health, including their reproductive choice

d) Promote concrete actions – safety nets, support systems and leadership development to address the reality of violence in women's lives which exposes which inter alia women to HIV/AIDS, and build institutional and professional capacities to deal effectively with VAW

e) Introduce curriculum changes in schools to sensitize boys and girls to the issue of VAW and the critical

importance of having zero tolerance towards VAW

f) Conduct gender-sensitivity campaigns to address violence against women as a product of larger power imbalances between the genders, and dispel female and male stereotypes in men and women that encourage violent behaviours

g) Promote and strengthen gender sensitive community based interventions to address the intersection of HIV/AIDS, VAW and resource less status of women

h) Complement legislative reforms and empowerment programmes with inter-faith dialogue and "cultural negotiation" campaigns to raise awareness of the oppressive and discriminatory nature of certain practices pursued in the name of culture and religion.

i) Research and monitor negative forces that contribute to VAW and strengthen holistic community based initiatives to eliminate VAW

j) Implement the SAARC Regional Convention on Combating the Crime of Trafficking in Women and Children for Prostitution by all member countries.

9. Promote women's economic security and rights.

a) Provide adequate infrastructure to support women's economic opportunity, asset based, independence and livelihood that ensures dignity and personal security

b) Provide and strengthen adequate economic security systems

c) Ensure women's contribution to agriculture and the informal economy is visible in the national accounting system

d) Protect the rights of women workers in both the formal and informal sectors especially those of home-based women workers

e) Support women's right to own and control property and land, to inheritance, to equal access to credit, insurance, decent work and employment and equality of wages and earnings

f) Ensure the participation and voice of women and gender advocates in the formulation of macro-and micro-economic policies global and regional trade agreements and treaties and strengthen business and leadership skills training

g) Address the need to promote shared responsibility in care-giving roles in the family and prevent women from being overburdened by fragmented and multiple tasks and responsibilities

h) Recognize the contribution of women migrant workers to national economies and ensure the protection of their human rights.

10. Strengthen women's participation and leadership capacity in decision making at all levels in harmony with the concept of substantive equality.

a) Secure political will of the States, political parties and other actors along with mechanisms for implementation of gender sensitive electoral codes and legislation for affirmative actions for women in the legislatures and to prevent any reversal or dilution of affirmative actions already taken

- b) Work towards ensuring that women have opportunities to be directly rather than indirectly elected/nominated to legislative bodies
  - c) Create an enabling environment to allow women legislators to participate in and contribute to the deliberations and decisions of the elected bodies of which they are members
  - d) Ensure greater representation of women as office bearers and candidates
  - e) Adopt affirmative action measures to ensure gender balance and that eligible women have access to all levels of decision making and to build their leadership capacity
  - f) Ensure gender analysis of budgets and identification of allocations and expenditures at all levels needed to support women's advancement in the political arena.
11. Ensure equality with regard to citizenship rights.
- a) Enact legislation to eliminate discrimination against women, enabling them to pass citizenship to their children and to their spouses on the basis of gender equality and Article 9 of CEDAW.
12. Ensure gender sensitive responses to conflict and disaster.
- a) Formulate policies and develop programmes and interventions in accordance with UNSCR 1325, thus protecting the human rights of women in conflict and post conflict situations
  - b) Ensure the adoption of gender sensitive approaches in rescue, relief and rehabilitation in post disaster situations and also in disaster preparedness plan.
13. Concrete Immediate Actions:
- a) Ensure that the SAARC gender database housed at the SAARC Secretariat is operationalised at the level of Member States as agreed in the 'Way Forward Plan' adopted at the 2<sup>nd</sup> Review meeting of the SAARC Gender Data Base held in January 2008
  - b) Ensure gender responsive budgeting and auditing at all levels with a view to achieve gender equality and women's empowerment
  - c) Enact and ensure effective implementation of legislation to protect women from domestic violence
  - d) Enact and ensure effective implementation of laws to prevent trafficking of women and children and to put in place programmes for prevention of trafficking and rescue and rehabilitation of survivors of trafficking
  - e) Support women's right to own and control property and land, to inheritance, to equal access to credit, insurance, decent work and employment and equality of wages and earnings
  - f) Enhance political participation and adopt affirmative action measures to ensure gender balance and that eligible women have access to all levels of decision making and build their leadership capacity
  - g) Enact legislation to eliminate discrimination against women, enabling them to pass citizenship to their children and to their spouses on the basis of gender equality and Article 9 of CEDAW
  - h) Formulate policies and develop programmes and interventions in accordance with UNSCR 1325, thus protecting the human rights of women in conflict and post conflict situations
  - i) Ensure the adoption of gender sensitive approaches in rescue, relief and rehabilitation in post disaster situations and also in disaster preparedness plans.

