

Report No. 65

**Workplace Environment for Women:
Issues of Harassment and Need for Interventions**

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*In support of the dialogue process the Centre is engaged in research programmes which are both serviced by and intended to serve as inputs for particular dialogues organised by the Centre throughout the year. Some of the major research programmes of CPD include **The Independent Review of Bangladesh's Development (IRBD), Governance and Development, Population and Sustainable Development, Trade Policy Analysis and Multilateral Trading System, Corporate Responsibility, Governance, Regional Cooperation for Infrastructure Development and Leadership Programme for the Youth.** The CPD also carries out periodic public perception surveys on policy issues and developmental concerns.*

*As part of CPD's publication activities, a CPD Dialogue Report series is brought out in order to widely disseminate the summary of the discussions organised by the Centre. The present report contains the highlights of the dialogue on **Workplace Environment for Women: Issues of Harassment and Need for Interventions.** The dialogue was organised under the CPD-UNFPA programme on **Population and Sustainable Development** on **March 04, 2003**, at the **CIRDAP Auditorium, Dhaka.***

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Dialogue on
**Workplace Environment for Women:
Issues of Harassment and Need for Interventions**

I. The Dialogue

The Centre for Policy Dialogue (CPD) organised a dialogue on *Workplace Environment for Women: Issues of Harassment and Need for Interventions* on March 04, 2003 at CIRDAP Auditorium. Justice Nazmun Ara Sultana of Bangladesh Supreme Court was present as Chief Guest. Dr. Dina M Siddiqi, Fellow, Centre for Policy Dialogue (CPD) and Senior Associate, University of Pennsylvania, USA presented the keynote paper. Mr. Syed Manzur Elahi, Former Member, Advisory Council of the Caretaker Government and Chairman, APEX Group of Industries, Apex Footwear Limited and Member, CPD Board of Trustees acted as the session Chair. Dr. Debapriya Bhattacharya, Executive Director of CPD, welcomed the participants in the dialogue. The dialogue was attended by a broad range of professionals including high-level government officials, representatives from NGOs, academics, researchers, officials from international organisations and journalists. A list of participants is annexed.

II. Welcome address by Dr. Debapriya Bhattacharya, Executive Director of CPD

Thanking the floor Dr. Debapriya Bhattacharya said that CPD is honoured to have Justice Nazmun Ara Sultana as Chief Guest. He gave a short description of the scope of work of CPD and explained why CPD felt it was important to hold a dialogue on harassment of women at workplace. In general people in our society are shy to openly discuss this issue and to some such discussion may seem to be forbidden, Dr Debapriya added.

Briefly describing the situation, Dr Bhattacharya noted that a large number of women currently constitute a part of the workforce of Bangladesh. The rate of increase of the female workforce is higher than that of the male workforce. During 1996-2000, the increase for male worker was only 1.2 percent whereas the increase for female worker was 14.4 percent. It is a symbol of change in the social system of Bangladesh. The pitfall of female employment is that about 80 percent of these women workers do not have any formal education and are engaged in unskilled family labour and only about 20 percent of them are engaged in paid jobs. Gradually the situation is improving and the female workers are now actively participating in the market economy instead of remaining confined in the unpaid family labour. He further continued by saying that the role of

women in the workforce of our country is increasing and they are involved in the foreign as well as national job market. However this does not mean that there is no barrier to women's entry in the labour force in Bangladesh. It only implies a change in the society. Due to our social values we do not discuss the incidents of sexual harassment of women but our silence encourages continuation of this act. Dr. Dina M Siddiqi has prepared a research paper on this issue. She discussed this issue with respect to some segments of the economy such as garments factories both within and beyond the premises of Export Processing Zones (EPZs) and in the electronics industry.

III. Keynote Presentation

In her research on *Globalisation, Sexual Harassment and Workers' Rights in Bangladesh* Dr. Dina Siddiqi focuses the working lives of three groups of women

- Garment workers in Export Processing Zones
- Those who work in non-EPZ garment factories
- Workers in the electronics industry

Research conducted by Dr Siddiqi drew light on the differences in working conditions between the factories located in the EPZ and those on the outside. She hoped that her study will provide a more nuanced understanding of those differences than is currently available. Owing to the difficulties in extracting information on sexual harassment through standard survey techniques, she opted for questionnaire based in-depth interviews. She carried out structured discussions with 41 female garment workers, 40 female electronics workers and with 10 men from each industry. She noted that the sample size was kept small with a view to drawing out a qualitative picture of the current situation.

Dr. Siddiqi said women workers are understandably reluctant to reveal personal experiences of an explicitly sexual nature. Typically, when asked if they had ever been sexually harassed, most women replied in the negative. In the next breath, *without being prompted*, some women would recall an occasion when they had been accosted by night guards or the police or had nearly been kidnapped. In other cases where a respondent had denied being harassed, the research team later discovered significant events that were absent in the respondent's own account. Female respondents also tended to answer in the third person when faced with questions about their experiences and knowledge about harassment. In other words, we need to keep in mind that statistics cannot reflect adequately the contradictions and inconsistencies of respondents' thought processes.

Dr. Siddiqi divided her paper in some major parts and at the end of her presentation she recommended some measures to resolve the problem.

1. Sexual Harassment as a Contemporary Phenomenon

Over the last two decades, sexual harassment received much attention as both a social and a legal problem. Rights groups across the globe have mobilised around the issue, pressuring individual governments as well as international institutions to take action. For instance, in 1979, United Nations Convention for the Elimination of all forms of Violence Against Women included sexual harassment in its definition of violence. In 1992, the International Confederation of Trade Unions adopted a resolution recognising sexual harassment as a legitimate trade union issue.

