This chapter briefly informs the reader on policy initiatives and NGO interventions on gender issues in Pakistan and Bangladesh. It provides information on some of the major policy initiatives that, when implemented, provide us with examples of best practice. Although the policy language has been supportive of women, the reality of the situation is that women's situation does not appear to have improved in tandem with the changed rhetoric.

Policy measures of a country can be reviewed in many ways such as by looking at:

1. Broad Subject Category e.g. Policies on rights and legal aspects, development, institutional mechanisms, etc.
2. Different time frames of a country’s (political) history.
3. Medium-Term Plans (e.g. the Five-Year Plans).
4. Policies on individual issues and problems.

Policy initiatives on many of the critical issues of women’s security have been mentioned within the respective sections of the previous chapter. Therefore, the following text provides an overview of the major policies that surfaced from time to time rather than going into individual issues of broad subject categories.

4.1 POLICY INITIATIVES ON GENDER ISSUES

At the global level, one of the earliest commissions on the status of women was established by the United Nations in 1946 as a sub-commission of the United Nations Commission on Human Rights. A year later it was upgraded to a full-fledged Commission on the Status of Women (CSW). The formation of this commission was the outcome of a deep concern about the situation of women and girls all over the world. The commission was thus mandated to examine the conditions of women and girls worldwide to identify the prevalent forms of gender discrimination and
to formulate recommendations to improve women's status. In its first
decade, the CSW contributed to the drafting of the UN Charter and the
Universal Declaration of Human Rights (1948). The CSW focused on
women's political participation, the status and rights of married women
and women workers. Its recommendations led to the adoption of several
UN conventions, such as: (i) Political Rights of Women (1952); (ii)
Convention on the Nationality of Married Women (1957); (iii)
Convention on the Consent to Marriage, Minimum Age for Marriage
and Registration of Marriage (1962); and (iv) the formulation and
adoption of the ILO Convention on Equal Pay for Women and Men for
Equivalent Value of Work (1951).

4.1.1 Policies Relating to Women in Pakistan

Government and Women's Initiatives

After its creation in 1947 (when Bangladesh and Pakistan were one
country), the government created various women organisations that were
restricted to welfare-oriented initiatives with nationalist overtones.
Initially women's voluntary committees were formed to help with
rehabilitation and settlement of incoming refugees from India and later
organisations such as the Women's National Guard, the All Pakistan
Women's Association (APWA), and the Business and Professional Women's
Association were formed. Most of these organisations worked within
the accepted norms and parameters of statist thinking, and evolved in
a liberal framework for women where women's primary role as mothers
and the bearers of culture were emphasised.

After 1971, women's groups, especially those who had been active in
the Liberation Struggle, impacted on state policies. This was also the
decade of Women (1975-85), when women's role in development was
emphasised. The Bangladeshi state signed and ratified international
instruments on the social and political rights of women.

From 1955 to 1997, the Government of Pakistan constituted four
time-bound Commissions and Committees to recommend ways to improve

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1 Ministry of Women Development, Social Welfare and Special Education (Government of
Pakistan), "On the Path of Women's Empowerment: A Synthesis of Reports of

2 The policies on women in Pakistan have been taken from the Ministry of Women Development,
Social Welfare and Special Education (Government of Pakistan), "On the Path of Women's
Empowerment: A Synthesis of Reports of Commission/Committee on the Status of Women."

3 For a detailed account, please see Khawar Mumtaz and Farida Shaheed, Pakistani Women: One
the condition and status of women. All these commissions reviewed laws; however, some of them were extensive in their review while others focused on development needs.\(^4\) Before providing an account of the commissions, it would be pertinent to discuss the emergence of the idea of establishing commissions on the status of women. In the post-World War II era, the first Commission on the Status of Women (CSW) was established as a sub-commission of the Commission on Human Rights but due to the pressure created by women activists, it was quickly given the status of a full commission in 1946. Its object was to ensure that women and men receive equal rights by developing proposals and recommendations and it concentrated on the areas of political rights, nationality and marriage issues (minimum age, consent, registration). However, it believed that women’s rights were best protected through human rights treaties.\(^5\) As the Pakistani (and initially Bangladeshi, formerly East Pakistani) contexts denote, the Commissions established in Pakistan were also preoccupied with similar issues where women were concerned.

*The Commission on Marriage and Family Laws (1955-1956)*

The first commission on the status of women in Pakistan was said to be inspired by the activities of the CSW around the consent to marriage, registration and minimum age of marriage. The Commission on Marriage and Family Laws (1955-1956) was initiated on August 4, 1955 when the Government of Pakistan constituted a seven-member body in pursuance of a resolution of the Ministry of Law. The Terms of Reference framed for the Commission on Marriage and Family Laws were to find out whether the existing laws governing marriage, divorce, maintenance and other ancillary matters among Muslims require modification in order to give women their proper place in society according to the fundamentals of Islam. In addition, the Commission was also asked to report on the proper registration of marriages and divorces, the right to divorce exercisable by either partner through a court or by other judicial means, maintenance and the establishment of special courts to deal expeditiously with cases affecting women’s rights.