19 January 2008

# List of Abbreviations

- AF Aurat Publication and Information Service  
Foundation
- ANC Antenatal Care  
AOB Allocation of Business  
BD Beijing Declaration  
BNWLA Bangladesh National Women Lawyers' Association  
BPFA Beijing Platform for Action  
BPL Below Poverty Line  
CBS Central Bureau of Statistics  
CC Concluding Comments  
CEDAW Convention on the Elimination of all forms of Discrimination against Women  
CRC Convention on the Rights of the Child  
CSW Committee on the Status of Women  
CTF Country Task Force  
DDC District Development Committee  
DDS Deccan Development Society  
DOTS Directly Observed Treatment, Short-Course  
DWCD Department of Women and Children Development  
DYT Dzongkhag Yargye Tshogchung  
FMRP Financial Management Reform Programme  
FP Family Planning  
FTZ Free Trade Zone  
FWCW Fourth World Conference on Women  
FWLD Forum for Women Law and Development  
FWPR Female Work Force Participation Rate  
GADMIS Gender and Development Management Information System
- GDB Gender Database  
GDI Gender Development Index  
GEM Gender Empowerment Measure  
GES Gender Equity Strategy  
GMS Gender Management System  
GNH Gross National Happiness  
GPG Gender and PRSP Group  
GRAP Gender Reform Action Plan  
GYT Gewog Yargye Tshogchung  
HDI Human Development Index  
HE His/Her Excellency  
HIV/AIDS Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome  
HPSP Health and Population Sector Programme  
HPSS Health and Population Sector Strategy  
HRCM Human Rights Commission of Maldives  
ICCPR International Convention on Civil and Political Rights  
ICESCR International Convention on Economic, Social and Cultural Rights  
ICT Information and Communications Technology  
ILO International Labour Organization  
ISST Institute of Social Studies Trust  
IT Information Technology  
ITPA Immoral Traffic Prevention Act  
JIT Joint Initiatives Against Trafficking  
JMS Jatiyo Mahila Sangstha  
MCH Maternal and Child Health  
MDGs Millennium Development Goals  
MGFDSS Ministry of Gender, Family Development and Social Security
- MIM Monitoring Index of MDGs  
MoU Memorandum of Understanding  
MoWCA Ministry of Women and Children Affairs  
MoWD Ministry of Women Development  
MMR Maternal Mortality Rate  
MTEF Medium-Term Expenditure Framework  
MWCA Ministry of Women and Children Affairs  
MWCSW The Ministry of Women, Children and Social Welfare  
NAP National Action Plan for the Advancement of Women  
NASSCOM National Association of Software and Service Companies  
NCBP NGO Coalition on CEDAW and Beijing Process  
NCWC National Commission for Women and Children  
NEC National Education Commission  
NEMAP National Environment Management Plan  
NGOs Non-Government Organizations  
NHRC National Human Rights Commission  
NIPFP National Institute of Public Finance and Policy  
NSS National Sample Survey  
OSCC One Stop Crisis Centres  
PAP Poverty Alleviation Programmes  
PES Post Enumeration Survey  
PFA Platform for Action  
PLDP Participatory Livestock Development Project  
PREP COM Preparatory Committee  
PRSP Poverty Reduction Strategy Paper  
RENEW Respect, Educate, Nurture, Empower Women  
RH Reproductive Health  
RMP Rural Maintenance Programme  
RPD Regional Programme Director  
SAARC South Asian Association for Regional Cooperation  
SAK Stree Aadhar Kendra  
SAP Structural Adjustment Programme  
SARO South Asia Regional Office  
SGDB SAARC Gender Data Base  
SHG Self-help Groups  
SMEDA Small and Medium Enterprise Development Authority  
STI Sexually-Transmitted Infections  
TFR Total Fertility Rate  
UDHR Universal Declaration on Human Rights  
UNDP United Nations Development Programme  
UNFPA United Nations Population Fund  
UNICEF United Nations Children's Fund  
UNIFEM United Nations Development Fund for Women  
VAW Violence Against Women  
VDC Village Development Committee  
VGD Vulnerable Group Development  
WSIS World Summit of the Information Society  
WTO World Trade Organization  
NAPWA National Action Plan for the Women of Afghanistan  
ANDS Afghanistan National Development Strategy  
HAWCA Humanitarian Assistance for Women and Children of Afghanistan