Dr. Siddiqi noted that the most obvious cause for sexual violence, including harassment, is unequal power relations in society as a whole. However, contemporary forms of harassment have a more proximate cause -- the increasing numbers of women who are entering the workforce. A technical report of the ILO compiled in 2001 noted that the scale of sexual harassment increased considerably in the last two decades. During that period, women have come to constitute an increasing share of the world's labor force, at least one-third in all regions except Northern Africa and Western Asia. In most of Asia, the share is even higher.

According to Dr. Siddiqi women workers in Asia are typically employed in a narrow range of occupations, characterised by high job insecurity, low pay, bad working conditions, low status and minimal bargaining power. These characteristics enhance the risk of workers being subjected to sexual harassment. The ILO report further noted that those at particular risk of harassment include women in male-dominated occupations or in situations where a large number of women are supervised by a small number of men. Workers in temporary, casual or part-time work are also vulnerable. The report, therefore, points to the connections between globalisation and its attendant flexible modes of production and the precarious working conditions associated with sexual harassment.

She also mentioned that, working women in Bangladesh face a double jeopardy when it comes to sexual harassment. Not only are they vulnerable to physical, verbal and sexual abuse inside the workplace but they are also frequently subjected to harassment in "public" places, as they commute to and from work. Women from impoverished

backgrounds are most often subjected to this dual harassment, which derives much of its legitimacy from culturally dominant associations between promiscuity and women's public visibility.

Very little empirical or qualitative data on sexual harassment is available in Bangladesh, although the topic comes up in studies of industrial workers. A survey of health and safety regulations in the garment industry found that sexual harassment likely to be the most dominant source of stress for garment workers (Nazma Begum 2000). Another survey by the Bangladesh Institute of Labour Studies (BILS), based on news reports in 12 national dailies, reveals that *at least* 51 women working in the industrial and service sectors were raped in the first six months of the past year. Rape is only the most extreme form of sexual harassment; its frequency an index of generalised attitudes of hostility toward and harassment of women workers. She felt that, statistics drawn from newspapers only capture those incidents that have been reported officially. One can assume that there is considerable under reporting of such incidences.

2. Definitions and Consequences of Sexual Harassment

After discussing on "Sexual Harassment as a Contemporary Phenomenon" Dr. Siddiqi defines Sexual Harassment. According to her there is no consensus at the international level on the definition of sexual harassment. However, there is general agreement that sexual harassment is *a conduct that is unwelcome and unsolicited by the recipient*. A broad definition of harassment is given below:

- Conduct of sexual nature and other conduct based on sex affecting the dignity of men and women, which is unwelcome, unreasonable and offensive to the recipient
- Where a person's rejection or submission to such conduct is used explicitly or implicitly as the basis for decision's affecting that person's employment status
- Conduct which creates an intimidating, hostile or humiliating working environment for the recipient.

Such conduct can take many forms ranging from physical assaults or threats, sexual coercion or blackmail (known or *quid pro quo* harassment) to the creation of a hostile work environment. The latter could include demeaning or inappropriate language (including body language) or actual physical conduct.

Denial and lack of awareness are major obstacles in the battle against harassment. ILO experience indicates that even when some people deny the phenomenon in a particular society, it is equally positively asserted by those who suffer from it. Indeed, many of the behaviours that constitute harassment are naturalised in social practices and taken for granted by the perpetrators.

3. Main Research Questions & Methodology

Main research questions of Dr. Siddiqi's study were:

- What constitutes sexual harassment? What are the continuities and disjunctures between harassment in the public sphere and inside the workplace?
- What is the relationship between sexual harassment and specific conditions of work? How do practices of recruitment and attendant job security issues affect women's vulnerability to sexual harassment?
- What is the impact of sexual harassment on the working environment, on productivity, and workers' attitudes/commitment to their work? The objective here is to provide a qualitative understanding of the pressures faced by working women and their ability to compete in the labor market rather than to measure losses in productivity empirically.
- What kind of knowledge do workers have about their legal rights with regard to harassment? Has the introduction of a sexual harassment law made a difference in perceptions of appropriate behavior or punishment?
- What are the most effective ways to provide women workers with more protection in the workplace and beyond?

4. Workers Accounts of their Experiences of Sexual Harassment

Dr. Siddiqi's discussions with workers from the electronics and apparel industries revealed distinct patterns and sites of harassment that are occupation and location specific. Descriptions of harassment ranged from attempted rape and sexual assault to leering, suggestive comments, disrespect and verbal misbehavior on the part of male colleagues, superiors and strangers on the road.

In her study she found that there were clear differences in working conditions between electronics and garments factories, between the smaller and larger factories as well as between those apparel factories located in the EPZ and those on the outside. *Not a single electronics worker reported being physically harassed inside the workplace.* In contrast,

over half of the non-EPZ workers reported some experience of physical harassment. Notably, the reported incidence of harassment in EPZ factories was much lower than that in non-EPZ apparel factories. Factories located in export processing zones appear to provide more safety to women workers than those on the outside. Workers attributed the feeling of safety inside the EPZ to the lack of men in the workforce as well as the vigilance of foreign buyers.

