

A Critical Examination of the Status of Freedom of Movement of Women in Bangladesh: Holistic Approach

Mirza Farzana Iqbal Chowdhury¹

Abstract

In this era of 21st Century, the world is growing fast. Bangladesh is not out of this trend of globalization and modernization. The development of the notion of human rights across the world and ratifying human rights instruments by State Parties obviously are the reflection of the commitments of the State Parties. Likewise Bangladesh has ratified many international human rights instruments wherein freedom of movement is recognized. In that backdrop, the present status of the freedom of movement of women in Bangladesh has been reviewed in light of existing law, policy and case studies. It was found that despite the increase of rate of education, employment, life-expectancy etc, women are far more lagged behind than men in realization of their rights. Recognising equality of women with men as a paper-work which is not supported by de-facto equality has no ability to genuinely contribute in the development of women rights. It was further portrayed that the age-old stereo-typing of women as the reproductive segment of the society and portraying them as economically dependent on male factors of the family still continues and creates impediments. In view of those findings, this paper attempts to analyse 'Freedom of Movement' of women in the broader sense interlinking good governance, development, economic-politico-legal system, recognized international and national commitments and so on. The obstacles of implementing this right of women to movement are attempted to be clearly identified. To this end, primary and secondary data have been collected from various sources like books, journals, newspapers, articles, case studies, internet etc and processed under qualitative and quantitative approaches. Finally, recommendations have been put to ameliorate the overall situations of women with regard to the right to freedom of movement and thereby to improve the existing jurisprudence of women rights as 'Human Rights' in this region.

Keywords: Freedom of Movement, Women Rights, Good Governance, Equality, Human Rights.

¹ Mirza Farzana Iqbal Chowdhury , Senior Lecturer, Department of Law, Daffodil International University, Bangladesh.

Introduction

Aftermath of the Millennium Summit Session held in 2000, Bangladesh expressed her commitment for the attainment of Millennium Development Goals (MDG) which included women empowerment under goal 3 in its agenda.² Women rights got a moderate progress in Bangladesh but still there is a long way to go. Despite increased rate of education, employment, life-expectancy and so on, women are far more lagged behind than men in the society. Recognising equality of women with men as a paper-work which is not supported by de-facto equality has no ability to genuinely contribute in the development of women rights. The age-old stereo-typing of women as the reproductive segment of the society and portraying them as economically dependent on male factors of the family still continues despite apparent increase of participation of women in the employment sector. The patterns of social, religious and cultural institutions are among all institutional barriers in recognising better norms and institutions accelerating more respect and respect-led positive practices in the field of women rights. Under the concept of women empowerment, 'Freedom of Movement' is very crucial to ensure different rights of women for full development of their potentialities and to ensure social justice towards them.

Objectives

The objectives of this paper are as follows:

1. To identify the recognition of 'Freedom of Movement' of women in Bangladesh.
2. To relate 'Freedom of Movement' of women as a necessary segment of the 'Right to Development' under national and international instruments.
3. To identify the regressive factors with regard to freedom of movement of women.
4. To suggest recommendations to ameliorate the status of freedom of movement of women in Bangladesh.