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**SIXTH SOUTH ASIA REGIONAL MINISTERIAL CONFERENCE  
COMMEMORATING BEIJING, NEW DELHI, INDIA, 17 -19 JANUARY 2008  
PROGRAMME**

**17 JANUARY 2008**

- 11:30 – 12:35 Inaugural Session at Vigyan Bhawan, Hall No. 5, Second Floor  
National Anthem  
Ananya Video  
Welcome Remarks by Ms Renuka Chowdhury, Honourable Minister Ministry of Women and Child Development, Government of India  
Remarks by Ms Chandni Joshi, Regional Programme Director, UNIFEM, South Asia Sub Regional Office  
Remarks by Mr Lyonpo Chenkyab Dorji, Hon'ble SAARC Secretary General  
Launch of the SAARC Gender Database  
Inaugural address by Smt Pratibha Devisingh Patil, Hon'ble President of India  
Vote of Thanks by Dr Arfa Sayeda Zehra, Head of Delegation, Government of Pakistan  
National Anthem  
The President of India departs
- 12:35 – 13:30 Lunch at the Atrium, Ground Floor, Vigyan Bhawan  
13:30 Bus leaves for Hotel Le Meridien  
14:15 – 16:00 Session I at Hotel Le Meridien, Raisina Hall  
Chair: Royal Government of Bhutan  
14:15 – 14:25 Modalities of the Meeting: Ms Firoza Mehrotra  
14:25 – 14:40 'Our journey Since Beijing by Ms Chandni Joshi  
14:40 – 15:30 Presentation on Progress of Women in South Asian 2007 by Ms Ratna M. Sudarshan, Institute Director, Social Studies Trust (ISST), Discussion
- 66 15:30 – 15:45 Tea Break
- 15:45 – 16:00 Appointment of the Rapporteur  
Nomination of the Declaration Committee
- 16:00 – 17:30 Session II:  
Country Reports: Commitments, Action Plans & Challenges: Afghanistan, Bangladesh and Bhutan, Chair: Government of Sri Lanka  
16:00 – 16:20 Presentation by the Government of Afghanistan Inclusive of translation time  
16:20 – 16:30 Response from Civil Society  
16:30 – 16:40 Discussion  
16:40 – 16:50 Presentation by the Government of Bangladesh  
16:50 -17:00 Response from Civil Society  
17:00 – 17:10 Discussion  
17:10 – 17:20 Presentation by the Royal Government of Bhutan  
17:20 – 17:30 Response from Civil Society  
17:30 – 17:40 Discussion  
Group Photograph
- 19:00 HRS Bus leaves for Rashtrapti Bhawan  
Dinner hosted by The President of India at the President House (Rashtrapati Bhawan)