The most common form of harassment identified by workers from all three groups was the widespread use of *gali* or expletives to which they are subject during work hours. At first glance, this may not appear to be a significant or threatening form of sexual harassment. However, the highly sexualised vocabulary and body language that supervisors and others use to discipline female workers creates a hostile, intimidating and sexually charged environment. Workers also accuse supervisors, linemen, line chiefs, and production managers of the following: pulling hair, slapping, hitting, stroking, touching the body, and even kissing workers as the latter sit at their machines. Non-verbal forms of harassment include winking, staring, whistling, standing very close and pinching.

Respondents working in the non-EPZ or “*bangla*” garment factories reported higher incidents of sexual intimidation and coercion. The intensity of *gali* and other sexualised disciplinary regimes in garment factories is directly related to the pace of the production – the imperative of meeting deadlines and quotas translates into the incessant verbal coercion of workers to meet their individual production targets. Supervisors, line chiefs and others also frequently use their position to *tempt or threaten* women into giving in to their sexual demands.

For those respondents who have to work night shifts (usually in the *bangla* factories), the most likely time for sexual assault or rapes inside the factory is after work ends and before they are able to go home. There are no facilities in these factories for women to spend the night safely. Only one respondent admitted to being raped inside factory premises. However, the interviews suggest that attempted sexual assaults on factory premises are not an uncommon feature of night work, especially in smaller establishments.

5. Contested Public Spaces

Dr. Siddiqi also focused on sexual harassment in public spaces. Electronics workers and non-EPZ workers are the most vulnerable in this respect since their firms do not have any provisions for private buses. However, EPZ workers report that their safety plummets as soon as they leave the EPZ premises and while they are waiting at bus stands. In fact, stories of rapes and murders of garment workers on the outskirts of the EPZ are a central part of the lore of EPZ workers.

As with harassment in the workplace, the risks are different depending on the time of day as well as on the mode of commuting. During the day, offensive and/or suggestive comments (what's your rate, how much will you go for?) and whistling from pedestrians, rickshaw pullers, storeowners as well as personnel and passengers on public buses are widespread. Physical assaults also include pedestrians kicking or tripping over women as well as groping, shoving and pinching them. Those who take public buses report considerable abuse from conductors and helpers. While getting on and off buses, helpers frequently grab and grope workers. Bus passengers also shove, squeeze, pinch and make suggestive comments. Inadequate street lighting in the evening also increases the risk for women. The threat of being picked up or kidnapped while commuting is presents another danger. A majority of women reported that they had the most difficulty with older men. This group was considered to constitute the worst offenders, in buses, on the roads and other public places.

6. Negotiating and Resisting Sexual Harassment

Almost all the women interviewed by Dr. Siddiqi made it clear that gender was not the only axis through which they experienced exploitation every day of their lives. A sense of economic and social deprivation profoundly informed most workers' views of their fate and the possibilities for justice in any sphere of their lives. Justice, in this perspective, is something to which only the rich can aspire.

The conditions of globalization today encourage the establishment of labor regimes that are flexible, casual and impermanent. The more precarious a worker's job situation, the more likely she is to be subject to sexual harassment and the less leverage she will have. Workers' responses to verbal and sexual coercion, in the workplace and beyond, depend to a great extent on their job security, general work environment and economic circumstances.

The incentives for reporting incidents of sexual harassment are extremely low. The greatest fear workers in both the apparel and electronics industry have is of job loss. Sexual harassment aside, considering the ease with which workers can be dismissed, the fear of retrenchment casts an omnipresent shadow in workers' minds. Not only did most workers not sign a contract, many had to sign off on blank pieces of paper as a condition of their employment. Helpers tend to have the least job security and also report the most vulnerability to harassment. Helpers enter the trade when they are relatively young and with little no experience. They are the most likely to be illiterate and the least space for negotiation in economic terms. Operators, especially if they are skilled, are likely to have much greater job security.

The fear of retaliation and social stigma outside the workplace also constrain women's responses. There is a straightforward relationship between sexual intimidation or sexual annoyance in the workplace and the general insecurity of women in the public sphere. Women who are harassed by coworkers inside the factory may not take their complaints to the management because of threats of retaliation outside the workplace. The only solution would be to leave.

Most workers reported a direct or indirect impact on their productivity. Feeling sad or emotionally perturbed after some event was widespread and had a variety of consequences. Respondents said they felt acute shame and embarrassment. This led to an inability to concentrate, fear, anxiety, depression and hopelessness. If a worker is verbally or physically abused or publicly humiliated for making mistakes, the ensuing fear and anxiety increases the likelihood of mistakes in her work which affect her productivity. Workers reported that in all cases of sexual assault or rape they knew of, the victim invariably left her job – if she was in a financial position to do so. Many women, however, don't have the financial option of walking away. “Tai koshto holeyo, kajer khoti holeyo, buke pathor bedhe kamrey dhore kaj korey” as one woman put it. “Lojjar matha kheye abar kaje ashey.”

7. Male Attitudes

Over half of the men interviewed for Dr. Siddiqi's research regarding women co-workers expressed very high opinion about them. However, a quarter of them opined that they do not or would not allow their own wives to work outside the home. In response to the question of whether any of their female coworkers had ever been sexually harassed, 35 %

replied in the affirmative. Half of the male respondents claimed that recently retrenched garment workers became sex workers.

8. The Law & Workers' Rights

In theory, unions should be able to provide access to justice for workers subjected to sexual harassment. In reality, neither the electronics nor the apparel sector has viable unions that are willing to negotiate on behalf of women workers. Workers themselves have minimal or no knowledge of labor laws or the law against sexual harassment.

Legal provisions in the Employment of Labour (Standing Orders), Act of 1965 should protect workers from unlawful dismissal. However, enforcement of the law is practically non-existent. “The Nari o Shishu Nirjaton Domon Ain” of 2000 also contains a section on sexual harassment although it does not mention harassment in the workplace specifically.