The report of this Commission gave detailed recommendations on Muslim family law matters and mechanisms for this subject and it

\(^4\) Government of Pakistan, Ministry of Women Development, op. cit.

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appeared in the Gazette of Pakistan on June 20, 1956. It emphasised that it had given no new rights to women outside the Islamic framework, but added: ‘reconstruction in the light of the spirit of the Quran and Sunnah is not only permissible but is a duty imposed on the Muslim to make Muslim society adaptive, dynamic and progressive.’ At the implementation level, many but not all of the recommendations of this commission were incorporated into the Muslim Family Laws Ordinance (1961) and the Family Courts Act (1964) and continue to be the law (with its caveats) in Pakistan and Bangladesh.

Women’s Rights Committee (1976)
The Second Commission on women in Pakistan, The Women’s Rights Committee (1976), was set up by the Prime Minister of Pakistan after the United Nations International Year of the Woman, 1975, and the first World Conference on Women held that year in Mexico. It is quite possible that the establishment of this Committee had some connection with these two events. The Committee comprised of thirteen members (nine women and four men); its terms of reference were much broader than that of the earlier Commission. These were to:

i. Consider and formulate proposals for law reforms with a view to improving the social, legal and economic conditions of the women of Pakistan and to provide for speedier legal remedies for obtaining relief in matters such as maintenance, custody of children, etc.;

ii. Make suggestions for improving the social status of Pakistani women;

iii. Make recommendations for improving their economic condition; and

iv. Formulate proposals to improve the status and condition of Pakistani women.

The Committee focused on legal reforms and submitted its interim report on July 5, 1976. This report was translated and circulated for public feedback to women’s organisations, the Parliament, Provincial Assemblies, members of the judiciary, lawyers’ groups and others. After receiving the feedback the Committee made some amendments to its recommendations.
final report which was divided into two parts: Part I contained proposed legal reforms, Part II concentrated on development and provided recommendations to improve the status of women in the social and economic arenas.

Minor changes were proposed to protect women's rights under the Gift Tax Act, Pakistan Penal Code (abortion Section 312), Social Security Ordinance (1956) and Maternity Benefits Ordinance (1958). The Committee specifically recommended the establishment of a permanent commission on women. Enhancing women's political representation was also advocated. A few of its recommendations were implemented, particularly, the need to establish either a Women's Ministry or Women's Division within the Cabinet as a permanent mechanism for focusing on women's rights and development. The final report was submitted to the government by late 1976.

WRC emphasised the recommendations related to the development needs of women, notably in health and employment. It also emphasised the need to encourage the formation of women's groups and committees on a wider scale as a means of mobilising women to make them participate in and receive information on all aspects of national life. The WRC identified the lack of certain basic facilities that blocked such participation, notably the need for public toilets, day-care centres, and housing. It was the first Committee to articulate the need for affirmative action to ensure women's representation in public, semi-autonomous and autonomous bodies, as well as delegations, and the establishment of a specialised institutional mechanism (Division or Ministry for Women) and for setting up a permanent commission on the status of women. The WRC paid special attention to the need for the media, especially the mass media, to play an effective role in changing attitudes towards women and emphasised the need to promote the presence of women in the media.

Only a few recommendations of the WRC were implemented, notably, the need to establish either a Women's Ministry or Women's Division within the Cabinet as a permanent mechanism for focusing on women's rights and development. Some initiatives were taken to diversify the basis of women's employment, for example, the establishment of employment exchanges with women's cells, polytechnics for women and numerous skills training programmes.

The change of government in July 1987 is considered to be the main reason that prevented many other recommendations from being acted

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7 Ibid, pp. 4-5.
upon.\textsuperscript{8} It is also noteworthy on rather an issue to be probed, why the WRC report was not made public until 1989 when it was finally published.

\textit{Declaration of the Rights of Women (1976)}

Another important document of mid 1970s was the Declaration of the Rights of Women in Pakistan, which was announced in 1976.

\textbf{Declaration on the Rights of Women of Pakistan\textsuperscript{9}}

\textbf{Article 1.} Discrimination against women is contrary to the injunctions of Islam, violates constitutional guarantees and constitutes an offence against human dignity.

\textbf{Article 2.} All appropriate measures shall be taken to abolish prejudicial practices, customs and usages, which are discriminatory against women and to ensure adequate legal protection for safeguarding the rights of women.

\textbf{Article 3.} All appropriate measures shall be taken to educate public opinion and to direct national aspirations towards the eradication of prejudice and the abolition of customary and other practices based on the idea of inferiority of women.

\textbf{Article 4.} All appropriate measures shall be taken to ensure to women without any discrimination;

a. the right to vote in all elections and be eligible for election to all publicly elected bodies.

b. the right to hold public office and to exercise all public functions.

