



General Assembly

Distr.: General
8 February 2013

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Sixteenth session
Geneva, 22 April–3 May 2013

**Compilation prepared by the Office of the High
Commissioner for Human Rights in accordance with
paragraph 5 of the annex to Human Rights Council
resolution 16/21**

Bangladesh

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1979)	ICRMW (2011)	ICCPR-OP 2
	ICESCR (1998)	CRPD (2007)	OP-CAT
	ICCPR (2000)		CPED
	CEDAW (1984)		
	CAT (1998)		
	CRC (1990)		
	OP-CRC-AC (2000)		
	OP-CRC-SC (2000)		
<i>Reservations, declarations and/or understandings</i>	ICESCR (Declaration, arts. 1, 2, 3, 7, 8, 10, 13, 1998)		
	ICCPR (Reservation, arts. 14.3(d); declaration, art. 10.3, 11, 14.3(d) and 14.6, 2000)		
	CEDAW (Reservation, arts. 2, 13(a) and 16.1(c) and (f); withdrawal of reservation, arts. 13(a) and 16(1)(f), 1997)		
	OP-CEDAW (Reservation, arts. 8 and 9, 2000)		
	CAT (Reservation, art. 14.1, 1998)		
	CRC (Reservation, arts. 14.1 and 21, 1990)		
<i>Complaint procedures, inquiry and urgent action³</i>	CAT, art. 20 (1998)	OP-CRPD, art. 6 (2008)	ICERD, art. 14 OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 OP-CEDAW, art. 8 OP-CRC-IC

CAT, arts. 21 and 22
 ICRMW, arts. 76 and 77
 CPED

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	Palermo Protocol ⁶	Conventions on refugees and stateless persons ⁷
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁴	Rome Statute of the International Criminal Court	Additional Protocol III to the 1949 Geneva Conventions ⁸
	ILO fundamental conventions, except No. 138 ⁵		UNESCO Convention against Discrimination in Education
			ILO Conventions Nos. 169 and 189 ⁹
			ILO Convention No. 138

1. In 2009 and in 2011, the Committee on the Rights of the Child (CRC)¹⁰ and the Committee on the Elimination of Discrimination against Women (CEDAW),¹¹ respectively, welcomed the ratification of CRPD and OP-CRPD.

2. CRC urged Bangladesh to ratify ICRMW, ICERD, OP-CAT, OP-ICESCR and OP-ICCPR.¹² CEDAW urged the ratification of ICRMW and ICERD.¹³ The Special Rapporteur on extreme poverty and human rights reiterated her recommendation that Bangladesh ratify OP-ICESCR.¹⁴

3. CEDAW¹⁵, CRC¹⁶ and UNHCR urged Bangladesh to consider ratifying Refugee Conventions 1951 and 1967¹⁷ and consider acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.¹⁸

4. CRC urged Bangladesh to consider ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.¹⁹

5. CRC and the Independent Expert on human rights and extreme poverty urged Bangladesh to consider ratifying the ILO Convention No. 138 concerning Minimum Age for Admission to Employment.²⁰

6. CRC appreciated that Bangladesh has reviewed its reservations to articles 14.1 and 21 of the Convention, and urged it to accelerate this process.²¹ UNICEF recommended accession to CRC-OP-IC and withdrawal of reservations to articles 14 (1) and 21 of CRC, as UNICEF considers that adoption does not contradict religious law.²²

7. CEDAW welcomed Bangladesh's willingness to consider withdrawing its reservations to articles 2 and 16.1(c) of the Convention.²³

8. UNESCO called on Bangladesh to ratify the 1960 Convention against Discrimination in Education.²⁴

B. Constitutional and legislative framework

9. CEDAW urged Bangladesh to pursue its law review process with the view to harmonizing its domestic legislation with its obligations under the Convention within a clear time frame, and enhance its law reform through partnership and collaboration with religious leaders, lawyers and civil society organizations including women's non-governmental organizations.²⁵

10. UNICEF noted that a draft Pornography Control Act has been approved by the Cabinet and is awaiting Parliamentary deliberation and enactment; it urged Bangladesh to expedite the enactment.²⁶

11. CRC urged Bangladesh to define and incorporate the principle of best interests of the child into national legislation.²⁷

