



STATE PARTY EXAMINATION OF BANGLADESH'S THIRD AND FOURTH PERIODIC REPORTS

51TH SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

25 MAY – 12 JUNE 2009

Contents

Opening Comments	1
General Measures of Implementation.....	2
General Principles	3
Civil Rights and Freedoms	4
Family Environment and Alternative Care.....	4
Basic Health and Welfare.....	4
Education, Leisure and Cultural Activities.....	5
Special Protection Measures	6
Concluding Remarks	7

Bangladesh ratified the Convention on the Rights of the Child (CRC) on 6 September 2000. On 3 June 2009 the Committee on the Rights of the Child (the Committee) examined the third and fourth periodic reports of Bangladesh. It was last examined in September 2003. The State party made reservations on articles 14.1 and 21.1.¹

Opening Comments

Ms Rokeya Sultana led the delegation of Bangladesh. She was supported by a high-level delegation representing the Permanent Mission of Bangladesh in Geneva, the Ministry of Home Affairs, the Ministry of Finance, the Ministry of Social Welfare, the Ministry of Women and Children Affairs, and the Ministry of Law, Justice and Parliamentary Affairs.²

In her opening remarks, Ms Sultana introduced members of the delegation and recounted Bangladesh's peaceful transition to democratic rule through fair, impartial elections held in December 2008. The new government had laid out *Vision 2021* to build a poverty free, liberal, progressive country to make the 50th anniversary of its independence. Despite constraints, Bangladesh had made considerable progress in efforts to fully implement the Convention. The Ministry of Women and Children Affairs had prepared reports in consultation with all stakeholders, including children, and coordinated targeted interventions for children's rights and welfare. The National Children's Rights Council monitored child related laws and rights and Bangladesh Children's Academy promoted cultural and psychological development. They were currently implementing the third national plan of

¹ The text of the reservations is available at:
<http://www.unhcr.ch/tbs/doc.nsf/Statusfrset?OpenFrameSet>

² More information about the delegation can be found at:
<http://www2.ohchr.org/english/bodies/crc/crcs51.htm>

action for children, which had facilitated greater awareness about children's rights and incorporated objectives of the Millennium Development Goals (MDGs). Bangladesh had a growing rate of enrolment in primary and secondary schools and gender disparities in schools had been effectively addressed. Safe drinking water was available to the majority of the population and life expectancy had risen. There was strengthened focus on universal immunization, salt iodisation, and vitamin A supplements coverage. 15% of the development budget was allocated for the education sector, of which 64% was earmarked for primary education. Primary education was free and compulsory for all; stipends were available for girls attending rural secondary schools. Cash assistance was also provided for poor families that sent children to school. The government intended to supply free textbooks to students up to grade 10 and non-formal education was an alternative to many.

Ms Sultana also explained problem areas that still needed to be addressed, including dropout rates, quality of education and the unity of the education system. Bangladesh had given priority to combating sexual abuse and exploitation of children, as well as deprivation of liberty, early marriage and lack of birth registration. Updating the Children Policy from 1994 would bring it more in line with the Convention. The government committed to eliminating child labour in all sectors, but particularly in the ready-made garment industry. Ms Sultana said Bangladesh had further strengthened existing legal and institutional mechanisms to safeguard child rights, in part through the National Human Rights Institution. The government budgetary allocation for education, health, nutrition and social welfare had significantly increased over the years. Still, much remained to be done as challenges were multifaceted, sensitive and based on long-standing traditions and lack of socio-economic development.

Ms Aidoo, Co-Rapporteur, said that the *Vision 2021* was an exciting opportunity for children. She noted Bangladesh's severe challenges with poverty, natural diseases, rapid urbanization, and political instability, which all impacted children's ability to realize their rights. The Birth and Death Registration Act of 2004 had increased birth registration, Bangladesh's Labour Law of 2006 prohibited hazardous work for children below 18, and the Citizenship Amendment Act of 2009 gave Bangladeshi women the right to pass on their citizenship to children. Ms Aidoo noted that international treaties must be incorporated into national legislation, and asked about the status of the Convention in Bangladesh's legal system, as well as which body really coordinated the implementation of the Convention. Furthermore, she enquired about the independence and accessibility of the National Human Rights Commission. Ms Aidoo noted falling allocations for education and health and family welfare. She asked how poor families paid for healthcare, considering the common unwillingness of social service personnel to work in rural areas. Finally, she raised the issue of corruption in the government at all levels and discrimination against minority children.