9. Conclusion

Dr. Siddiqi said in her concluding remark on this issue that sexual harassment undermines women’s right to the pursuit of a secure and safe livelihood. The different forms of sexual harassment described above violate workers rights to dignity, damage their attitudes toward work and decrease productivity considerably. Workers are especially vulnerable to sexual harassment because of informal practices of recruitment, lack of documentation of hiring and firing, and the constant fear of job loss. This is a reality not confined to the industrial sectors studied. The garment industry in Bangladesh may or may not survive the phasing out of the MFA. Regardless, female labor force participation in the formal and informal sectors will presumably continue to rise, as will incidents of harassment unless the underlying reasons are tackled proactively.

Women may be reluctant to reveal experiences of harassment for fear of being socially stigmatised, or, increasingly, because of the threat of retribution as well as the fear of dismissal. In the absence of job security, viable legal protection or an established cultural discourse of rights, female employees are understandably wary of bringing up charges against superiors or colleagues. Therefore, the prevalence of sexual harassment in Bangladesh is difficult to gauge accurately.

The social identities of female industrial workers continue to be suspect in the prevailing cultural environment. The stories of the ‘fall’ of desperate young women into prostitution

that have been circulating in the media following extensive retrenchment in the garment sector last year bear testimony to this. Representations of garments workers as always on the verge of sex work have serious material repercussions in the every day lives of all female factory workers, most acutely in relation to sexual harassment. The presumption or justification for much of the sexual harassment of garment workers described in this report is that by virtue of their profession, these women are of ‘easy virtue’; they can slide into prostitution at any moment and so do not deserve to have their rights respected either as workers or as women. Significantly, many of the female electronics workers interviewed insisted a primary cause for their harassment on the streets was the inability of people to distinguish them from garment workers.

Few factories outside the EPZ provide any ‘independent’ bodies to deal with workers complaints. Moreover, workers feel that the possibility of redress available to persons of their social and economic standing is limited even outside the workplace. The social stigma that attaches to the public knowledge of an incident of sexual harassment also deters women from seeking redress. Few women have any knowledge of their rights as workers or as citizens of the nation. Trades unions do not seem to be especially interested in combating sexual harassment in the workplace, although this may change in the coming year.

10. Recommendations

The current sexual harassment law (Section 10 of the Nari O Shishu Nirjaton Domon Ain, 2000) in Bangladesh provides a point of departure, although its language, which refers to harassment as an outrage to a woman’s modesty, is antiquated and limiting. Just what constitutes a woman’s modesty is open to interpretation and many people don’t consider industrial workers to possess modesty to begin with. This is a social reality that must be addressed in the law. Moreover, sexual harassment laws need to accommodate forms of gender harassment that are not explicitly sexual.

Assuming that laws that refer to female modesty are inherently limiting, it is advisable to take a cue from the Indian Supreme Court judgment of 1997, and stress the violation of a woman’s right to equality, and freedom from all forms of discrimination. These are rights that are enshrined in the Constitution of Bangladesh. To fill lacuna in existing legislation, reference to international legal documents, including those of the International Labour Organization and CEDAW, to which Bangladesh is a signatory, can be made.

However, enacting progressive laws by itself will not suffice to change the situation. As we all know, it's critical to ensure that existing legislation are implemented and that those in charge of enforcement be held accountable for their actions. By the same token, the efficacy of laws will be constantly undermined if social attitudes, especially widespread class prejudices and cultural tendencies of 'blaming the victim' in cases of sexual harassment, are not transformed. This requires, among other things, serious gender-sensitive training for those charged with protecting the rights of citizens and workers. Women cannot expect legal or police protection if the authorities already assume "guilt" or "moral laxity" on the part of women complainants.

ILO research indicates that workplace harassment policies should include four main components: 1) a clearly defined policy statement 2) a complaints procedure that maintains confidentiality 3) progressive disciplinary rules and 4) a training and communication strategy. In addition, any complaint procedure must ensure that the victim is protected from retaliation. The ILO framework provides a useful model with which to proceed. Concrete recommendations follow:

1. The government in collaboration with women's and labor rights should draw up a code of conduct that would be applicable and appropriate for the industrial sector.
2. All factories should put in place a clear and simple complaints procedure. The disciplinary body overseeing such cases should be constituted of persons who will be able to maintain their neutrality during proceedings. The majority of members should be female.
3. Workers must be assured of full confidentiality.
4. All personnel in positions of authority should have mandatory gender sensitivity training, especially on the topic of sexual harassment in the workplace.
5. No procedure will work unless workers are assured of protection from retaliation. In this respect, the system of hiring and firing workers informally needs to be replaced. Workers should be provided with the appropriate documentation upon hiring. Existing labor laws must be enforced more effectively.
6. The risk of retaliation outside the workplace is considerable. Gender sensitivity training for police personnel is essential.

7. The language of the law against sexual harassment should be amended to reflect a less patriarchal orientation toward women.
8. The provision of company buses should be encouraged.
9. The provision of women only buses should also be considered.
10. Improved street lighting and patrolling by police who have undergone special training.
11. Mass media must be sensitised to the specific problems of working women, to which the media appears to contribute with sensationalised coverage.

IV. Open Floor Discussion

1. Definition of sexual harassment is not clear

Reflecting on definitions of sexual harassment the discussants agreed that it is not yet clearly defined and the concept is hazy to many people.