\textbf{Article 5.} Without prejudice to safeguarding of the unity and harmony of the family, which remains the basic unit of any society, all appropriate measures shall be taken to ensure to women their rights according to personal law and in particular:

a. the right to acquire, administer and to enjoy, to dispose of, and inherit property, including property acquired during marriage;

b. the right to equality in legal capacity and the exercise thereof;

c. the right to enter into marriage with their consent;

d. the right of release from marital bond in accordance with her personal law including the right of “Khula”;

e. the right to maintenance in accordance with law during the subsistence of marriage;

f. the right to the custody of her children in accordance with her personal law;

g. the right to receive her dower debt and articles of dowry within the shortest possible time on divorce;

\textsuperscript{8} Ibid.

\textsuperscript{9} Ibid.
h. the right to be protected against false accusations by the husband as to her chastity with a view to deprive her of her right to custody or guardianship of children or to receive maintenance;

i. the right to maintenance of children during the period they are in her custody.

Article 6. As far as possible whole time Family Courts shall be set up for the disposal of cases expeditiously under the Family Laws.

Article 7. Substantial tax relief shall be given in case of gifts made in favour of mother, wife, daughter or sister.

Article 8. All appropriate measure shall be taken to ensure women equal opportunity in education at all levels.

Article 9. All efforts will be made to ensure adequate health care to women.

Article 10. Multipurpose centres for women shall be set up within the shortest possible time to impart training and knowledge to women and enable them to take up productive occupations.

Article 11. All appropriate measures shall be taken to ensure to women proper opportunities in economic and social life in particular:

a. The right to receive vocational training, to work, to free choice of profession and employment and to professional advancement.

b. The right to equality of treatment in respect of work of equal value.

Article 12. To ensure an effective right to work, measures shall be taken to prevent their dismissal in the event of marriage or maternity and to provide paid maternity leave with guarantee of returning to former employment, and to provide the necessary social services including child care facilities.

Article 13. Piece-work and part-time work shall be provided to women where feasible.

Article 14. Stringent rules and regulations shall be made to ensure that men in the course of their employment treat women working in the same office, factory or field with respect and dignity.

Article 15. Every effort shall be made to provide appropriate accommodation and transport facilities for working women as essential basic facilities and to ensure dignity and security.

Article 16. Representation of women in all commissions and committees set up by the Government and in delegations sent abroad shall be progressively increased.

Article 17. Qualified women shall be associated in policy-making and planning in the Federal and Provincial Governments.

Article 18. The mass media shall be geared to adopt positive and constructive portrayal of women in their multiple roles in society.

Article 19. The Federal and Provincial Governments, autonomous and statutory bodies, voluntary organisations and individuals shall be required
to do all in their power to promote the implementation of the principles contained in this Declaration.


Instead of proceeding on the WRC's recommendations, the government constituted a new commission in March 1983, which was called The Pakistan Commission on the Status of Women (PCSW). It had 21 members in it and was headed by Begum Zari Sarfraz, who had earlier served on the WRC. Originally, this commission had a one-year mandate that was, later extended for an additional year.

The objectives of the commission were to:

- Ascertain the rights and responsibilities of women in an Islamic society and to make recommendations to the federal government for effective safeguard of women's rights;
- Advise the federal government to adopt measures that would help improve education, health and employment opportunities for women;
- Identify what services women can render in eradicating ignorance, social evils, poverty, and disease in the country; and
- Suggest measures to integrate women of minority communities in national life.

Submitted in 1985 and published in 1990, the PCSW Report presented a comprehensive overview of women's situation in Pakistan. It emphasised the pressing need to eliminate negative practices and customs and to overcome any conflict between Islamic perspectives and modernity. The PCSW Report gives a comprehensive picture of women's status and the widespread violations of rights that exist and provides a substantial list of recommendations to improve women's rights and status in the social, economic, political and cultural spheres. More than any other Report, it emphasised the need for specific affirmative action initiatives for women, especially in the area of employment and economic status, health, education political representation and participation, religious and legal status. It also emphasised the need for specific affirmative actions and reiterated the demand of the previous commission for the establishment of a permanent commission on the status of women.\(^{10}\)

\(^{10}\) Ibid, pp. 5-6.
Taking special note of negative customary practices and violence to which women are subjected to, including those prevalent in state institutions, it provided the first recommendations for overcoming/addressing domestic and other forms of violence. In addition to its comprehensive recommendations for improving health and education indicators and the cultural status of women, the PCSW paid special attention to the needs of marginalised and/or vulnerable sections of society. More than any other Commission, the PCSW made special recommendations relating to women with disabilities, elderly and destitute women, and other disadvantaged groups. Although PCSW was specifically mandated to suggest measures to integrate minority communities in national life, it made few recommendations in this regard. The reason for it as given in the report is the unavailability of data. The impact of the recommendations of this report surfaced when some initiatives were taken by subsequent governments in this direction e.g. the establishment of women police stations in 1994, the introduction of quotas for women in government service and for people with disabilities, and the establishment of the First Women's Bank Limited that provided women small loans without collateral requirements. Some of these measures had also been identified by the 1976 WRC Report.11