Mr Koompraphant, the other Co-Rapporteur, enquired about the ways in which the inter-ministerial CRC committee facilitated the cooperation and collaboration between ministries. He asked for more information on the contents of the national plan of action for children for 2006-2010, and asked about the strategies of dissemination of the Convention among schoolteachers, caregivers and parents. Mr Koompraphant enquired about the criteria used to define appropriate ages in different pieces of legislation and what preventative measures had been taken to stop corporal punishment and other forms of violence used against children.

General Measures of Implementation

Implementation

The Committee urged the State party to withdraw its reservations under the CRC. The delegation explained that one had to consider the sensitivity of the Bangladeshi people (as 92% were Muslim). The government wanted to be sure it was in a position to fully implement the provisions outlined in articles 14.1 and 21.1.

The Committee requested information about government's cooperation with civil society in implementing various projects. The delegation briefly explained that they involved civil society in the process of policy formation and that their contribution was appreciated.

Regarding the value of the Convention within the judicial system, the delegation explained that rights of the child were enshrined in the Constitution. The Committee further asked to what extent the Convention was being applied in the absence of legislation. The delegation said that while the Children's Act of 1974 and the Penal Code already covered the provisions of the Convention, the revised act would be more comprehensive in terms of the Convention, international standards and what was lacking in the 1974 act.

The Committee enquired about the impact of the financial crisis on child policies. The delegation said that it had taken precautions, but that there was no sign of major impact in the economy. Exports had decreased a bit, but were expected to resume soon.

Monitoring and Coordination

The Committee enquired about the composition of the National Commission of Human Rights. The delegation explained that it was a newly formed, independent body that was not yet fully operational. It was composed of a chairman and two members, one of whom was a retired or sitting judge of the Supreme Court. Members could not serve more than two consecutive, three-year terms and were appointed by the President.

The Committee asked about measures to combat corruption in the government. The delegation replied that they recently constituted a strong commission with more power and authority to deal with this issue. Parliamentary standing committees functioned as watch dogs for each ministry to ensure transparency and accountability.

The Committee requested information about monitoring the implementation of the Convention. The delegation explained that the Women and Children's Affairs Ministry and the National Council for Development of Women and Children ensured the realization of women and children's rights. The government was aware of difficulties in coordination and monitoring and thus reinforced an elaborate monitoring system in the education and health sector. For each project, there was a steering committee. Overall, the government was women and children friendly.

General Principles

Survival and development

The Committee asked about measures taken to combat infant mortality rate, particularly in poor families. The delegation explained there were programs to raise awareness about infant mortality and to encourage birth attendance, as rural women preferred to give birth at home instead of clinics. A safety net programme contributed to nutrition for newly born children, although the health ministry was working to ensure the care for pregnant women and their children till 6 months or longer. The delegation noted that it planned to train midwives, too. The Committee asked about the government's efforts to use its own money for vaccines as

opposed to donor sources. The delegation replied that while it did not like to be dependent on donors, it had to wait until it had enough resources to become more financially independent.

The Committee enquired about health voucher schemes. The delegation explained that vouchers were part of a safety net-like program in the health sector for those who could not afford to see doctors, including pregnant women. The Committee asked how children participated in social safety programs. The delegation replied that they tried to target the most impoverished with social service programs, and that children benefited when their families used safety net programs. The Committee asked if the government had ever evaluated the impact of the programs. The delegation responded that it had recently moved to a cash-for-education program after it evaluated the effectiveness of cash transfer vs. food transfer. To facilitate accessibility in getting benefits of social programs, they elaborated criteria to select those entitled to these programs.

Civil Rights and Freedoms

Birth registration

The Committee requested information on birth registration system. The delegation said that it would eventually be in a position to do electronic birth registration. Recent electronic voter registration reduced the burden of birth registration because people of 18 years were registered.