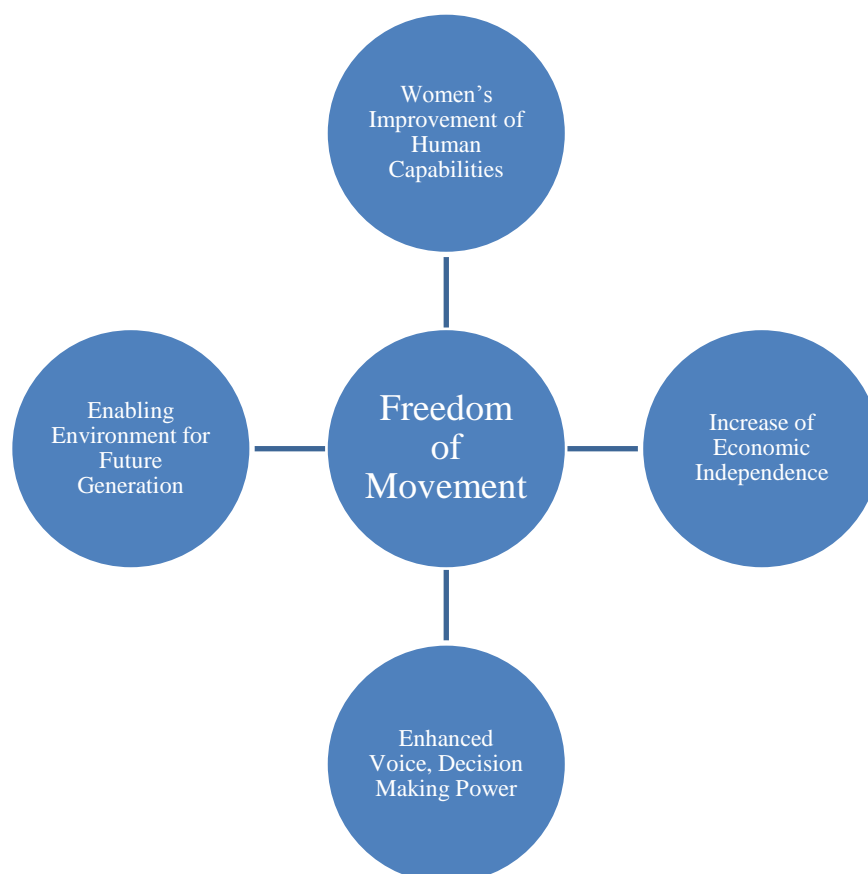
Methodology

In this paper, both qualitative and quantitative approaches have been adopted. Qualitative approach has been adopted to critically analyse the existing literature or data which have been collected from books, journals, newspaper articles, institutional proceedings, and internet and processed. Quantitative approach in the way of questionnaire survey and case studies has also been adopted and processed.

² Ministry of Women and Children Affairs (2011), National Women Development Policy 2011, p.7, retrieved from: <http://mowca.portal.gov.bd/sites/default/files/files/mowca.portal.gov.bd/policies/64238d39_0ecd_4a56_b00c_b834cc54f88d/National-Women-Policy-2011English.pdf>, accessed on 05 November, 2015

Defining ‘Freedom of Movement’

Freedom of movement is the inalienable human right and recognized as a fundamental right in almost all countries. Freedom of movement implies freedom to move throughout public places, educational institutions, employment sector, participation in social, economical and political life, to leave any country including own country, to enter in any country subject to immigration rules etc. Proper exercise of freedom of movement ensures improving human capabilities, increasing of economic independence, enhancing voice, gaining decision making power, enabling environment for future generation etc. Under the concept of women empowerment, this freedom is crucial to ensure different rights of women for full development of their potentialities.



Picture 1: Outcomes of Ensuring Freedom of Movement

International Commitments towards Freedom of Movement (Direct and Analogous)

Bangladesh is a member State of the United Nations (UN) and signatory to various human rights instruments where freedom of movement is recognised either directly or analogously, i.e., Universal Declaration of Human Rights 1948 (directly in article 13), International Covenant on Civil and Political Rights 1966 (directly in article 12), Convention on All Forms of Discrimination against Women 1979 (not directly but reflected in article 2 [Bangladesh kept reservation on article 2] and article 3), Vienna Declaration and Programme of Action 1993 (not directly but reflected in part I, para 10,

para 11, para 18) etc. Bangladesh signed the optional protocol on CEDAW also.³ Besides, in its General Comment on the Freedom of Movement, No. 27 (1999), the Human Rights Committee noted that the right to movement is 'incompatible' with laws that subject free movement to "the decision of another person, including a relative."⁴

National Commitments of Bangladesh towards 'Freedom of Movement'

Constitutional Guarantees

Freedom of movement of citizens is guaranteed under article 36 of the Constitution of Bangladesh, *subject to reasonable restrictions imposed by law in the public interest*.⁵ These reasonable restrictions infer imposition of restrictions on legal basis and as required for public interest only and must be reasonable in both substantive and procedural aspects⁶. The reasonableness must be determined in an objective manner with consideration of the change of time and circumstances.

Freedom of movement is recognized as one of the fundamental rights and enforceable under article 102 of the Constitution. To support the aforementioned article, the articles 9, 10, 19 (1), 27, 28, 29, 44 of the Constitution may be resorted to.

Laws and Policies Adopted by Bangladesh towards Freedom of Movement

Legislation

Freedom of movement requires ensuring an enabling environment where this freedom can be fully achieved. Bangladesh has enacted various laws to combat various anti-movement factors and to create an enabling environment for women⁷ i.e., The Penal Code, 1860, The Anti-Dowry Prohibition Act (1980), The Cruelty to Women Ordinance (1983), The Suppression of Immoral Traffic Act (1993), The Prevention of Repression against Women and Children Act (2000), Mobile Court Act (2009), Domestic Violence (Prevention and Protection) Act (2010), Prevention and Suppression of Human Trafficking (PSHT) Act 2012, The Domestic Violence Prevention and Protection Rules (2013), Overseas Employment and Migration Act (2013), The Pornography Control Act (2012), The Labour Code, 2006 and its revision in 2013.⁸

Policies

³ Ibid at p.5

⁴ UN General Assembly [UNGA] (1967) Declaration on the Elimination of Discrimination against Women, Article 9 and 15, A/RES/2263, retrieved from: <<http://www.un.org/womenwatch/daw/-cedaw/text/econvention.htm>>, accessed on 15 November, 2015

⁵ Government of Bangladesh (1972) Constitution of Bangladesh, Article 36

⁶ Chowdhury, M.F.I (2015) Law of Human Rights, Dhaka: Hira Publications

⁷ Government of Bangladesh (n.d.), Laws of Bangladesh, retrieved from: <<http://bdlaws.minlaw.gov.bd/>> accessed on 25 October, 2015

⁸ Ibid

Government formulated the following policies on gendered needs:⁹

- National Women Development Policy, 2011
- The National Strategy for Accelerated Poverty Reduction Strategy Paper (NSAPR-II)

One of the five strategies of this Strategy Paper is ‘Participatory Empowerment in Development Activity’, an initiative towards increasing mobility of women.