12. CRC urged Bangladesh to incorporate the Convention on the Rights of the Child into domestic legislation; revise the 1974 Children's Act²⁸ and define the child as any person below 18 years old.²⁹

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions³⁰

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle</i> ³¹
National Human Rights Commission of Bangladesh	N/A	B (May 2011)

13. CRC urged Bangladesh to ensure the independence of the NHRC and provide it with resources and capacity to address child rights issues; establish the Children's Ombudsman to deal with complaints of violations of children's rights and to provide remedies for such violations; and ensure that complaints mechanisms are easily accessible and child-sensitive.³²

14. CRC urged Bangladesh to consider enhancing the capacities of the Ministry of Women and Children's Affairs through the provision of human and financial resources and to clarify the roles and mandates of the National Council for Women and Child Development (NCWCD).³³

15. UNICEF noted positive developments through the adoption of the 2011 National Child Development Policy, the 2010 National Child Labour Elimination Policy, the National Education Policy, and the establishment of the Child Rights Committee under the NHRC and recommended the revision of the draft law on the establishment of the Children's Ombudsman to provide independent and child-specific monitoring of the implementation of the CRC.³⁴

16. The Special Rapporteur on extreme poverty noted that no progress has been made on the appointment of an Ombudsman in accordance with the Constitution.³⁵

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies³⁶

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	March 2001	–	–	Twelfth to fourteenth reports overdue since 2006
CESCR	–	–	–	Initial and second reports overdue since 2000 and 2005, respectively
HR Committee	–	–	–	Initial report overdue since 2002
CEDAW	July 2004	2010	January 2011	Eighth report due in 2015
CAT	–	–	–	First to fourth reports overdue since 1999, 2003, 2007 and 2011, respectively
CRC	October 2003 January 2006 June 2007	2007	June 2009	Fifth report due in 2012
CRPD	–	–	–	Initial report overdue since 2010
CMW	–	–	–	Initial report overdue since 2012

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	–	–	–
HR Committee	–	–	–
CEDAW	2013	Violence against women and girls; withdrawal of reservations to arts. 2, 16.1(c) ³⁷	–
CAT	–	–	–

17. The Special Rapporteur on extreme poverty reiterated her recommendation that Bangladesh submit its initial report to the CESCR.³⁸

B. Cooperation with special procedures³⁹

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	Religious intolerance (2000) Violence against women (2000) Right to food (2002)	Water and sanitation and Extreme poverty and human rights, joint mission (2009)
<i>Visits agreed to in principle</i>	Freedom of religion	Freedom of religion (dates to be agreed)
<i>Visits requested</i>	Adequate housing (2005) Minority issues (2006) Extrajudicial, summary or arbitrary executions (2006) Independence of judges and lawyers (2007) Contemporary forms of slavery (2008)	Racism (2008) Extrajudicial, summary or arbitrary executions (reiterated 2008 and 2009) Internally displaced persons (2012) Independence of judges and lawyers (reminder 2012) International solidarity (2012) Violence against women (2012)
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 30 communications were sent. The Government replied to 27 of these communications.	
<i>Follow-up reports and missions</i>	Extreme poverty and human rights. ⁴⁰	

III. Implementation of international human rights obligations

A. Equality and non-discrimination

18. CEDAW remained concerned at discriminatory laws and provisions, including laws relating to marriage, divorce, nationality, guardianship and custodial rights that deny women equal rights with men. The Committee called on Bangladesh to pursue its law review process with the view to harmonizing its domestic legislation with its obligations under the Convention within a clear time frame.⁴¹

19. CEDAW urged Bangladesh to design and implement strategies to eliminate discriminatory stereotypes and practices.⁴² The Independent Expert on water and sanitation called on Bangladesh to eliminate discriminatory attitudes and stereotypes concerning girls and women, which place the primary burden of collecting water on them and hinder their safe access to sanitation.⁴³

20. CEDAW urged Bangladesh to extend in the Constitution and relevant legislations the application of the guarantees of equal rights between women and men to the private sphere.⁴⁴

21. CEDAW was concerned that women and girls are discriminated against, especially with regard to access to education, employment, health care, housing and justice.⁴⁵