According to Barrister Rabeya Bhuiyan, Senior Advocate, Supreme Court, sexual harassment is so common that most of us have seen at least one case. But still sexual violence has never been defined properly. Even in the CEDAW convention 1979 a definition of sexual violence is missing. If we go through the Penal Code we will find definitions of criminal force and criminal assault. Section 354 includes some statements regarding punishment of anyone who assaults the modesty of a woman. But it is not specified what sort of activity and act will be defined as sexual harassment or violence. We women always hear some comments like “you look good in this *sari*”. We first have to decide whether we will take it as sexist comment or not? If such comments are unwelcome by the women then it may be sexual harassment.

In this connection Ms Salma Khan, Executive Member of Women for Women said that at the enterprise level, we have to have a proper understanding of what constitutes sexual harassment and whether there exists any policy to address this issue. People have a very hazy understanding of this issue and do not care about it unless it becomes very serious like rape.

Mr Asaduzzaman Noor, Member of Parliament (MP) and Deputy Managing Director, Asiatic Marketing Communication opined that, we understand what sexual violence is but the term harassment is not clearly defined and we have different views on it. He

wondered whether we could consider the speech of religious leaders, made in course of *grammo shulish*, as sexual harassment. Though domestic workers are the most exploited section of women, this fact is not in the forefront because of the hazy definition of harassment.

Ms Tasmima Hossain, Editor, Fortnightly 'Ananya' observed that the focus of Dr Siddiqi's paper is on the harassment of working class women where the concept of harassment is confined to physical assault only. But there are other kinds of harassments also which include comments or compliments like "you are looking good today or with this sari". Ms Shirin Akhter, President, Kormojibi Nari also spoke about the problem of defining sexual harassment.

2. Existing law on sexual harassment and its enforcement

Regarding the legal aspects associated with harassment the lawyers in the audience brought up some of the existing laws and their explanation while others commented on problems in enforcement of such laws.

Ms Faustina Pereira, Deputy Director, Ain-o-Shalish Kendra noted that, for reducing sexual harassment, implementation and enforcement of the law is a prerequisite. She argued that "*the Nari o Shishu Nirjaton Domon Ain, 2000*" came about after a long struggle but there are some vague terms such as "shilata hani" in the 2000 law which are very difficult to define in reality.

In this connection Barrister Rabeya Bhuiyan opined that, existing rules should be revised and modified. We should also go for more publicity in the media and community in order to ensure security for the women.

Mr S K Bhattacharya, Associate Professor of Centre for Policy Research, New Delhi said that, sexual harassment is not so prominent in the government sector as there are strict laws in this regard. Incidents of sexual harassment are comparatively low in developed countries due to stringent laws and social awareness. Ms Shamim Hamid, Principal Officer, UNDP also focused on enforcement of existing law.

Expressing his concern over large scale misuse of "*The Nari o Shishu Nirjaton Domon Ain*" in rural areas Mr Asaduzzaman Noor, MP said that though the law was misused he supported it to some extent since a potential harasser might be deterred by the existence of the law.

Giving an example from Norway, Ms Salma Khan, Executive Member, Women for Women. She stated that there should be a complaints procedure which is applicable within every enterprise. Norway has developed a rule which ensures 40 percent women in the governing body of all enterprises and many European countries are also adopting this. In garments industries in Bangladesh, women right are frequently violated but they have no mechanism to register complaints.

Professor Meghna Guhothakurta, Department of International Relations, University of Dhaka, however opposed this view by saying that immense resistance may arise if one proposes to introduce a sexual harassment complaints cell inside factories. Therefore it may not be feasible.

Ms Lotta Nycander, Chief Technical Advisor, WEEH Programme noted that, in 1995 ILO pushed for a law to allow night work for women. She wondered whether the paper is suggesting its ban again.

Ms Shamim Hamid, and Dr Shahnaz Huda, Associate Professor, Department of Law, University of Dhaka thought that the reason for differences in EPZ and Bangla factories with respect to sexual harassment was differences in implementing the law.

3. Speaking about sexual harassment is a Social Stigma

A sexually harassed woman is held responsible for her predicament in our society. Fear of social stigma inhibits women from speaking out about their experience. Ms Shirin Akhter, President, Kormojibi Nari said, women are not safe at any work place from the parliament to the household. Women need to be united to protest effectively but in most cases women do not reveal their experiences to each other. If women are organised, men will at least have some fear in harassing a woman.

Dr Shahnaz Huda, noted that, the women do not complain of sexual harassment in many cases because if they do, their relatives will not permit them to work outside. However, if a woman is asked why another woman is being harassed, then she might say “because she is bad.”

Ms Shaheen Anam, Team Leader, Manusher Jonno said sexual harassment is going on everywhere in the society not only at the workplace. Sexual harassment in the workplace is something like domestic violence which people do not want to talk about. Women do not want to talk about it as this is not respectable. If proper action is taken against those

who are involved in sexual harassment, the rate of harassment will be reduced significantly. The office is not a place for giving compliment rather they are more appropriate at a social gathering.

4. Women do not protest when they are vulnerable

Ms Maleka Begum, Researcher, Activist, Women's Rights Movement, noted that, women do resist when they can. When a girl working in the village protests, there is no police or anyone else to save her. Nurses are some of the most harassed professional women. They are harassed by doctors, attendants, and patients as well. In many cases they do not complain for fear of losing their jobs. The social status of a woman is also a factor of vulnerability to harassment. In this connection Dr Nasreen Khundker, Department of Economics, University of Dhaka described the young domestic workers as most vulnerable to sexual harassment. Women are not passive, but when they are desperate for money, they are forced to silently accept harassment, she added.