- Vision 2021 (2010-2021) and 6th 5-Year Plan (2010-2015) in consistence with the strategy paper (NSAPR-II).¹⁰ 7th 5-Year Plan is in progress.
- National Action Plan on Violence Against Women (VAW)

Two of the six main areas focused in this plan for action are the advancement of women’s socio-economic status and community involvement¹¹, with which freedom of movement of women can relate.

All these plans and policies are dependent on ensuring freedom of movement of women and *vice versa*.

Institutional Support for Protection of Women

The following institutional supports have been developed by Government for the protection of women:

- Ministry of Women and Children Affairs in 1994
- National Council for Women and Child Development (NCWCD) has been formed for review of the socioeconomic development of women.
- The Parliamentary Standing Committee on Development of Women in Bangladesh shall advise the government to adopt specific measures for betterment of the women.¹²

An integrated initiative has been adopted aiming at women development at both public and private sector levels. Bangladesh government is earnestly accelerating cooperation to NGOs in this respect.¹³

Situation of Freedom of Movement of Women in Bangladesh

Secondary Data Review

Freedom of movement is a cross-cutting issue and involves many issues along with it. There is no straightforward statistics on the status of ‘Freedom of Movement’ of Women in Bangladesh. However, there are some

⁹ General Economics Division, Bangladesh Planning Commission, Government of Bangladesh (2014) ‘Gender Equality and Women’s Empowerment: Suggested Strategies for the 7th Five Year Plan’, p.7, Dhaka, Bangladesh

¹⁰ Supra note 1, p.7-8

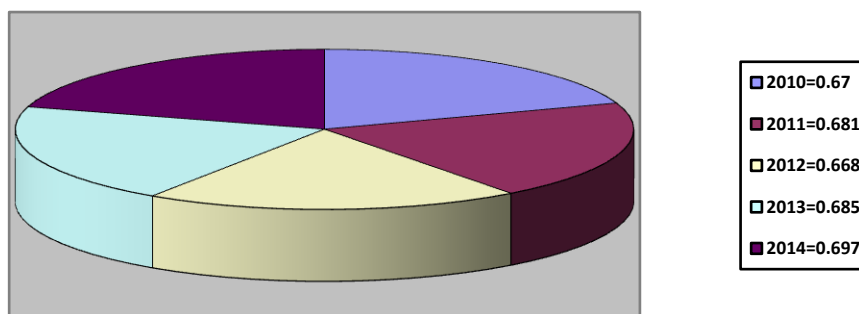
¹¹ Supra note 8, p.18

¹² Supra note 1, p.25

¹³ Ibid at p. 11, 12

secondary researches on various issues of women rights from where we can get a glimpse of participation of women in all spheres of the country.

Chart-1: Global Gender Gap Index¹⁴



Examining the scores of Bangladesh in 2010, 2011, 2012, 2013 and 2014 in the Global Gender Gap Index, it has been found that Bangladesh has steadily improved in educational attainment, health and survival, economic participation, political empowerment. However, this is not a sex segregated data and failed to clearly focus on women's actual scenario in attaining the score. Likewise, in the Human Development Index, 2014, Bangladesh ranked 142 among 188 countries, placed under 'Medium Human Development Country' and scored 0.558 (higher than 2013 by 0.004).¹⁵ As per recent 2015 Human Development Index report, score of Bangladesh is 0.570, higher than that of 2014 by 0.012 point.¹⁶ In another research, Social Progress Index, 2014, Bangladesh scored 52.04 which is higher compared to Pakistan, India and Nepal.¹⁷ In case of personal rights including freedom of movement, Bangladesh scored 51.40¹⁸, but it is not a sex-segregated data. In the Social Progress Index Report of 2015, Bangladesh ranked 100 and scored 53.39 which is higher than that of 2014.¹⁹ It has been claimed that there has been steady improvement in the social and political empowerment scenario of women in Bangladesh.²⁰ But due to absence of sex segregated data, the claim cannot be scientifically proved; consequently future plans of progressive realization towards increasing mobility of women may be hampered. Another dimension of mobility of women is the engagement of women as labour force.