22. Noting the adoption of the Sixth Five-Year Plan (SFYP), UNICEF stated that girls and particular groups of children, including refugee children, children with disabilities, children of ethnic and religious minorities, and children in slums and rural areas, continue to face discrimination and disparities. It recommended that Bangladesh conduct a national campaign and education on non-discrimination, and ensure full implementation of the SFYP.⁴⁶ CRC expressed similar concerns⁴⁷ and urged Bangladesh to address these issues.⁴⁸

23. The Special Rapporteur on extreme poverty noted that the situation of the most vulnerable groups has not changed significantly since her visit in December 2009. She reiterated the need to actively tackle discrimination against those groups and ensure their access to services and adequate social protection, particularly the Rohingya refugees.⁴⁹

B. Right to life, liberty and security of the person

24. UNICEF noted that the death penalty and life imprisonment without parole can be imposed on children aged between 16 and 18.⁵⁰ CRC urged Bangladesh not to impose life sentence for offences committed by persons under 18 years of age;⁵¹ to halt the imposition of the death penalty on persons below 18 years and abolish the death penalty.⁵²

25. CRC was concerned that prevention-based policies are lacking and that certain conditions in Bangladesh undermine the enjoyment of the right to life, survival and development of the child.⁵³

26. In 2012, the Working Group on enforced or involuntary disappearances noted that it had transmitted to the Government allegations received according to which enforced disappearance is frequently used as a tool by the country's law-enforcement agencies, paramilitary and armed forces, mainly Rapid Action Battalion (RAB), to detain and even extrajudicially execute individuals.⁵⁴

27. CRC was concerned about children being held in adult jails; their ill-treatment in police custody; the length of police detention and the absence of juvenile courts.⁵⁵ Noting that children are kept in prison with adults while awaiting trial,⁵⁶ UNICEF recommended that they be released without delay.⁵⁷

28. CRC urged Bangladesh to limit the length of pretrial detention of children; separate children deprived of liberty from adults; review the decision of children's detention with a view to its withdrawal; promote alternative measures to detention and establish an independent body to monitor detention conditions.⁵⁸

29. CEDAW remained concerned at violence against women and girls, including domestic violence, rape, acid throwing, dowry-related and fatwa-instigated violence.⁵⁹ CEDAW and UNHCR urged Bangladesh to adopt a national action plan and criminalize violence against women and girls; prosecute perpetrators; remove impediments faced by women in accessing justice; and adopt legislation on sexual harassment.⁶⁰

30. UNICEF noted that despite steps taken to address sexual abuse and exploitation of children by enacting new laws, including the Prevention of Domestic Violence Act (2010) and the Anti-Human Trafficking Act (2012), sexual abuse and exploitation of children continues. UNICEF recommended that Bangladesh ensure full implementation of laws and strengthen efforts to arrest and prosecute perpetrators.⁶¹ CRC urged that legislation to address sexual abuse and exploitation of children be strengthened, including through criminalization and prosecution; training be provided for law enforcement officials, social workers, judges and prosecutors on how to handle complaints with confidentiality⁶² and

support for child victims of abuse and neglect be strengthened in order to ensure them access to services for recovery, counselling and other forms of rehabilitation.⁶³

31. UNICEF noted that the Constitution, Penal Code, Women and Children Repression Prevention Act, and Children Act prohibit corporal punishment in all settings. However, violence against children and the widespread practice of corporal punishment in families, communities, schools, care and juvenile justice institutions continues. UNICEF and CRC encouraged Bangladesh to enforce existing laws to prohibit and eliminate corporal punishment in schools.⁶⁴

32. CEDAW requested adopting a comprehensive action plan to address trafficking and sexual exploitation and ensure its effective implementation.⁶⁵ CRC reiterated its concern over the rising number of children living or working in urban centres who are prime targets of organized child trafficking rings.⁶⁶ UNHCR welcomed the ongoing work on a new anti-trafficking law, however, noted that unregistered Rohingya women and children have not truly benefitted from the Prevention of Oppression Against Women and Children Act (2000, amended 2003).⁶⁷ The ILO Committee of Experts on the Application of Conventions and Recommendations requested the Government to take necessary measures to strengthen law enforcement mechanisms in order to effectively investigate and prosecute cases of trafficking in persons, both for sexual and labour exploitation.⁶⁸