**Commission of Inquiry for Women (1994-1997)**

The Commission of Inquiry for Women (COI) was set up on 25th September 1994 in pursuance of a private member's resolution in the Senate. After a debate in the Parliament, the resolution was modified to include “all the existing laws promulgated through Ordinances or otherwise which affected the rights, living conditions and social and legal status of Pakistani women and suggest measures to bring them in conformity with the injunctions of Quran and Sunnah.”12 The objectives of this commission focused on reviewing laws relating to women and suggesting measures to rectify them:

a. Review all existing laws, which are discriminatory to women or affect their rights being equal citizens of Pakistan;

b. Suggest amendments in the existing laws or rules or bringing these laws and rules in accordance with the injunctions of Islam as enshrined in the Holy Quran and Sunnah;

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11 Ibid.
c. Propose remedial measures whether through legislation or otherwise for improving the condition of the womenfolk of Pakistan; and

d. Suggest any other measures as the Commission may deem appropriate in furtherance of aforesaid objectives.

The COI had to be reconstituted because several women NGOs as well as members of the Commission raised objections about its composition which was not broad-based and consisted of only one woman out of a total five members. The reconstituted Commission was headed by Justice Nasir Aslam Zahid and had 7 women out of a total of 11 members. With the exception of an expert on Islam, all COI members were from the legal profession. Such a heavy representation of legal experts in COI resulted in a focus entirely on laws and legal measures. The COI Report of 1997 has very few recommendations on development issues because the purpose of setting up this Commission was to elicit recommendations with regard to legislation concerning or affecting women and not general proposals in respect of policy or development planning. The Commission Report deals extensively with all legal issues starting from the Constitution of Pakistan to political participation, citizenship, family laws, economic rights, labour laws and service laws, criminal laws, including the Hudood Ordinances (1979) and the Qanoon-e-Shahadat 1984, violence against women and development rights. It argued for the repeal of the controversial Hudood Ordinances as it termed them unjust and contrary to the spirit of Islam. It is the only Commission to have immediately made public its recommendations and to have its report printed and widely disseminated. Since the COI report was made public at the time it was submitted to the government, its recommendations are better known and have received support from women's organisations. Civil society organisations have invested significant time and energy in translating its recommendations into Urdu and making these known to a wide cross-section of society to mobilise support for its recommendations.13 (see Annex-C for a chronology of Policy Development in Pakistan)

National Commission on the Status of Women (NCSW) 2000 to Present

The consensus recommendation of the Committee/Commissions Reports of 1976, 1985 and 1997 for a permanent autonomous commission on the

13 Ibid
status of women was addressed and the National Commission on the Status of Women (NCSW) was established in July 2000. Established under the NCSW Ordinance, the commission can make recommendations on laws and policies relating to women without any influence of the government. The Commission is mandated to review laws, policies and Government initiatives for the development of women, and monitor institutional mechanisms for implementation of policies, laws and gender-equality initiatives, in collaboration with major stakeholders, such as national and international agencies, civil society organisations and affected women.\(^{14}\)

Specifically, the Commission has the following functions:

- a. Examine the policies, programmes and other measures taken by the Government for women's development and gender equality to assess implementation and make suitable recommendations to the concerned authorities where considered necessary for effective impact;

- b. Review all laws, rules and regulations affecting the status and rights of women and suggest repeal, amendment or new legislation essential to eliminate discrimination, safeguard and promote the interests of women and achieve gender equality in accordance with the Constitution and obligations under international covenants and commitments;

- c. Monitor the mechanisms and institutional procedures for redress of violation of women's rights, individual grievances, and facilities for social care, and undertake initiatives for better management and efficient provision of justice and social services through the concerned forums and authorities;

- d. Encourage and sponsor research to generate information, analysis and studies relating to women and gender issues to provide knowledge and awareness for rational policy and strategic action;

- e. Develop and maintain interaction and dialogue with non-governmental organisations, experts and individuals in society and foster active association with similar commissions and institutions in other countries for collaboration and initiate action to achieve gender equality and development at the national, regional and international level; and

- f. Any other function assigned to it by the Federal Government.\(^{15}\)


\(^{15}\) Ibid.
This Commission consists of a Chairperson and twenty members having wide experience in the socio-economic problems of women. The chairperson and membership is for a stipulated period only. To achieve its' tasks of review laws affecting women negatively, NCSW formed committees to look into the laws. After an extensive review, the NCSW, like its' predecessors, has recommended changes in the Constitution, Muslim Family Laws, Labour and Service Laws, Criminal laws, the Citizenship Act, Qanun-e-Shahadat, 1984, the repeal of the Hudood Ordinances and measures to be taken for the development rights of women, their political participation, and Institutionalisation of measures to curb violence against women.16

Despite advertising and advocating its recommendations to the government, the government has ignored the recommendations from the NCSW and opted to change the chairperson of the Commission and select new members (long after the membership period of the previous members had lapsed) who would be compliant with the government stances and would not criticise government policies. The NCSW initially faced problems similar to those women's organisations face: although it was created with a lot of fanfare, it was not allocated an office for the first few months of its existence; neither was it provided with adequate financial support to even buy office equipment such as tables, chairs and computers to function. For these, it had to turn to the UN and other bilateral donors for support. There were tensions between the NCSW and the Ministry of Women's Development over the area and scope of its work. With limited funds and a pliant membership, the NCSW has been co-opted out of its active pro-women role into just another organisation that would tow the official line.