**18 JANUARY 2008**

- Session III,  
Hall: Inspire, Hotel Le Meridien  
9:00 – 9:15 Summarising the previous day's proceedings  
9:15 – 10:15 Country Presentations: Maldives, Nepal, Chair: Government of Pakistan  
9:15 – 9:25 Presentation by the Government of Maldives  
9:25 – 9:35 Response from Civil Society  
9:35 – 9:45 Discussion  
9:45 – 9:55 Presentation by the Government of Nepal  
9:55 – 10:05 Response from Civil Society  
10:05 – 10:15 Discussion  
10:15 – 10:30 Tea break

	<b>Session IV</b>
10:30 – 11:45	Peer Learning. Chair: Government of India
10:30 – 10:40	CEDAW Implementation and Monitoring by Mr Mahmood Salim Mahmood
10:40 – 10:50	Gender Responsive Budgeting by Mr Punya Prasad Neupane
10:50 – 11:00	SAARC Gender Database by Dr Rinchen Chopel
11:00 – 11:15	Engendering the Planning Process Prof Pam Rajput and Dr Chandra Bhadra
11:15 – 11:50	Discussion
	<b>Session V</b>
12:00 – 13:00	Country Presentations: Pakistan, India. Chair: Government of Maldives
12:00 – 12:10	Presentation by the Government of Pakistan
12:10 – 12:20	Response from Civil Society
12:20 – 12:30	Discussion
12:30 – 12:40	Presentation by the Government of India
12:40 – 12:50	Response from Civil Society
12:50 – 13:00	Discussion
13:00 – 14:00	Lunch
	<b>Session VI</b>
14:00 – 14:30	Country Presentation: Sri Lanka, Chair: Government of Nepal
14:00 – 14:10	Presentation by the Government of Sri Lanka
14:10 – 14:20	Response from Civil Society
14:20 – 14:30	Discussion
14:30 – 15:30	Technical Presentation: Substantive Equality and Gender Justice in South Asia by Prof. Savitri Goonesekere
14:55 – 15:10	Comments by Discussant Ms Indira Jaising
15:10 – 15:30	Discussion
15:30 – 15:45	Tea Break
15:45 – 17:30	<b>Session VII</b>
	Panel Discussion on the role of networks and alliances in achieving gender equality and women's empowerment: To move from numbers to influence, from a numerical to a strategic presence in decision-making
	Chair: Government of Bangladesh
15:45 – 15:55	Presentation by Ms P. Kousalya, Positive Women's Network
15:55 – 16:05	Presentation by Ms Samina Khan, Home Net South Asia, Pakistan
16:05 – 16:15	Presentation by Prof M. Mahabubur Rahman, Interfaith Leaders Network
16:15 – 16:25	Presentation by Mr Syed Sagir Bukari, MenEngage
16:25 – 16:35	Presentation by Ms Manju Gurung, Migrant Women Workers Network
16:35 – 16:45	Presentation by Ms Mohuya Choudhary, National Coalition of Media Persons
16:45 – 17:30	Discussion
20:00	Dinner hosted by UNIFEM, Raisina Hall, Le Meridien

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	<b>Session VIII</b>
	The Way Forward, Hall: Inspire, Hotel Le Meridien
9:00 – 9:15	Summarising the proceedings of the previous day. Chair: Government of Afghanistan
9:15 – 9:30	Presentation on UNIFEM's Strategic Plan 2008-2011
9:30 – 10:30	Group work on key regional concerns and priorities for action
10:30 – 11:15	Reporting back: Presentations by groups
11:15 – 11:30	Tea Break
	<b>Session IX</b>
11:30 – 13:30	Concluding Session
	Chair: SAARC Secretariat
11:30 – 13:00	Presentation, Discussion and Adoption of "India Forward Moving Strategies for Gender Equality 2008"
13:00 – 13:10	Closing Remarks by Delegates
13:10 – 13:20	Vote of thanks and Felicitation of Delegates by Ms Renuka Chowdhury, Hon'ble Minister, Ministry of Women and Child Development, Government of India
13:20 – 13:30	Vote of Thanks by UNIFEM
13:30 – 14:30	Lunch









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