33. CRC reiterated its recommendation to combat the sale and trafficking in children and urged Bangladesh to strengthen partnerships with all stakeholders so as to provide child victims with recovery and social reintegration services and programmes.⁶⁹

34. CRC recommended that no child under the minimum age of conscription be enrolled in the army and that recruitment at the age of 16 and 17 be based on an informed decision and only occurs with prior consent of the parents or legal guardians.⁷⁰

35. UNICEF noted that economic exploitation, including child labour, is prevalent in Bangladesh.⁷¹ CRC was concerned at the high incidence of child workers in five selected worst forms of child labour, and the lack of mechanisms to enforce specific laws to protect child workers.⁷² CRC and CEDAW were concerned that girls engaged as child domestic workers are more vulnerable to violence and exploitation than boys.⁷³

C. Administration of justice, including impunity, and the rule of law

36. CEDAW remained concerned over the on-going application of illegal penalties rendered through *shalish* rulings to punish “anti-social and immoral behaviour”⁷⁴ and urged Bangladesh to ensure that *shalish* decisions do not lead to extrajudicial penalties.⁷⁵

37. UNICEF noted positively the establishment of a juvenile court/ bench in all districts and national and municipal task forces to ensure that children are not sent to adult prisons and that those already held are released. The new draft Children Act, approved by the Cabinet in 2010 and awaiting Parliamentary deliberation and enactment, will ensure that deprivation of liberty is used as a measure of last resort. It also prohibits the death penalty and life imprisonment without parole.⁷⁶ CRC recommended that the juvenile justice system be brought into line with the Convention.⁷⁷ CRC and UNICEF were concerned that the legal age of criminal responsibility remains low at 9 years,⁷⁸ and urged that it be raised to at least 12.⁷⁹

38. The special rapporteurs on extrajudicial, summary or arbitrary executions and on the independence of judges and lawyers expressed concern about a death sentence passed by the Bangladesh International Crimes Tribunal, following a trial conducted in absentia, and noted that given the historic importance of these trials and the possible application of the death penalty, it is vitally important that all defendants before the Tribunal receive fair trials. Concern was also expressed regarding questions raised about the impartiality of the

judges and prosecution services of the Tribunal, as well as their independence of the executive. The Bangladesh International Crimes Tribunal, established in March 2010, is in fact as a domestic court with the jurisdiction and competence to try and punish any person accused of committing atrocities, including genocide, war crimes and crimes against humanity in Bangladesh, including during the country's 1971 liberation war.⁸⁰

D. Right to privacy, marriage and family life

39. CEDAW remained concerned that the foreign spouse of a Bangladeshi woman could apply for citizenship after being a resident in the country for five years, whereas the residential requirement for a foreign woman married to a Bangladeshi man is two years only.⁸¹ It urged the amendment of the citizenship legislation.⁸² CRC recommended that children having one parent who is a Bangladeshi national be recognized as Bangladeshi nationals.

40. UNICEF was concerned at the falsification of identity documents in order to "legalize" early marriages or involve children in prostitution, which is a legal activity for adults in possession of a government certificate.⁸³ CRC recommended ensuring that every child has a valid birth certificate, as also highlighted by the independent experts on extreme poverty and on water and sanitation, and that children are protected from early and forced marriages.⁸⁴

41. UNICEF noted that the minimum age for marriage for men and women is 21 and 18 years respectively, but although prohibited in law, child marriage continues.⁸⁵ CRC urged Bangladesh to prohibit early and forced marriages and traditional practices, including the dowry.⁸⁶ CEDAW urged Bangladesh to end child marriage which is practiced particularly in rural areas.⁸⁷

42. CEDAW welcomed Bangladesh's readiness to regulate a uniform family code that eliminates discrimination between Muslims, Hindu, Christians and other religious groups, and to establish clear and non-discriminatory provisions on marriage, divorce, inheritance, distribution of property and child custody, in compliance with the Convention.⁸⁸

43. UNICEF noted that there is currently no national policy on alternative care for children who are deprived of parental care, as adoption is viewed as contradictory to religious law.⁸⁹