5. The relation between globalisation and sexual harassment

Though Dr. Siddiqi posited a relationship between globalisation and sexual harassment, many of the speakers argued that in reality the relation among these two is not as clear-cut as she described.

S K Bhattacharaya argued that, globalisation and sexual harassment cannot be interlinked. Sexual harassment is a result of large scale industrialisation in the private sector where there is less job security. A related comment was made by Dr Mahmuda Islam, Department of Sociology, University of Dhaka and Member, Women for Women. She said that sexual harassment is not only limited to globalisation it should also be linked to privatisation. The Government has some set rules but not enough to eliminate sexual harassment. The level of harassment depends on how one defines harassment and therefore it is difficult to give a straightforward judgement. Dr Nasreen Khundker, also supported this comment.

6. Lack of awareness about sexual harassment and different views about it

Since it is not specifically defined which acts constitute harassment, judgement on whether a person is harassed or not and its extent depend on the individual's perspective.

In this connection Ms Munima Sultana, Sub Editor, UNB, Cosmos Centre emphasised the need to ensure proper working environment for women. In our society women do not have social support system required to fight harassment, she added.

Ms Sarah Zaker, Executive Director (Social Communications), Asiatic Marketing Communications Ltd., emphasised on building awareness about harassment among male colleagues. There are some offices where males and females are treated equally in all respects but the computer wallpapers of the men's offices are decorated with different types of pictures of ladies. Men are completely unaware that this may also be a kind of harassment. Even many well educated male in modern offices harass women unintentionally.

Ms Shirin Akhter, President, Kormojibi Nari noted that, woman who complain about sexual harassment are treated as bad women in our society. We need to change this attitude. There is provision for toilet facilities for women in our labour law but still women are being harassed for using the toilet. Respect for the opposite sex is important and if men and women have respect for each other, it will be easy to resolve this problem. She also agreed with Ms Sarah Zaker on the importance of awareness building and stressed on developing regulations for punishments.

Referring to Ms Tasmima Hossain's comment on other kind of harassment Ms Selima Ahmad, Managing Director, Nitol Group argued that if a male co-worker gives compliment to a female co-worker which is in fact appreciation; women should not take it otherwise. If a woman takes it negatively then Rabindranath Tagore (the great poet of Bengali language) should be blamed first as he gave wealth of compliments to women in his literature.

7. Recommendations from the floor to resolve sexual harassment

Ms Taleya Rehman, Executive Director, Democracywatch informed the audience about a dialogue on a Democracywatch survey conducted in 1098 on harassment of middle class women in offices and found that harassment rate is also very high among educated middle class women. On the problem of registering complaints regarding sexual harassment she noted that, if they are lodged only with men, it will have no effect as is true for complaining to police. There should be a debate in the parliament on this issue. We need more women in senior positions, who can pursue such cases and only then probably the voices of these harassed women will be heard.

Mr Asaduzzaman Noor said when elected women UP members at village level received such treatment from their male co-workers, they decided not to participate in the next election. People who are harassed must protest. A young girl Purnima who publicly admitted being raped and demanded justice in a news conference she received a lot of public support. So the conscious people like us, irrespective of male and female have to help harassed women to come out and protest. The Government also has a role to play by introducing proper law and enforcing it.

Ms Nasrin Siraj Annie, Freelance Media Activist noted that sexual harassment is high in the informal sector and one should try to find out why it is happening. Barrister Tania Amir emphasised on the need to work on how to solve the problem rather than discussing why it is happening. She noted that the most hazardous profession for women in Bangladesh is being a housewife. The highest number of unnatural deaths are occurring in the family. Our focus should be what we can do about it and how we can handle it, not why it is happening. There are two ways to handle it. Firstly if a woman feels that she is harassed she should just be straightforward and say that she is not enjoying it. We need to learn how to be assertive rather than being aggressive. Secondly, NGOs and other organisations, can help women to become empowered so that they do not need to be protected by men. People who have helped Purnima are now facing many legal problems as the issue has become political.

Dr Tasneem Siddiqui, Associate Professor, Department of Political Science, University of Dhaka, referred to one of her studies conducted abroad where she experienced something very different. There she faced a question why was she so concerned about sexual harassment of working women who have their own mechanism to handle such things. According to her, this was not the most important concern or priority of these working women.

Ms Naaz Farhana Ahmed, Vice President, Women Entrepreneurs' Association of Bangladesh and Managing Director, KANAK recommended policies to inculcate awareness on this issue in secondary and primary education curriculum.

v) Comments from the Chief Guest

Chief Guest Justice Nazmun Ara Sultana, Bangladesh Supreme Court opined that, harassment of women is increasing day by day with the increase of the number of women in the work place. Women now constitute nearly half of the total labour force of the country. More than 40 percent of total employed persons in the agriculture sector are women and in the manufacturing sector about 24 per cent of the workforce are women. Women dominate in the activities like husking, drying, boiling of paddy, vegetable growing, processing, preservation, poultry farming etc. In cattle farming women's participation is almost equal to that of men. A large number of women are employed in export oriented industries, especially in the garment industry. One million women are employed in garments industry which is about 90 percent of the total work force in this sector. In the shrimp processing industry also 90 percent of workers are women. Besides, a sizeable number of women are also employed in different other industries like electronics, pharmaceuticals, food, beverage, tobacco, textiles, leather, wood products etc. A large number of women and girls have been working as domestic help.