National Plan of Action
Pakistan launched the National Plan of Action for Women with a 15 years perspective in August 1998. This was pursuant to the commitment made by all participating States in the UN's Fourth World Conference for Women held in Beijing in 1995 to develop such a plan and to strengthen the mechanisms for women in the country. The NPA was the result of a consultative and participatory process bringing together government institutional representatives with experts and institutions from outside the government between 1995 and 1998.

16 Ibid.
The NPA covers 12 critical areas of concern identified in the Beijing conference: women and poverty, education and training, health, violence against women, women and armed conflict, women and, the economy, power and decision-making, institutional mechanisms, human rights of women, media, environment, and the girl child. In addition, the Pakistan NPA has annexed a special section devoted to the needs of women and girls with disabilities. Each NPA chapter identifies strategic objectives and then suggests specific actions required to meet those strategic needs. Some of these actions replicate recommendations of the Commissions, while others supplement those suggested by the commission. Therefore, any attempt to formulate actions/initiatives on issues addressed by the various commissions will be incomplete without also reviewing the specific actions recommended in the NPA, suggests a report by the Ministry of Women Development, Social Welfare and Special Education.17

4.1.2 Policies for Women in Bangladesh18

The Government of Bangladesh has undertaken several efforts toward integrating the women's agenda into its broader policy and plan framework. These include: (i) Formulation of the Fifth Five-Year Plan (1997-2001) adopting the mainstreaming of a women's development approach; (ii) declaration of the National Policy for Advancement of Women; and (iii) adoption of the National Action Plan (NAP) for Advancement of Women: Implementation of the Beijing Platform for Action (PFA).

Beijing 1995: Preparation and Follow-up

The Fourth World Conference on Women at Beijing in 1995 mobilised the women of Bangladesh including the Government and the Ministry of Women and Children Affairs (MOWCA). As a preparatory activity, the Government organised local level meetings with NGOs, women's organisations, and other members of civil society, and prepared a status report and PFA on women. The Government adopted the Beijing PFA without any reservation and took initiatives for preparing a follow-up action plan for its implementation.

18 Policies for women in Bangladesh have been taken from the Asian Development Bank’s country briefing paper at www.adb.org.
The MOWCA was designated this task on behalf of the Government. It took the following actions:

1. The entire PFA and its summary was translated into Bengali and was made available to relevant persons and organisations. MOWCA also held a national level debriefing of the secretaries of all government ministries in May 1996, where participants joined panel discussions on various chapters of the PFA and reviewed its relevance to their sectors. The ministries also reviewed the current planned budget allocation to identify existing policies, programmes, and projects that need modification based on gender perspectives. This review facilitated the incorporation of the strategic objectives and suggested actions in the PFA, recommended measures to minimise the gaps in existing policy measures, and identified the revisions in terms of resource, personnel, and time frame for implementation. The social sector ministries also recommended making required changes in the existing mandate and structure of the institutions, and review of the monitoring mechanisms for establishing inter-ministerial linkage and coordination for implementing the PFA.

2. A high-powered inter-ministerial task force was set up in the MOWCA in December 1995 with representations of members from outside the Government for the preparation of a participatory and representative action plan.

3. A core group was established in January 1996 by the Department of Women’s Affairs (DWA) to assist the Task Force. The Core Group consisted of women and gender specialists who helped in the preparation of the action plan based on the directives given by the Beijing PFA. The Core Group consisted of nine persons — two from the Government and seven from outside the Government, most of them closely related to the whole Beijing process. The Core Group worked closely with MOWCA to formulate a process for broad-based participatory planning based on the PFA.

4. For the preparation of the Bangladesh Action Plan, a needs assessment of different sectors was undertaken in August 1996. Twelve social sector ministries were selected to assess the gender gaps and needs of the sectors and 12 sector Specific Needs Assessment (SNA) teams consisting of government officials and
non-government experts were set up to review these sectors. The
team for each ministry consisted of 2-3 consultants, one member
each from DWA, and the Women-in-Development (WID) focal
point of the relevant ministries. A Core Group member supported
each team. The 14 social sector ministries were Women and
Children's Affairs; Planning; Social Welfare; Education; Home;
Law, Justice, and Parliamentary Affairs; Industry; Agriculture;
Environment and Forestry; Fisheries and Livestock; Labour and
Employment; Local Government, Rural Development and
Cooperatives; Health and Family Planning; and Information.

The objective of the SNA was to determine the present status of
WID gaps and the interventions needed to incorporate the PFA in the
NAP. The SNA teams used a combination of methods and helped the
ministries assess their own programmes, identify gaps, and prepare
action plans based on the PFA. The SNA teams had consultations with
various resource persons in the government and NGO sectors with at
least one joint consultative meeting where key findings and issues and
recommendations were presented.