E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

44. Despite the adoption of the Fourteenth Amendment to the Constitution, which provided for the increase in seats reserved for women from 30 to 45 and the appointment of six women ministers in 2009, CEDAW remained concerned about women's underrepresentation in public, political and professional life.⁹⁰ It urged Bangladesh to adopt laws and policies that promote women's participation in decision-making positions.⁹¹

45. The Special Rapporteur on human rights defenders remained concerned about the reported restrictions on the freedoms of opinion, expression and association, acts of violence, ill-treatment and intimidation compromising the physical and psychological integrity of human rights defenders in Bangladesh.⁹² In 2011, the special rapporteurs on freedom of expression and on human rights defenders sent communications regarding allegations, among others, of threats and other acts of intimidation to a human rights organization and individuals because of their work, including cooperation with the United Nations system and an international human rights NGO.⁹³ UNESCO noted that self-regulatory mechanisms of the media exist in Bangladesh. The Director-General of

UNESCO condemned the killing of journalists Sagar Sarwar and Mehrun Runi in February 2012 and Jumal Uddin in June 2012. UNESCO stated that reporting in Bangladesh continues to pose a danger for journalists, due to the high instance of harassment and attacks against journalists and major news outlets. It encouraged Bangladesh to ensure that journalists can operate in a safe environment; prosecute cases of murder of journalists and attacks against media outlets; decriminalize the defamation law and subsequently incorporate it into the Civil Code.⁹⁴

46. The ILO Committee of Experts called for measures to repeal or amend the Special Powers Act, under which penalties of imprisonment may be imposed on people who publish prejudicial reports or contravene orders for prior scrutiny and approval of certain publications or for the suspension or dissolution of certain associations. It noted that penalties of imprisonment may involve an obligation to perform prison labour.⁹⁵

F. Right to work and to just and favourable conditions of work

47. The Independent Expert on extreme poverty recommended that Bangladesh ensure respect for labour standards and revise relevant legislation, including the 2006 Labour Act to ensure it complies with international human rights standards, adding that the Government should significantly strengthen the mechanisms that enforce labour standards and increase efforts to prevent and respond to child labour, especially in its worst forms.⁹⁶ CEDAW was concerned about discrimination against women in the labour market and regretted that the 2006 Labour Act does not cover workers in the informal sector, where a large population of women are employed. CEDAW urged Bangladesh to apply the principle of equal remuneration and equal opportunities at work.⁹⁷

48. CRC urged Bangladesh to prohibit employment of children under 18 years in hazardous work and consider approving the National Child Labour Policy (2008).⁹⁸ UNICEF noted that while the national minimum age for employment is 14 years, for light work it is 12 years and for hazardous work 18 years. It recommended reviewing those ages in accordance with the internationally accepted standards.⁹⁹

G. Right to social security and to an adequate standard of living

49. The independent experts on extreme poverty and on water and sanitation found that the separate treatment of economic and social issues in the Constitution reflected a misunderstanding that economic, social and cultural rights are not claimable and enforceable, with serious implications for the full enjoyment of economic, social and cultural rights.¹⁰⁰

50. The Independent Expert on extreme poverty noted widespread poverty and increased socioeconomic disparity despite improvements in economic and social indicators. Around 40 per cent of the population is still poor, at least 25 per cent of which live in extreme poverty, and the majority of the population living in poverty remains uncovered by any social assistance measures. Acknowledging Bangladesh's limited budget, the Expert noted with concern the decline in financing of social assistance programmes. She recommended adopting comprehensive long-term social protection strategy and increasing coordination among various stakeholders; taking all necessary measures to ensure that support to the poorest is a priority; and strengthening efforts to fight corruption.¹⁰¹

51. CEDAW was concerned that women are exposed to difficulties in accessing second generation micro-finance and have limited access to land and other property due to customary and traditional stereotypes.¹⁰² It urged Bangladesh to implement gender-sensitive poverty reduction and development programmes, amend discriminatory laws limiting women's ownership,¹⁰³ establish legislative framework to protect women's rights

of inheritance and ownership of land; and eliminate negative customs and traditional practices which affect enjoyment of women's right to property.¹⁰⁴