Protection from abuse and neglect

The Committee enquired about dowry-related violence. The delegation explained that there were stringent laws regarding this and that advocacy occurred through awareness raising programs. The use of dowries was prevalent throughout the country, and in some regions it was very culturally accepted. Many did not think it was bad to ask for a dowry or to provide one. Women, who headed small, local NGOs that dealt with dowry-related violence, were provided financial assistance. The Committee asked whether perpetrators of this kind of violence were punished. The delegation said they were punished when discovered, but that in many cases violence was not reported.

Family Environment and Alternative Care

Adoption

The Committee enquired about legislation on foreign adoptions. The delegation replied that adoption by a foreigner or by a Bangladeshi citizen was not allowed or officially recognized. Thus, adoption was currently not prevalent but needed to be a priority issue.

Basic Health and Welfare

Disabled children

The Committee requested information on measures to support disabled children. The delegation explained they had a foundation with the Department of Social Services to provide integrated, special services for disabled persons, including children. There had been a number of programs undertaken in collaboration with NGOs, civil society and community-based organisations. The Committee asked about the capacity to identify disabilities early. The delegation replied that they needed to improve their early detection systems. The current

government seriously took up the disability issue and it hoped that in the next budget of July 2009, the issues of disabilities would be reflected.

The Committee enquired about a national action plan for disabilities and access for disabled children to education. The delegation responded that special stipend programs and schools were available for disabled children. They had made strides in addressing some disabilities, such as hearing, but were trying to introduce sign language and address other kinds of disabilities in schools.

Health and health services

The Committee asked about HIV/AIDS prevention and policies on breastfeeding to prevent parent-child transmission. The delegation responded that it had good advocacy and awareness campaigns on HIV/AIDS. There were training programs for professionals and the government was working on the national strategy plan for HIV/AIDS 2004, which identified five prioritised program objectives. Bangladesh encouraged breastfeeding and safety net programs and gave monthly allowances to poor, lactating mothers for two years. In the health sector, there were field monitors who went door to door to raise awareness of HIV/AIDS transmission from mothers to infants. In addition, community clinics were becoming stronger in this capacity.

The Committee requested information on measures to support adolescents in the areas of mental health, suicide, drug use, reproductive health and other health services. The delegation said it had a campaign to help pregnant and lactating mothers, as many were young women who had married early. The Department of Social Welfare ran centres for girls and women and safe centres were available for victims of violence against women so they could access treatment, counselling, life-skills training, etc. Still, many adolescent girls experienced trauma and it was difficult to reintegrate them into society after they experienced depression. The delegation further explained that suicide occurred, but not in alarming numbers. Teasing of adolescents was prevalent and the Ministry was taking up programs to address this. Vocational training and better job access would all contribute to lessening depression and suicide rates.

Education, Leisure and Cultural Activities

Education

The Committee enquired about training for teachers, use of corporal punishment in schools and curriculum for bilingual education. The delegation explained there was a lot of debate surrounding the quality of education and that it wanted a unified education system. There was a vibrant media and frequently the Education Minister spoke on electronic media. There was a lot of discussion and consultation with different stakeholders about setting minimum standards in a transparent, impartial way. Training was regular, but the government wanted to enhance it to get more competent teachers. Moreover, there was some bilingual curriculum, but more had to be done in this area. The Committee asked about the quality of food provided in schools. The delegation replied that they received support from the World Food Program and that it would look into the quality of it, since young children needed adequate food to be successful in schools.

Regarding the Committee's enquiry about dropouts, the delegation replied that there were early childhood development programs in place to address the issue of dropouts. The government aimed to bring all children into primary school, which would contribute greatly

to keeping children educated. The Committee further noted that dropouts resulted in a third, or even half of children, not completing 5-year primary education. It asked about initiatives to help children combine work and education. The delegation responded that 5 years of compulsory education was not adequate and that it was moving towards 8 years compulsory education. Vocational training was important, and children were sent abroad for this, but quality of training needed to be improved and more vocational training institutions were being established within Bangladesh.