The exercise facilitated the review and needs assessment of
government policies, programmes, and projects. The integrated work
reinforced the role of MOWCA as the focal ministry for the advancement of
women. It facilitated greater involvement of the ministries, and greater
accountability of the focal ministry for proper implementation of the
Beijing PFA follow-up and implementation.

National Policy for Advancement of Women
The National Policy for Advancement of Women and the NAP were
formulated by MOWCA, based on SNA and other reports. They were
approved at the first meeting of the National Council for Women
Development (NCWD) held in February 1997. The National Policy was
declared on International Women's Day on 8 March 1997. Its main
goals are to eradicate gender disparities from the society and to provide
better options to women to ensure their participation in the private and
public life. However, major challenges still remain in formulating
sector-specific operational strategies with programme interventions in
the light of the National Policy.
National Action Plan for Advancement of Women

Following the Beijing PFA, the NAP was prepared and approved by the Government in 1997. A mainstreaming approach was adopted in formulating the NAP. The NAP includes the recommendations of 15 line ministries/divisions specifying objectives, indicators, resources, time limit, and activities to be undertaken. There is also one general matrix applicable for all other ministries in the NAP.

The NAP emphasises the strategy of mainstreaming women's development in all government policies and programmes by sectoral ministries and agencies. As the national machinery MOWCA is responsible for facilitating the mainstreaming of gender equality perspective in all policy areas. In addition, MOWCA will also work for advocacy, policy leadership, communication, coordination, follow-up, and implementation of the NAP by all other sectoral ministries.

The responsibilities for the implementation of the NAP were envisaged as the coordinated effort of all 15 ministries/divisions. The goals of the NAP are given below:

i. To make women's development an integral part of the national development programme;

ii. To establish women as equal partners in development with equal roles in policy and decision making in the family, community, and the nation at large;

iii. To remove legal, economic, political, or cultural barriers that prevent the exercise of equal rights by undertaking policy reforms and strong affirmative actions; and

iv. To raise/create public awareness about women’s different needs, interests and priorities and increase commitment to bring about improvements in women’s position and condition.

Fifth Five-Year Plan (1997-2002)

The Macro Chapter on Women’s Development in the Fifth Five-Year Plan has endorsed mainstreaming as the strategy for women's development. The Plan recognised the roles of all sectors in mainstreaming women’s development and emphasised the policy and advocacy roles of MOWCA. The Macro and Micro Chapters on Women's Development of the Plan stressed the importance of implementing the National Policy and the NAP for Advancement of Women.
The following are the broad objectives of women's development, as mentioned in the Micro Chapter on Women's Development of the Fifth Five-Year Plan:

i. Undertaking necessary steps for implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);

ii. Promotion of all sorts of rights for women — human, socio-economic, legal, and political;

iii. Reducing the increasing burden of poverty on women;

iv. Increasing women's participation/representation in every stage of development;

v. Promoting capacity development;

vi. Strengthening institutional development to increase women's development accountability;

vii. Changing negative cultural values against women; and

viii. Eliminating violence against women and girl children.

Strategic concerns envisaged in the Plan include poverty reduction, public expenditure, public employment, education, health, legal protection, security, institutional and infrastructure capacity building, support services for women's employment, research, and database development. However, no clear mechanism is laid down to achieve those goals. Nor are there set targets and funding to implement those concerns into reality.

For implementation, monitoring, and evaluation, the Plan mainly emphasised the role of the Implementation Monitoring and Evaluation Department (IMED), reviewed its strengths and weaknesses, and recommended mechanisms to improve its performance. However, it did not discuss the role of WID focal points in the existing ministries or review their capabilities, or suggest any mechanism to improve the performance of and coordination between WID focal points.

Briefly discussed below are the different national mechanisms for women's development in Bangladesh.

**National Council for Women Development**

At the national level, the NCWD was established in March 1995. It has 448 members, including the Prime Minister (chairperson) to implement and review socioeconomic development policies to reduce the existing gender gap, and enhance women's status. Since the establishment of
NCWD two meetings have been held. At the first meeting (1997) the National Policy for Advancement of Women and the NAP were approved. In order to make the NCWD effective, a monitoring and evaluation committee has been set up headed by the Minister of MOWCA. Its function is to monitor the implementation progress of sectoral WID plans and submit quarterly reports to the NCWD. This is a working committee composed of high government officials from line ministries including the IMED, the Planning Commission, and members of civil society.

As the highest policy-making body for women's development, the NCWD provides policy guidance to all sectors and monitors implementation of critical policy decisions relating to women's issues and development.

**Ministry of Women and Children Affairs**

Bangladesh is one of the few countries to have a separate Ministry of Women's Affairs, which was established in 1978. The Ministry has gone through various stages and structures. At present it consists of the Ministry itself and three implementing agencies: the Department of Women's Affairs (DWA), Jatiya Mohila Sangstha (National Women's Council), and Shishu (Children's) Academy.

As part of the National Women Machinery, MOWCA was mandated to act as the central motivating factor on issues of women's equality and development and to promote a broader and more consistent response by all government agencies to the needs and priorities of women.