52. CRC was concerned at child poverty and inequality and urged Bangladesh to implement the legislation and plans of action aimed at reducing child poverty and improving children's living standards.¹⁰⁵ CRC was concerned about the weak monitoring and accountability mechanisms for budgetary expenditure at different levels of the administration.¹⁰⁶

53. The independent experts on extreme poverty and on water and sanitation indicated that water quality is a serious problem, and noted estimates that more than 1 million people are at risk of death from decades of exposure to arsenic.¹⁰⁷ The Expert on water and sanitation recommended undertaking nationwide water-quality testing in a systematic, regular and coordinated fashion, including testing for pollutants, in addition to arsenic; and implement plans to use alternative sources of water.¹⁰⁸

H. Right to health

54. CRC was concerned about the growing inequity in access to health services and the dependence on donor funds for the procurement of vaccines. CRC was concerned that the public sector only provides 40 per cent of health services and that 85 per cent of birth deliveries happen at home in the absence of skilled birth attendants.¹⁰⁹ CRC urged Bangladesh to increase access to free primary health services.¹¹⁰

55. CEDAW urged Bangladesh to improve women's access to health-care facilities and services and to reduce maternal mortality rate.¹¹¹ CRC remained concerned at the high rate of neonatal mortality and child malnutrition.¹¹² The independent experts on extreme poverty and on water and sanitation were troubled by the high infant mortality rate (43 infants per 1,000 live births) and that 51,200 children reportedly die annually as a result of diarrhoea which is frequently caused by lack of sanitation and safe drinking water.¹¹³

56. CRC urged Bangladesh to develop a comprehensive policy on issues affecting the rights of adolescents and to provide separate and appropriate sanitary facilities for adolescent girls and boys.¹¹⁴

57. CRC urged Bangladesh to strengthen preventive efforts by raising awareness of HIV/AIDS and the use of contraceptives, and to establish guidelines to address parent-to-child transmission, prenatal care, care during labour, breastfeeding and child care.¹¹⁵

58. CRC was concerned that drug abuse is growing and urged Bangladesh to prevent and end drug use among children.¹¹⁶

I. Right to education

59. UNESCO called on Bangladesh to enshrine the right to education in its Constitution.¹¹⁷

60. CRC urged Bangladesh to consider extending the length of compulsory schooling; raise the budget allocation for expansion of the educational system and improvement in the quality of education; address early childhood development; increase enrolment in primary schools; prevent school dropout; consider making multilingual education available for minority and indigenous children; increase the transition rate to secondary school; level out disparities in access to and quality of education and better equip schools with educational materials and adequate sanitation facilities.¹¹⁸

61. CEDAW urged Bangladesh to ensure de facto access by girls and women, especially those living in rural areas, to all levels and fields of education; retain girls in schools and provide a safe educational environment free from discrimination and violence.¹¹⁹

62. UNICEF appreciated the adoption of the National Education Policy, implementation of which is constrained by a lack of adequate resources, as less than 2.5 per cent of the country's GDP is spent on education. UNICEF appreciated the progress made in increasing enrolment; reducing dropout from primary level and achieving gender parity in primary and secondary levels. However, despite the increased coverage of the stipend programme, disparities exist in primary education completion.¹²⁰

63. UNESCO called on Bangladesh to adopt measures to combat discrimination in education; protect minority groups; combat illiteracy and promote gender equality.¹²¹

64. UNICEF encouraged the Government to take appropriate measures to provide mother-tongue education to those children whose mother language is not Bangla.¹²²

65. The independent experts on extreme poverty and on water and sanitation welcomed the increased enrolment of children in schools, but expressed concern at the high overall dropout rate, with official data indicating that almost half of children in primary school do not finish Grade 5. Poor children are more likely to drop out of school, and girls have a higher dropout rate once they reach adolescence.¹²³

J. Cultural rights

66. UNESCO noted the lack of coherent policies in safeguarding and managing tangible and intangible cultural heritage.¹²⁴

K. Persons with disabilities

67. UNICEF, noting developments, including the draft Persons with Disabilities Rights Act, encouraged the government to adopt effective measures that ensures education of children with disabilities.¹²⁵