¹⁴ Supra note 8, p.2

¹⁵ Ibid

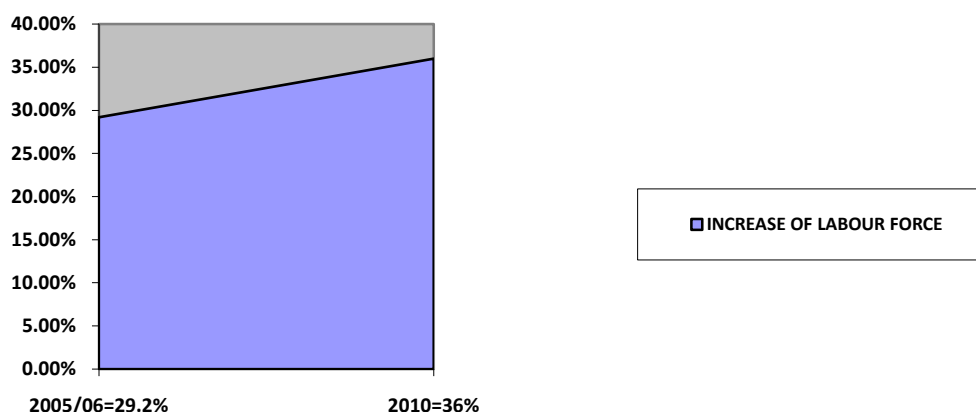
¹⁶ United Nations Development Program (2015) Human Development Reports: Table 1: Human Development Index and its Components: Bangladesh, retrieved from: <<http://hdr.undp.org/en/composite/HDI>> accessed on 19 December, 2015.

¹⁷ Supra note 13

¹⁸ Ibid

¹⁹ The Social Progress Imperative (2015) Social Progress Index: Findings: Low Social Progress Countries, retrieved from: <<http://www.socialprogressimperative.org/data/spi/findings>> accessed on 19 December, 2015.

²⁰ Supra note 8, p.4

Chart-2: The Labour Force Survey (LFS)²¹

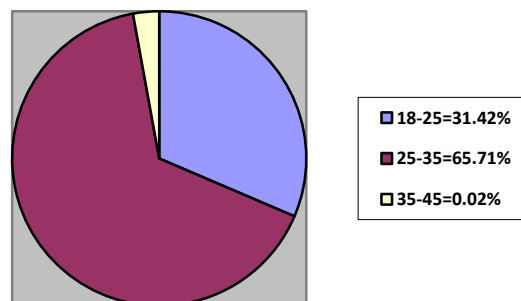
Here also, labour force of Bangladesh has been increased to 36% in 2010 from 29.2% in 2005/06²², but there is no separate statistics on increase of women labour force. However, in 2013, according to Bureau of Manpower, Employment and Training (BMET), about 13% of international migrants were women, and they mainly work as housemaids, cleaners, care givers etc²³. Overall, it can be rightly put that government and non-government stakeholders did not put as much effort to bring out sex-segregated data, a key-factor for understanding the real status of freedom of movement enjoyed by women in Bangladesh as required to formulate an effective policy for them.

Field Survey (Primary Data Collection and Processing)

A structured questionnaire survey was conducted in the month of November, 2015. Total thirty-five women were randomly selected for the study. Twelve questions were asked and on the basis of their answers, data were collected and processed.

Chart 3: Age of the Respondents (Years)

18-25	11
25-35	23
35-45	1



²¹ Bangladesh Bureau of Statistics (BBS), (2011) 'Labour Force Survey 2010', Dhaka.

²² Ibid

²³ Ibid

Technical Education and Training for Changing Rural Income

Chart 4: Profession of the Respondents (Number)

Housewife	5
Student	8
Working	22

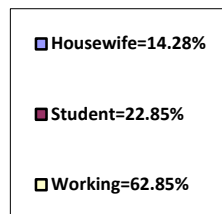
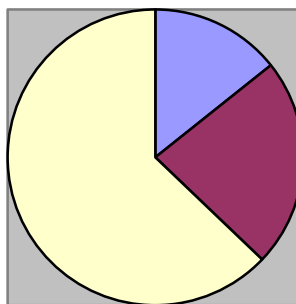


Chart 5: Educational Qualification

Master's	25
Honours	6
Higher Secondary School	4

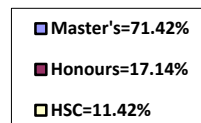
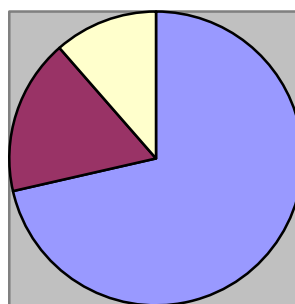


Chart 6: Marital Status

Married	21
Unmarried	14

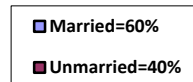
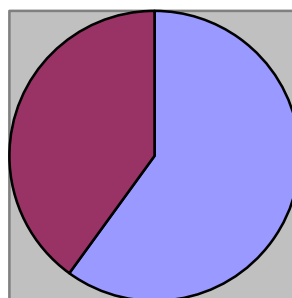


Chart 7: Awareness of Right to Movement

Aware	20
Unaware	15

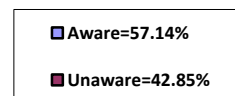
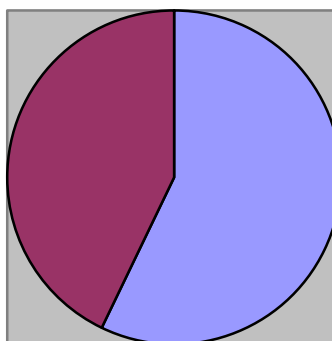