The Committee requested information on the ratio of students per teacher. The delegation explained that in some areas, there were only 20 students per teacher; in urban areas, there were around 100 students per teacher. The average was about 65 students per teacher. In the next financial year, the government planned to hire 15,000 teachers and the ratio would come to international standards in coming years. The Committee enquired about alternatives to corporal punishment in schools to create a favourable environment to prevent dropouts. The delegation replied that the dropout rate was about 50% in primary schools. In secondary schools, especially among girls around the age of puberty, it was the tendency of parents to put them in religious education. It was hoped that in the next year it would receive a huge amount of money to help retain children in schools. From the following year on, it was going to expand programs and address the combination of work-education programs, in part through running night schools for those who worked during the day. At present, there were only 26 night schools. The Committee asked how the government encouraged teachers to be trained. The delegation replied that if a teacher received training, s/he got salary increments.

Special Protection Measures

Refugees and internally displaced children

The Committee requested information on children from Myanmar and their access to education, health and other basic services. The delegation replied that it had elaborated contact with UNHCR and was working in the area of Chittagong where refugees were staying. They had specific schools and health facilities for refugees, where there were moderate living conditions.

The Committee asked about stateless people who had no access to education and health services. The delegation explained that people were coming through its poorest border because the living situation on the other side was so difficult-they were not, however, stateless people. If Bangladesh provided good living conditions for these people, there would be a continuous influx of people into the country, which was already overburdened with its own population. The delegation said it wanted to uphold children's rights, but that it was not in a position to uphold the rights of all foreign children.

Children of minorities or indigenous population

The Committee noted reports of violence against minorities and indigenous peoples, including rapes, attacks and murders, and asked what measures were being taken to ensure there was no impunity for perpetrators. The delegation said it had adequate legal provisions to deal with such cases in an expeditious manner. It further explained that children born in the country after independence were Bangladeshi citizens, so the government did not discriminate on any grounds. Violence occurred because of underdevelopment and lack of awareness. Campaign and advocacy programs helped raise awareness of minority populations.

The Committee enquired about minority inheritance rights regarding the land. The delegation said the government was actively considering repealing this act and hoped to have a decision on that shortly.

Sexual exploitation

The Committee enquired about the use of child pornography related materials and provisions to prevent their dissemination. The delegation replied that this was an emerging and important issue. Even if adolescents did not have a computer, they could access the Internet in Cyber Cafes. There were no specific, pornography-related laws, though they could come in the future. One big challenge was breaking the silence, as young women tended to think speaking less of sexual violence was better for the prestige of their family and other issues. Children, who were trafficked, faced many dangers and Bangladesh had three program phases to combat trafficking in the country. The first regarded prevention. Inter-ministerial and multi-organisation committees with 12 ministries and 18 governmental organisations planned the coordination and evaluation of anti-child trafficking programs. The second step was to discuss issues related to anti-trafficking programs. Anti-trafficking monitoring cells at police headquarters ensured effective monitoring of cases. The third phase was operating special screening processes to check the validity of passports, visas and other travel documents of persons travelling abroad. Officials received training on trafficking in order to enhance their skills and national policy formulated and launched in 2005 aimed to promote mass awareness to all classes to combat trafficking of women and children. Finally, there was a partnership project between UNICEF and the Ministry of Home Affairs to develop child protection mechanisms. The Ministry of Home Affairs founded task forces for rescue, recovery and integration of trafficked children composed of many high-level government members.

Administration of juvenile justice

The Committee requested more information on the age of death penalty execution. The delegation replied that existing law prohibited the death penalty until age 16, though it was considering bringing the age up to 18. However, the death penalty was used very rarely.

The Committee asked about specific courts for juveniles and whether children continued to be detained with adults. The delegation replied that there were currently three juvenile courts, with one being on the way. They discouraged children staying in jail with adults and had task forces discussing these occurrences.

Concluding Remarks

Mr Koompraphant, co-Rapporteur, briefly encouraged the State party to reconsider its reservations under the Convention and hoped that amendments would help monitor living conditions of children in need. He was still unclear whether all groups of children could access the many services discussed and hoped that Bangladesh could achieve the *Vision* goals by 2021.

Ms Sultana, Head of delegation, thanked the Committee for its questions and remarks, which were pertinent and useful. She looked forward to its constructive suggestions to further improve the situation of children, but noted that Bangladesh could not make significant progress for human rights without dealing with the root causes of poverty, underdevelopment and marginalisation.