68. CRC was concerned that children with disabilities, in particular girls, experience discrimination and prejudicial treatment throughout their development.¹²⁶

69. The independent experts on extreme poverty and on water and sanitation stated that people living in extreme poverty were more vulnerable to becoming disabled because of aggravating factors. They encouraged the Government to actively combat discrimination against persons with disabilities and progressively ensure their access to basic services.¹²⁷

L. Minority groups and indigenous peoples

70. UNICEF noted that indigenous and minority children living in remote areas of Chittagong Hill Tracts and Char areas often lack access to basic and specialized services. UNICEF recommended that Bangladesh adopt specific measures to combat discrimination and inequity and ensure that basic and specialized services are available to indigenous and minority children.¹²⁸ CRC urged Bangladesh to ensure that minority and indigenous children are not discriminated against in the enjoyment of their right to access basic and specialized health services.¹²⁹

71. The independent experts on extreme poverty and on water and sanitation were informed that Dalits suffer discrimination in all areas of life, including segregation in accessing housing. Most live beneath the poverty line; earn less than the minimum wage; have no access to education; suffer from numerous diseases; lack access to safe drinking water and sanitation and face discrimination in accessing public-health facilities.¹³⁰ The

Independent Expert on water and sanitation recommended that Bangladesh adopt an explicit policy to address the situation of Dalits; eliminate discrimination against them, and improve the situation of sweepers by ensuring protection of their health while at work and their access to safe drinking water and sanitation in homes.¹³¹

72. The independent experts noted that Urdu-speaking communities living in the slum in Mirpur, Dhaka, sometimes referred to as *Biharis*, live in very difficult conditions, with inadequate housing and poor access to sewage disposal and drainage – problems that are exacerbated during the flood season.¹³² The independent experts welcomed the 2008 High Court decision that recognizes Urdu speakers as Bangladesh nationals, but were concerned about the lack of its full implementation. They urged the Government to design and implement a comprehensive programme to integrate Biharis into Bangladeshi society, including by ensuring that poverty-reduction programmes specifically address their situation.¹³³

73. CRC was concerned about refugee children such as Biharis who have difficult or no access to services in Bangladesh.¹³⁴ While noting the 2008 High Court decision on Biharis, UNHCR highlighted administrative hurdles which prevent the Urdu-speaking community from fully benefiting from their rights and entitlements as citizens of Bangladesh, including access to passports.¹³⁵

M. Migrants, refugees and asylum-seekers

74. UNHCR commended Bangladesh for hosting the Rohingyas, notably approximately 30,000 registered refugees.¹³⁶ UNICEF noted, however, that their movement is restricted, and that they have limited access to education and health services. Refugees outside the camps do not have access to refugee status determination and are subject to arrest and deportation. Children of refugees are not eligible for birth registration.¹³⁷ CRC recommended that Bangladesh address the concerns of approximately 100,000–200,000 Rohingya, including children, not registered as refugees in Bangladesh, and to provide them with, at a minimum, legal status, birth registration, security and access to education and health-care services.¹³⁸ UNHCR acknowledged a number of positive developments since the 1st UPR in 2009, but noted with concern Bangladesh's response to the Rakhine State crisis in June 2012 (which led to several thousand persons trying to flee Rakhine State) by closing its border and returning some 4,000 persons to its neighbouring country as of October 2012.¹³⁹ UNHCR maintained that the Government should ensure unhindered access to its territory by persons in need of international protection; fully comply with the principle of *non-refoulement*, take measures to prevent arbitrary and/or indefinite detention of unregistered Rohingya, particularly “released prisoners” who have already served their sentences.¹⁴⁰

75. UNHCR recommended that Bangladesh draft and adopt refugee legislation.¹⁴¹ CRC reiterated its recommendation to establish legislation and procedures to allow access to procedures determining refugee status to all refugee children and their families.¹⁴²

76. UNHCR noted that there is no national legislation guiding prevention and reduction of statelessness or protection of stateless persons.¹⁴³