Chart 8: Requirement of Permission before Movement

Permission required	30
Not required	05

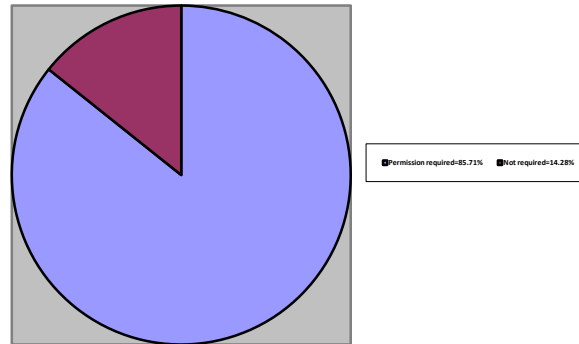


Chart 9: Who is in Charge of Granting Permission

Parents, preferably father and/or Elder Siblings, preferably brother	13
In-laws (After marriage)	19
Not applicable	05

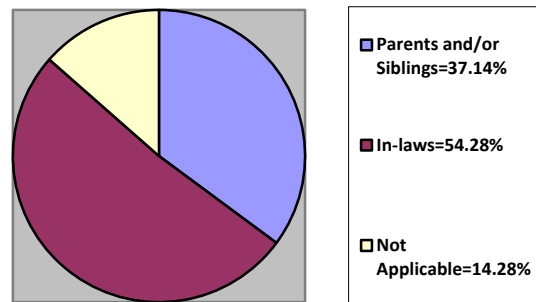


Chart 10: Facing Obstacle in Movement

Yes	35
No	0

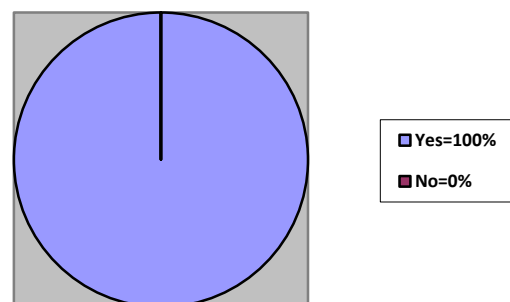


Chart 11: Nature of Obstacle

Eve-teasing	23
Side-comments	35
Physical assault	18

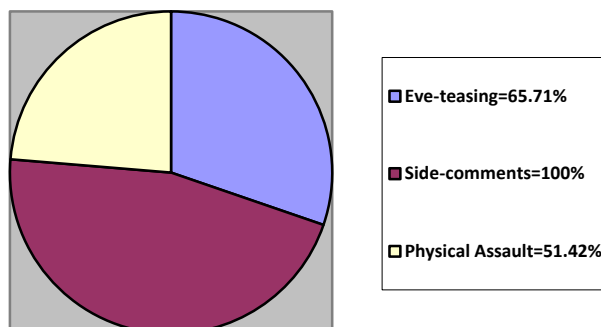


Chart 12: Reaction of Obstacle

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Restriction by Guardian in Movement	19
Always Accompanying Another	18
Ignoring Obstacles	24
Taking Help of Local Authority	03

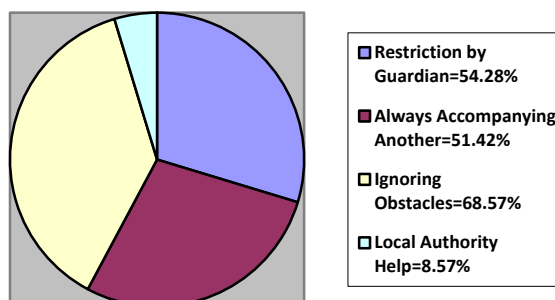


Chart 13: Restriction after Marriage

Always restriction	6
No restriction	15
Sometimes restriction	14

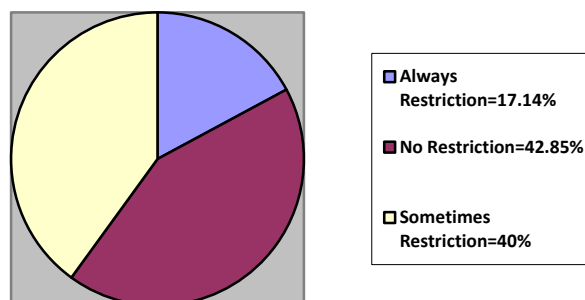


Table 1: Hierarchy of Problems to be addressed (Most to least Scale)

1. Lack of Social Security	34=97.14%
2. Lack of Enforcement of Law	33=94.28%
3. Social Position as Woman	32=91.42%
4. Lack of Self-Dependency	28=80%
5. Lack of Proper Education	17=48.57%
6. Lack of Proper Law	11=31.42%
7. Ignorance of Rights	10=28.57%
8. Misinterpretation of Religious Texts	4=11.42%
9. Early Marriage	2=5.71%

Findings of the Field Survey

From the field survey, the following findings have been figured out:

1. Despite being educated, only 57.14% [chart 7] women are aware of their right to freedom of movement, which implies that only education is not the touch-stone to change the existing jurisprudence. A right-based education and awareness must be disseminated among women. There are a huge number of educated women who are not educated on the

Constitution of the country, a barrier to the self-awareness of the guaranteed rights.