Though the constitution of Bangladesh in Articles 10, 19, 28 has granted the right of women to work in all professions, our society has failed to ensure a congenial environment for working women in the work place. They are facing many difficulties. As workplace harassment of women is increasingly becoming a common phenomenon, and it has drawn the attention of social thinkers and other concerned persons. The attitude of males in the society and even sometimes the attitude of females are responsible for discrimination between males and females. This discriminatory attitude is one of the main reasons for creating a hostile environment in the workplace. Except for a few discriminatory provisions in pension rules and rules regarding transfer allowances and in wage of labours in the private sector, there is no law enforcing discrimination between working women and men. Our constitution has granted equal treatment for men and women in all spheres of life. Even some laws have been enacted to meet particular requirements of women workers and special protections like the Maternity Benefit Act, 1939, Mines Maternity Benefit Act, 1941. But in many cases laws enacted for safeguarding the interest of women worker are not implemented. When a female asks for transfer on personal or family grounds then the authorities get annoyed and say “these women are the source of all disturbance (*ai mohilader niye joto jhamela*)”. This does not

happen to men as it seems natural in this case. It is therefore very difficult for a woman to earn a good reputation at her workplace.

She commented that, we need to change our attitude towards women by recognising their skill and ability. The fact that women are not inferior to man in any respect except physical strength has to be recognised. We have to develop our confidence in women. Women also have to be aware of their legal rights and become confident. They should empower themselves rather than waiting for others to help them become empowered.

VI. Concluding remarks of the chairman

Syed Manzur Elahi, member, CPD Board of Trustees while making his concluding remarks noted that the problem of harassment against women cannot be resolved by any law. It can be solved through active participation of the civil society and through awareness building. Citing concrete example from leather industry he noted that 70 percent of tannery labourers are male and 30 percent are female. Tannery workers have to handle heavy raw materials so in general female workers were not engaged there. It is only for the last five or six years that because of shortage of male workers they started recruiting female workers. Complaints of sexual harassment started just after recruitment of female workers. They instituted a complaint's system in the tannery industry for sexual harassment. The incidences of sexual harassment in tannery premises are not reported to the police. They are reported to the employers' association office or trade union office and appropriate punitive steps are taken there. This system may not have eliminated sexual harassment but has created a tremendous discipline there. We have to ensure that the best solution comes from within us. We have to have due respect for others. He expressed his concern as to what extent we can take remedial measures for sexual harassment.

The Chairman concluded the session by saying that sexual harassment should not act as a barrier for women's entry into the workforce. That should not be the message of this seminar. Rather women should be enabled to protest sexual harassment and continue taking part in the development process of the country.

List of Participants
(In Alphabetic Order)

<i>Professor C R Abrar</i>	Department of International Relations, University of Dhaka
<i>Ms Ruh Afza</i>	Programme Assistant, UNFPA
<i>Ms Selima Ahmad</i>	Managing Director, Nitol Group
<i>Ms Naaz Farhana Ahmed</i>	Vice President, Women Entrepreneurs' Association of Bangladesh Managing Director, KANAK
<i>Ms Gulshan Akhter</i>	Assistant Editor, The Daily Jugantar
<i>Ms Shirin Akhter</i>	President, Kormojibi Nari
<i>Advocate Tanya Amir</i>	The Law Associates
<i>Ms Shaheen Anam</i>	Team Leader, Manusher Jonno
<i>Ms Nasrin Siraj Annie</i>	Freelance Media Activist
<i>Ms Rafayet Ara</i>	Coordinator, DTP, Democracy Watch
<i>Ms Maleka Begum</i>	Researcher, Activist, Women's Rights Movement
<i>Ms Nazneen Begum</i>	Deputy Director, Administration, Ain O Shalish Kendra (ASK)
<i>Mr S K Bhattacharya</i>	Associate Professor, Centre for Policy Research, New Delhi
<i>Dr Irina Bhattacharya</i>	Economist
<i>Barrister Rabeya Bhuiyan</i>	Senior Advocate, Supreme Court
<i>Ms Shahanara Bhuiyan</i>	Member, IDR
<i>Ms Dilara Choudhury</i>	Professor, Department of Govt. and Politics, Jahangir Nagar University
<i>Mr Palash Kanti Das</i>	Coordinator, Livelihood Program, OXFAM, GB
<i>Mr Syed Manzur Elahi</i>	Member, CPD Board of Trustees Former Member, Advisory Council of the Caretaker Government Chairman, APEX Group of Industries, Apex Footwear Limited
<i>Ms Sharmeen A Farooq</i>	Research Officer, Bangladesh National Women's Lawyers Association (BNWLA)
<i>Dr Meghna Guhothakurta</i>	Professor, Department of International Relations, University of Dhaka
<i>Ms Shamim Hamid</i>	UNDP, Dhaka
<i>Mr Md Nahidul Hasan</i>	President, Dhaka City Committee
<i>Ms Tasmima Hossain</i>	Editor, Forth nightly 'Ananya'
<i>Mr Zakir Hossain</i>	Coordinator, Nagorik Uddyog
<i>Engr Altaf (Retd) Hossain</i>	Engineer, PDB
<i>Dr Shahnaz Huda</i>	Associate Professor, Department of Law, University of Dhaka
<i>Ms Afroz Huda</i>	Executive Director, Logistics & Management Services
<i>Dr Mahmuda Islam</i>	Member, Women for Women
<i>Mr M J H Javed</i>	Research Associate, CPD
<i>Ms Shireen Jahangeer</i>	Consultant, World Bank