**Other Institutional Mechanisms for Women's Development**

In order to fulfil its commitment of mainstreaming women in the development process and ensuring their full participation, the Government has set up certain institutional mechanisms to implement and monitor its programmes. These are the following:

- **WID Focal Points:** Since the Fourth Five-Year Plan, all sectors and ministries have been responsible for incorporating WID concerns into their programmes. The WID focal point is a unique mechanism to ensure that gender concerns are included in the policies, plans, and programmes of all line ministries. For this purpose, an officer with the rank of joint secretary/joint chief has been designated as the WID focal point in all line ministries. They are also responsible for the follow-up to the NAP within their ministries. An associate sub-WID focal point, at the rank of deputy chief/secretary working in different ministries and
divisions, assists them. WID focal points also exist at the rank of assistant secretary/assistant chief, who are working in directorates, departments, and different wings of a ministry. They can play effective roles since they are involved in developing project concept papers, initiating sectoral plans, etc. WID focal points are considered as active agents of mainstreaming women’s development in each sectoral ministry. This mechanism has been introduced from the realisation that looking after women’s interest and progress is the responsibility of all development sectors.

- **Parliamentary Standing Committee on MOWCA:** The Parliamentary Standing Committee on MOWCA is composed of members of parliament who are responsible for raising and discussing all issues concerning MOWCA. MOWCA is responsible for making regular reports to this committee on the progress made on women’s advancement and the steps taken in this direction.

- **Women’s Development Implementation and Evaluation Committee:** This committee was formed to monitor implementation of the NAP by different sectors. The minister of the MOWCA heads this committee. The members of the committee are the joint secretary/joint chief of different ministries, heads of implementing agencies of the MOWCA, and representatives of civil society groups.

An analysis of the policy initiatives for women in Pakistan and Bangladesh suggests that there are adequate policies to protect the rights of women, but their enforcement is weak since the mechanisms to enforce and administer these policies and laws are inadequate and ineffective. The National Plan of Action has been developed in both countries but not implemented, CEDAW has been ratified but measures required under it has not been undertaken and, although both Governments have outlined some positive steps, they have not yet operationalised them. Most importantly, the lack of political will and the level of priority accorded to women’s development and human rights are responsible for the weak enforcement of policy initiatives for women.
4.2 NGO INTERVENTIONS

Non-Governmental Organisations (NGOs) are agents of social change and in this part of the world were mostly established in response to the unmet social welfare needs and human security needs of rural and urban populations. While often generated by local initiative at the grassroots or among urban middle class professionals, they have enjoyed the benefits not only of funding but also of a variety of complex social relationships with international social movements, regional NGO networks, and the multi-lateral agencies of the UN and World Bank system.

The phenomenal increase in the number of NGOs in the last two decades with their broad international connections with the west has made many people sceptical about the functioning of these organisations, their objectives, and the generous support of foreign donors for funding their programmes. This scepticism about NGOs has divided people’s opinion and made them somewhat controversial, giving way to arguments for and against this sector.

Najma Sadeque is of the view that in many countries, it has become necessary for repressive governments, politicians and bureaucrats to undermine NGOs. Defending NGOs, she asserts that they have developed voices louder and more convincing than the self-righteous and self-serving ones of politicians, both in power and in opposition, and the state-controlled official media. They are involved in research and advocacy activities and provide services that are visible, tangible and effective, things that most third world governments don’t have a penchant for. She points out that NGOs devoted to social welfare are actually doing the government’s job, and doing it better without extracting taxpayers’ money to squander or steal it. Governments consider them benign because they take the pressure off them in not allocating funds where needed or for the non-performance of many of their own functionaries. Other NGOs that governments see as anything but benign, and in fact as a threat to the status quo, focus on alerting the public to the unrealised citizen’s right to force governments to shape up or ship out.¹⁹

According to Rounaq Jahan, the “strength of civil society is one of the markers of democracy.”²⁰ She writes that though NGOs mobilised


millions of people in various group activities related to income, health, education and other services, and in though the 1990s they began to organise people around human rights issues, they have also begun to exhibit some negative trends in Bangladesh by becoming overly aligned with political parties, limiting their value as a neutral third force.

Akbar Zaidi (1999) looks at the positive and negative sides of NGOs in his work and writes that today NGOs are increasingly considered to be a far better conduit for the distribution of multilateral and bilateral aid, for the dissemination of new ideas and concepts with regard to social and economic development, and as a means to foster participation and democracy in order to improve 'civil society'. This 'new policy agenda,' he believes, has shifted onus of sustainable development on to non-governmental organisations, which are increasingly seen as a panacea for all the ills that afflict underdeveloped countries. NGOs are expected to address and resolve issues affecting the environment, gender inequality, sustainable development, law, political emancipation and participation, and almost every other shortcoming that is supposed to convey some meaning to the term 'underdeveloped.' Issues or areas that the private or state sector cannot address are automatically expected to be undertaken by NGOs. It is surmised that the state and the public sector have not been able to deliver development to the presumed beneficiaries, and non-state institutions, essentially the private sector and NGOs, must therefore step in and fill the void. Zaidi also observes that a very large number of NGOs have failed to do or deliver what was expected of them. The reasons of this failure, he says are numerous, but are perhaps based partly on the unreasonably high expectations of NGOs and from NGOs.21