2. Though the Constitution of Bangladesh does not require women to take permission from others in exercising their right to freedom of movement, but actually they need to take permission. Out of 35 women, 30 women replied that they need permission [chart 8], which is a gross violation of constitutional guarantee as well as recognised international instruments. The authority to grant permission depends on marital status of women in most of the cases [chart 9]. Before marriage, 37.14% women need to take permission from parents or siblings or other family members [chart 9] and after marriage, sometimes women need to take permission from the previous permission holders as well as new permission holders i.e. spouse and other in-laws [54.28%].
3. It has been found that 100% researched women admitted that they faced obstacle in exercising their freedom of movement [chart 10], though the natures of obstacles vary from person to person. 65.71% women faced eve-teasing, 100% women faced side-comments and 51.42% faced physical assaults while exercising freedom of movement [chart 11].
4. It has been found that as reaction of obstacles faced by women in case of 54.28% women, guardians restricted their movement, 51.42% women started to accompany another while exercising right to movement, 68.57% women dared to ignore obstacles and only 8.57% women took help from local authority [chart 12]. This is not very positive finding and requires the more engagement of community and law enforcement authority to support women's right to freedom of movement.
5. It has been found that 97.14% women [table 1] identified 'Lack of Social Security' as the gravest issue need to be most addressed, which is not a gendered issue; rather it is an overall issue irrespective of gender. 94.28% women identified 'Lack of Enforcement of Law' as the second most important issue which is also a burning issue of the country irrespective of gender [table 1]. 91.42% women [table 1] placed 'Social Position as Women' in third position under issue-to-be-addressed, which is a gendered issue and represents the conflict between women rights and patriarchal hegemony. Other issues are also there including 'Lack of Self-dependency', 'Lack of Proper Education', 'Lack of Proper Law', 'Ignorance of Rights', 'Misinterpretation of Religious Texts', 'Early Marriage' etc.

Case Studies

For the study, 5 (five) women have been interviewed and notable 3 (three) of them have been described here:

1. Mrs. Tasnim is 27 years old woman and married. She is a banker in profession and loves travelling. Whenever she travels alone, she is often questioned by others that why she is travelling alone or is there any personal problem that she is travelling alone. She complains that such social stigma is compelling her now not to share her story with others but

at the same time, she feels stronger to pursue her passion to break the barriers.

2. Ms. Taslima is 22 years old and Jagannath University student. She is from Chandpur and currently studying in Dhaka. When she got the chance for higher education, her cousins did not want her to go to Dhaka for study implying that she is a woman, she should study in a local college etc. Anyway, she got herself admitted. But she needed a job for supporting her family and she got a part-time job in Comilla. She used to frequently travel from Dhaka to Comilla whenever needed. She complains that her fellow mates used to tease her indicating her movements as illegal and immoral. She said that despite her frustration and sadness, she had no way to leave the job, but she isolated herself from people as far as possible out of social phobia.
3. Ms. Tania is 25 years old and unmarried. She is a photographer. She goes to attend the call for photo shoots and sometimes she gets late in returning home. Her mother complains that neighbours gossip and stigmatize about her character and she should leave works after sunset. Tania expresses her frustration.

Findings of the Case Studies

Case studies revealed the existing stereotyping of women by family and society. After careful examination of the case studies, it can be found that despite all the social stigmas and obstacles, women are getting stronger to reach to their aim and passion. Sometimes they are getting support from their family though not always, more often society people are non-cooperative and try to stigmatize their movements.

Regressive Factors to Freedom of Movement of Women in Bangladesh

Various factors have been identified through critical analysis of existing literatures, questionnaire survey and case studies, which impede freedom of movement of women in Bangladesh and have been discussed as follows:

a. Stereotyped Role of Women

By both patriarchal hegemony and religious hegemony, role of women in the family and society has been stereo-typed. Exercise of right to movement is also stereotyped and dependant on the permission of male family members as they are perceived as fragile and unable to take decisions. This is the clear violation of the constitutional right to freedom of movement of women in Bangladesh. Moreover, this is violation of the General Comment No. 27 of 1999. Restrictions on women's ability to travel including requirements concerning the approval of third parties like father or husband or brother, violate women's rights to freedom of movement under the ICCPR, held by the Human Rights Committee. Furthermore, the Committee outlines concerns with the activities of private interferences in restricting

women's freedom of movement.²⁴ These barriers impact a person's capacity to develop, to work, to access education, and to participate in the social, political and economical life.

b. Education and Its Impact

The adult literacy rate of women has upgraded. As per Sample Vital Registration system (SVRS) 2011, adult literacy rate reached 62.5% for males and 55.1% for females at the national level in 2011, an overall improvement from 2005 (SVRS 2011).²⁵ Despite such statistical growth with regard to literacy, the present education system has been failed to provide a gender-sensitized and rights-based education upholding the equal status of men and women. Education is still perceived as a means of getting employment, having better status, good marriage etc.

