

Newspaper article to be published on 3 September 2009 – International Day for CEDAW.

PHREB calls for Bangladesh Government to remove its reservation from CEDAW

Starting even before they are born, and continuing throughout their lives, girls are subjected to violence, exclusion, and exploitation based simply on the fact that they are female. Injustices committed against women and girls occur at all levels of Bangladeshi society in families, communities, schools, governance and politics.

PHREB, Promoting Human Rights and Education in Bangladesh, is an NGO based in the Chittagong District. We provide human rights and health education to girls and boys throughout the region, through school based programs and community alliances. In doing so we aim to empower girls and women to speak up and be leaders within their communities in the fight against gender based violence. PHREB hopes for a future whereby all men and women are treated as equal.

We strongly follow and believe in the Universal Declaration of Human Rights (UDHR), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). These are the core of all of PHREB's programmes. We want to make human rights a fact of life in Bangladesh.

The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.

CEDAW sets out, in legally binding form, internationally accepted principles on the rights of women, which covers the prohibition of all forms of discrimination against women. It is designed to combat the continuing discrimination against women and facilitate the creation of a global society in which women enjoy full equality with men and thus full realization of their guaranteed human rights.

Bangladesh ratified CEDAW in 1984, but with four reservations. The Convention permits ratification subject to reservations, provided that the reservations are not in conflict with the intention and purpose of the Convention. At present, two reservations in Bangladesh remain. They are as follows:

Article 2 which refers to the complete elimination of discrimination through all possible constitutional, legislative and legal provisions; and

Article 16-1 (c) which refers to the equal rights in marriage and at its dissolution.

Articles 2 and 16 are considered by the United Nations to be the core provisions of the Convention. However, the Bangladesh Government has placed a reservation of these provisions as they conflict with sharia law based on the Holy Koran and Sunna. These Muslim laws do not represent the whole country, just the Muslim male population.

However, by placing reservations on Article 2 and 16 of CEDAW it is going against its own Constitution. The Constitution of the People's Republic of Bangladesh contains the following articles –

Part II – Fundamental Principles of State Policy

- 10. Participation of women in national life
- 11. Democracy and human rights
- 19. Equality of opportunity

Part III – Fundamental Rights

- 27. Equality before law
- 28. Discrimination on grounds of religion, race, caste, sex or place of birth
- 29. Equality of opportunity in public employment

All of these sections relate to the equality of all citizens and does not discriminate against women, but in fact reinforces the elements of Article 2 of the Convention.

PHREB believes that traditional, religious or cultural practice, nor domestic laws and policies can justify violations of this Convention.

So on this day, the 3rd of September, being the International Day for CEDAW, PHREB is requesting that the Bangladesh Government removes its reservations on Article 2 and Article 16 of the Convention and ratifying the CEDAW and all its articles, thereby committing to a future where there is no discrimination against women and gender equality is of utmost importance. Full ratification and implementation of CEDAW is essential to promote women's human rights.

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