In both Pakistan and Bangladesh, NGOs have raised their voices for women in a range of fields spanning income generation, access to education and reproductive rights to human rights. A considerable percentage of NGOs are devoted exclusively to women's issues and many have a strong focus on women. However, many of the NGOs are dependent upon donor project funding at the micro level, which seriously limits their capacity for consistent work on a specific issue for longer terms. We cannot expect social change for women to come from 1-3 year project cycles when women are faced with centuries of inequality and discrimination at multiple levels.

21 Ibid.
NGOs are a critical resource for countries like Pakistan and Bangladesh, and should be nurtured properly to enhance the prospects for sustaining the initiatives that they have taken as efforts for filling the voids left by the state. For example, according to Shawkat Ara Begum, "NGOs have achieved significant success in educating rural illiterate women and girls. Since financial constraints prevent children from participating in formal education, the NGOs are offering non-formal education and sometimes vocational training to poor boys and girls." The achievements of BRAC and the Grameen Bank in Bangladesh are known worldwide. Similarly, in Pakistan, the achievements of the Orangi Pilot Project (OPP) in Karachi in promoting women access to education, income and skills as well as overall community development, and the philosophy of people-centred participatory rural development that Akhter Hamid Khan promoted has become the basis of the National Rural Support Programme (NRSP) and the Aga Khan Rural Support Programme (AKRSP) in Pakistan. The non-government sector is undoubtedly a powerful source of bringing about a positive social change and can play a vital role in mobilising people and pressuring governmental and international institutions to respond to the human security needs of the people, but they must not be expected to take on the functions of the governments.

Both Bangladesh and Pakistan now have an organised NGO sector. In Bangladesh, the apex body of NGOs is called ADAB and has over 800 member organisations. Similarly, in Pakistan, NGOs have developed the PNF (Pakistan NGO Forum), which amalgamates NGOs from all provinces on a single platform to fight for their rights. A list of brief descriptions of some non-governmental organisations in Pakistan and Bangladesh, engaged in service delivery, advocacy and research, is attached as Annex-D. These NGOs are working on different aspects of human security with a strong focus on women. Aspiring agents of social change, these organisations also work as pressure groups for their respective governments.

4.3 CONCLUSION
An overview of the policy history confirms that despite impressive national policies and commitment to various international treaties, women continue to live with a low status, often surrounded by grave

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threats to their dignity, honour and life in Bangladesh and Pakistan. Women's development has suffered heavily due to an anti-women bias in policy implementation and legal lacuna in the two countries. Such biases result from and serve to reinforce the lack of political commitment, political instability. Frequent changes, the existence of discriminatory laws, deep-rooted harmful cultural and traditional practices and growth-oriented rather than equity-oriented economic policies have also impacted negatively on women's development.

However, the situation is not hopeless. We have witnessed a significant change, especially at the discursive level, if we take a long view of 50 or 60 years when women's rights were only associated with liberal agendas that operated within the framework of a political cultural system that kept women's status subordinate to that of men. Certainly, there has been a shift in the discourse on women and their rights, even if often seemed merely offering lip service. Women have voiced their concerns about the language used in the citizenship act in both countries that discriminates against women; they have asserted themselves where marriage and divorce laws are concerned. The court system has become slightly more sensitised and responsive to women's issues so that over the years the detailed judgments depict a changed attitude compared to the earlier one of almost automatic condemnation of women.

Within this larger dismal picture, there are small islands of hope when the government machinery has mobilised itself in defence of a glaring injustice or when a supportive government official exercised his agency to intervene in a positive manner. In conjunction with the NGO sector, there have been some remarkable achievements that may be termed good practices. Taking these good practices to scale is the next challenge. Although we have examples of successful initiatives at the grass roots level, especially through the NGO sector in both countries, little has been achieved in terms of critical social change at the macro level. In many cases the successful initiatives last as long as funding is available. Additionally, some of what we may term best practices at present might not appear to be so in hindsight. For instance, while some women have been empowered due to income generating activities of NGOs, it is doubtful if the additional work burdens have also resulted in proportionate social empowerment for women.

This chapter provides evidence that the situation of women in Pakistan and Bangladesh continues to be a matter of serious concern.
even though the rhetoric for women’s rights and freedom from violence is present in both countries. The factors that impede the realisation and implementation of pro-women policies point to the absence of a larger enabling environment in the midst of patriarchal institutions that work within a capitalist system and maintain class hierarchies whether between women and men or among the powerful and powerless. Strategies to overcome the position of marginality for women and to overcome their insecurities would necessarily have to be aimed at multiple levels ranging from structural change in the institutions of the family communities and the state to more direct short-term and medium-term initiatives for reform of the system and providing women in crisis situations immediate help such as physical protection, legal aid and psychological counselling.