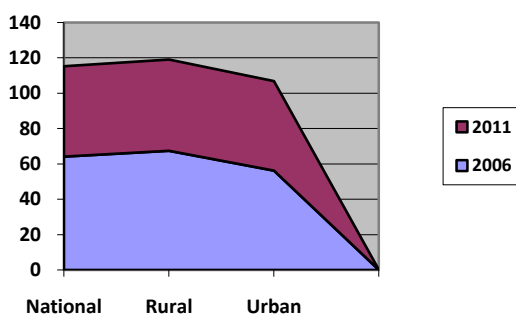
c. Lack of Education and Motivation of Parents

The lack of proper parental education and motivation represents itself as a great barrier to the freedom of movement of women.

d. Child Marriage

Bangladesh has one of the highest rates of child-marriage in the world. Nearly two-thirds of adolescent girls are married (10-19 years)²⁶. Child marriage is another barrier to the freedom of movement of women. Marrying minor girls off seems advantageous to many of the bridegrooms as they assume to get easy control over brides at their young age and thus, to manipulate their rights including freedom of movement.

Chart 14: Proportion of women 20-24 years old who are married **before age**



18

Source: *Gender Statistics Bangladesh 2012*²⁷

²⁴ The World Bank (2014) Gender Equality and Development: Women's Voice and Agency: The Role of Legal Institutions and Women's Movements. retrieved from: <<http://www.worldbank.org/content/dam/Worldbank/document/Gender/de%20Silva%20de%20Alwis%202014.%20Women's%20voice%20and%20agency.%20The%20role%20of%20legal%20institutions%20and%20women's%20movements.pdf>> accessed on 15 November, 2015

²⁵ Supra note 13, p.12

²⁶ UNICEF (2008) The Bangladesh Context: The Situation of Women and Children, p.5

²⁷ Supra note 8, p.68

As per Gender Statistics Bangladesh 2012, in 2006 the number of women aged 20-24 and married before 18 years of age was 64.1% in national sphere, 67.4% in rural sphere and 56.2% in urban sphere²⁸. This number has been reduced to 51.1%, 51.6% and 50.6% in respective fields in 2011²⁹, which means that the rate of child marriage is decreasing, but still around half of the women are married off before 18 which is alarming indeed to materialize more rights for the women.

e. Discrimination at Workplace

At workplace—wage gap gender discrimination, lack of gender responsive working environment, inadequate child care facilities, transport, accommodation, occupational health and safety, lack of legal protection against abuse, discrimination, irregular employment, long work hours, non-compliance of maternity leave benefits, non-access to institutional financing by women entrepreneurs etc are the reasons discouraging women to exercise their freedom of movement in exercising their right to work and joining in other mobility increasing and career accelerating programs.

f. Increase of Violence

In Bangladesh, violence against women (VAW) has been increased over the years.³⁰ Despite some specific specialized legislation and due to non-compliance of them, the instances of rape, kidnapping, acid throwing, domestic violence, eve-teasing, physical assault, murder, intimidation on women are rampant which grossly limits freedom of movement of them. The successful implementation of laws, policies and initiatives is expected to curb violence against women in the society and environment which will foster their freedom of movement.

g. Objectification of Women

Objectification of women in print media, television media and internet poses a great risk and profound negative impact in actualization of the right of movement of women as an individual in the same footing with men. In media, their beauty, physical appeal, glamour precedes over their physical and mental strength and tendency to view women as ‘entertainment item’ grows, the inevitable result is increase of violence on women in various forms at home and/or outside. This objectification and resulting violence hinder freedom of movement of women to a great extent.

Therefore, a National Broadcasting Policy 2013 was drafted with the objectives of ensuring prevention of projecting women as objects in

²⁸ Ibid

²⁹ Ibid

³⁰ ODHIKAR (2012) Human Rights Monitoring Report, November 1-30, Dhaka: Bangladesh

commercial media³¹. The Pornography Control Act, 2012 also aims to prevent projection of women and declares such projection as a Criminal offence.³²

h. Disablement of Women

In Bangladesh, at least 10% population is physically handicapped and this number is 8.77% amongst women³³. Women's disability put them in a complex discriminatory situation and they become more prone to gender-based violence due to two-fold issues--disability and womanhood. Presently, Bangladesh Government runs several projects for the disable persons under the social safety net programmes³⁴. Bangladesh Government has enacted Protibondhi Bektir Odhikar o Surokkha Ain 2013 and amongst the rights under section 32, provisions have been kept for reserving seats in public transports for disabled persons to ensure their freedom of movement³⁵.

i. Ethnicity of Women

Bangladesh ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1969 and signed the Chittagong Hill Tracts Peace Accord, 1997 to recognize and protect of rights of ethnic minority people.³⁶ Women's empowerment amongst ethnic minority groups is relatively lower than that of general women. In the CHT area violence, killing and kidnapping of women are reported, mostly as part of local conflicts over land and forest resources existing between hill people and settlers³⁷. Women fall victim of the overall insecure situation and cannot exercise their freedom of movement due to ongoing socio-economic-politico-legal issues.

j. Other Factors

i. Gap between Constitutional Guarantee and Reality

Constitution of Bangladesh does not condition freedom of movement of women with taking permission of others, but it has been found that in reality, in most of the cases women require permission from others of the family (field survey).