<i>Dr Sumaiya Khair</i>	Associate Professor, Department of Law, University of Dhaka
<i>Ms Salma Khan</i>	Executive Member, Women for Women
<i>Ms Rani Khan</i>	Organising Secretary, Central Committee, BIGUF
<i>Ms Fawzia Khandker</i>	Deputy Director, Gender Cell (GRCC), PROSHIKA
<i>Ms Fahmida Khatun</i>	Fellow, CPD
<i>Dr Nasreen Khundker</i>	Department of Economics, University of Dhaka
<i>Mr David Ludder</i>	University of Pennsylvania, USA
<i>Ms Yasmeen Murshed</i>	Principal, Scholastica School
<i>Ms Faustina Pereir</i>	Deputy Director, Ain-o-Shalish Kendra
<i>Dr Getiara Nasreen</i>	Associate Professor, Department of Mass Communication & Journalism University of Dhaka
<i>Mr Asaduzzaman Noor, MP</i>	Deputy Managing Director, Asiatic Marketing Communication Ltd.
<i>Mr Lotta Nycander</i>	Chief Technical Advisor, WEEH Program
<i>Ms Rakhi Das Purakayastha</i>	Secretary, Training, Research and Library Section Bangladesh Mahila Parishad
<i>Ms Sheela R Rahman</i>	Barrister and Advocate, Supreme Court
<i>Professor Mustafizur Rahman</i>	Research Director, CPD
<i>Ms Farzana Rahman</i>	Teacher, Scholastica
<i>Mr Ejaj Rasul</i>	Businessman
<i>Ms Taleya Rehman</i>	Executive Director, Democracywatch
<i>Ms Rokhsana Parvin Ruba</i>	Producer, United Network Ltd
<i>Ms Khaleda Salahuddin</i>	Vice president, Women for Women
<i>Dr Dina M Siddiqi</i>	Fellow, Centre for policy Dialogue (CPD) and Senior Associate, University of Pennsylvania, USA
<i>Dr Kaniz Siddique</i>	Associate Professor, Department of Economics, North South University
<i>Ms Najma Siddiqui</i>	Vice President, Women for Women
<i>Dr Tasneem Siddiqui</i>	Associate Professor, Department of Political Science, University of Dhaka
<i>Justice Nazmun Ara Sultana</i>	Bangladesh Supreme Court
<i>Ms Katheryn Ward</i>	Professor of Sociology, Silk University, USA
<i>Ms Farida Yasmin</i>	Page Editor, Women Page, The Daily Ittefaq
<i>Ms Farhana Yasmin</i>	Commercial Officer Bangladesh National Women's Lawyers Association (BNWLA)
<i>Ms Nazma Yesmin</i>	Associate Program Coordinator, Nari Uddog Kendra
<i>Ms Sarah Zaker</i>	Executive Director (Social Communication, Asiatic Marketing Communication Ltd.
<i>Ms Riffat Zaman</i>	Operational Officer, World Bank
<i>Ms Sushila Zeitlyn</i>	Senior Social Development Adviser, DFID

List of Journalists
(In Alphabetic Order)

<i>Mr Syed Zahirul Abedin</i>	Chief Reporter, The New Nation
<i>Ms Sonia Ahmed</i>	Reporter, The Daily Sangbad
<i>Mr Tanvir Ahmed</i>	The Daily Ajker Kagoj
<i>Mr Zulfikar Ali</i>	Staff Correspondent, Channel I
<i>Ms Mahmuda Chowdhury</i>	Senior Staff Reporter, The Daily Dinkal
<i>Mr Arif Hossain</i>	Reporter, ATN BAngla
<i>Mr Farid Hossain</i>	Correspondent, Associated Press, Cosmos Centre
<i>Mr Md Shariful Islam</i>	Khabar Patra
<i>Ms Rozina Islam</i>	Reporter, The Daily Sangbad
<i>Mr Khandaker Mohitul Islam</i>	Senior Staff Correspondent, The Daily Bangladesh Observer
<i>Ms Shakila Jesmin</i>	Staff Correspondent, The Bangladesh Today
<i>Mr Humayun Kabir</i>	Alpha TV Bangla
<i>Mr Md Kamruzzaman</i>	The Daily Dinkal
<i>Mr Mizanur Rahman Khan</i>	The Daily Independent
<i>Mr G.M. Masood</i>	Daily Lalsabuj
<i>Mr Md Refayetullah Mridha</i>	Staff Correspondence, The Financial Express
<i>Ms Afroza Nazneen</i>	Reporter, The Daily Manab Jamin
<i>Mr Shahidun Nabi</i>	The Daily Desjanata
<i>Mr Rahim</i>	Staff reporter, The Bhorer Kagoj
<i>Ms Shameema Binte Rahman</i>	Staff Reporter, The Prothom Alo
<i>Ms Rieta Rahman</i>	The Daily Independent
<i>Mr Salim Reza Real</i>	Dhaka Correspondent, Khas Khabar, Taj Villa
<i>Ms Munima Sultana</i>	Sub Editor, UNB, Cosmos Centre
<i>Mr Saiful Islam Shameem</i>	Staff Reporter, BSS News Agency
<i>Ms Shamim Ara Sheuli</i>	Reporter, Bangladesh Television
<i>Ms Farida Begum Shilpi</i>	Senior Reporter, Aoporad Bichitra
<i>Mr Rashid Tolukder</i>	Photo Journalist, The Daily Ittefaq
<i>Mr Md Rafiq Uddin</i>	Photo Journalist, The New Nation
<i>Ms Mahtabi Zaman</i>	Staff Correspondent, New Age