³¹ Supra note 8, p. 22

³² Ibid

³³ Supra note 1

³⁴ Supra note 8, p.23

³⁵ Government of Bangladesh (2013) Protibondhi Bektir Odhikar o Surokkha Ain 2013, available at: <http://bdlaws.minlaw.gov.bd/bangla_sections_detail.php?id=1126§ions_id=43015> accessed on 30 September, 2015.

³⁶ Supra note 8, p.21

³⁷ Ibid, p.22

ii. Weakness of Ministry of Women and Children Affairs (MOWCA)

Basically resource restraint and lack of technical capacity of Ministry of Women and Children Affairs (MOWCA) to pursue various programs to ensure gender parity are the key problems.³⁸

iii. Non-Availability of Sex-segregated Data

Non-availability of sex segregated data renders reporting on progress of gender equality aspects difficult. The existing practice of assigning a guessed percentage is inaccurate although based on the best information available.³⁹

vi. Spatial Variation in Gender Equality Results

Women are not a homogenous group and research results vary based on their class, ethnicity, religion, profession, physical ability and geographic differentiation. Like, in case of geographic differentiation, performance is different in urban areas from rural areas due to increased rate of education and necessity of mobility out of globalization. In the same way, in religious dimension, lack of uniformity in the provisions of family laws for different religion causes variation in the enjoyment of rights by women in different scales⁴⁰. Again, due to legal ambiguities regarding profession of sex workers, approach concerning freedom of movement of sex workers and women of other professions may be varied on the ground of public interest provided that variations must be brought reasonably and objectively.

Recommendations

To ensure freedom of movement for women in the context of Bangladesh, the following recommendations have been put forth:

1. On the very beginning, Bangladesh must withdraw 'reservation' on article 2 in the Convention on the Elimination of Discrimination against Women 1979 which imposes limitation on formulation of policy in favour of women.
2. The Ministry of Women and Children affairs of Bangladesh should devise a plan of action to increase mobility of women by various projects and programs, as without mobility women empowerment is not quite possible.
3. The education system should include a gender-sensitized and rights-based education curriculum in its each stage from the beginning stage.
4. Violence against women prevailing in the society must be eradicated to foster freedom of movement of women in Bangladesh. Government should strictly enforce the existing laws and must prevent the societal

³⁸ Ibid, p.20

³⁹ Ibid

⁴⁰ Ibid at p.8

notions, ideas and practices in contradiction with the spirit of equality of freedom of movement and increase overall social security by ensuring a strong law and order situation.

5. Government must be more accountable to its role in upholding rights of people irrespective of gender by getting a grip over the patriarchy hegemony and religious hegemony.
7. The societal notions regarding moral knowledge must shift from 'victim's fault' to 'oppressor's oppression'.
8. Human rights organizations along with media can arrange awareness programs on the importance of increased mobility of women.
9. Gender perspectives integrated in media policy must be properly implemented in order to stop objectification of women in media.⁴¹
10. Proper parental education must be ensured towards human rights including right to freedom of movement.
11. Revenue and development budget allocation of the Ministry of Women and Children Affairs should be increased. The implementation and monitoring framework shall be strengthened to ensure best and proper use of budget money.⁴²
12. Stakeholders i.e., academicians, law enforcement agencies, media channels, newspapers—online and print, mass people should be trained on adoption of gender-sensitive approaches and behaviours in their fields. Cooperation and interlinks must be established and strengthened among GO, NGO, International organizations working towards women development.

Conclusion

The status of freedom of movement in Bangladesh is not yet satisfactory; rather women are far more behind than full actualization of this right. Various factors i.e., stereotyping women by patriarchal system as well as religious demagogues and failure to play proper role by law enforcement agencies invest in various violations and discriminations. As a result of which, right to freedom of movement is thwarted without which full development of women is not possible. Bangladesh must respect and ensure the freedom of movement of women and should eradicate all the obstacles hindering this freedom. All stakeholders including government, NGOs, civil societies, mass people, law enforcement agencies, religious leaders etc should work hand in hand under a detailed devised plan of action to ensure more mobility and greater participation of women in all corners of life, thus transforming them into greater manpower for the benefit of the country.

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⁴¹ Supra note 1, p.24

⁴² Ibid at p.28, 29

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