77. The independent experts on extreme poverty and on water and sanitation noted that despite improvements in the conditions of the camps, registered refugees do not fully enjoy freedom of movement, the right to work or the right to education, which leaves them extremely vulnerable to abuse and exploitation.¹⁴⁴ The Special Rapporteur on extreme poverty called on Bangladesh to prioritize improving the situation of the Rohingya refugees; finalize its refugee policy and take measures to reinstate the resettlement

programme, and encouraged the Government to seek out resettlement options that prioritize and protect the rights and interests of refugees.¹⁴⁵

78. In 2010, the special rapporteurs on health, on migrants, on food and on racism sent a joint communication to the Government drawing attention to allegations received regarding the situation of unregistered Rohingya asylum seekers, refugees and migrants. According to reports received, some 220,000 unregistered Rohingyas were not permitted to receive official relief and were reportedly victims of violence and attempted deportation by both State and non-State actors.¹⁴⁶

N. Right to development and environmental issues

79. In 2012, special procedures mandate holders on adequate housing, on extreme poverty, on food, on freedom of expression, on indigenous peoples, on freedom of peaceful assembly and of association, and on water and sanitation urged the Government to ensure that any policy concerning open-pit coal mining includes robust safeguards to protect human rights. They noted that the Phulbari coal mine was expected to cause massive disruptions and that if this open-pit mine is permitted, it could displace hundreds of thousands of people.¹⁴⁷

80. The independent experts on extreme poverty and on water and sanitation noted that Bangladesh is considered the most vulnerable country in the world to tropical cyclones, and the sixth most vulnerable country to floods.¹⁴⁸ They called on the Government to continue to pay special attention to the effects of climate change on the poorest segments of society and to provide social protection measures to alleviate the impact on them.¹⁴⁹

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Bangladesh from the previous cycle (A/HRC/WG.6/2/BDG/2).

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant

	Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

- ³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.
- ⁴ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁵ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁷ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁸ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III).
- ⁹ International Labour Organization Conventions No.169 concerning Indigenous and Tribal Peoples in Independent Countries and No.189 concerning Decent Work for Domestic Workers.
- ¹⁰ CRC/C/BDG/CO/4, para. 5.
- ¹¹ CEDAW/C/BGD/CO/7, para. 6.
- ¹² CRC/C/BDG/CO/4, para. 96.
- ¹³ CEDAW/C/BGD/CO/7, para. 43.
- ¹⁴ A/HRC/20/25, para. 64.
- ¹⁵ CEDAW/C/BGD/CO/7, para. 38.
- ¹⁶ CRC/C/BDG/CO/4, para. 79.
- ¹⁷ UNHCR submission to the UPR on Bangladesh, p. 3.
- ¹⁸ Ibid., p. 5.
- ¹⁹ CRC/C/BDG/CO/4, para. 89.
- ²⁰ Ibid., para. 83 and A/HRC/15/55, para. 126(d).
- ²¹ Ibid., paras. 10-11.
- ²² UNICEF submission to the UPR on Bangladesh, p. 1.
- ²³ CEDAW/C/BGD/CO/7, para. 11.
- ²⁴ UNESCO submission to the UPR on Bangladesh, p. 9.
- ²⁵ CEDAW/C/BGD/CO/7, para. 16.
- ²⁶ UNICEF submission to the UPR on Bangladesh, p. 1.
- ²⁷ CRC/C/BDG/CO/4, para. 35.
- ²⁸ Ibid., para. 13.

- ²⁹ Ibid., para. 31.
- ³⁰ According to article 5 of the rules of procedure for the International Coordination Committee (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); C: No Status (not in compliance with the Paris Principles).
- ³¹ For the list of national human rights institutions with accreditation status granted by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/20/10, annex.
- ³² CRC/C/BDG/CO/4, para. 19.
- ³³ Ibid., para. 15.
- ³⁴ UNICEF submission to the UPR on Bangladesh, p. 1.
- ³⁵ A/HRC/20/25, para. 65.
- ³⁶ The following abbreviations have been used for this document:
- | | |
|--------------|--|
| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
| CRPD | Committee on the Rights of Persons with Disabilities |
| CED | Committee on Enforced Disappearance |
- ³⁷ CEDAW/C/BGD/CO/7, para. 44.
- ³⁸ A/HRC/20/25, para. 64.
- ³⁹ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ⁴⁰ A/HRC/20/25.
- ⁴¹ CEDAW/C/BGD/CO/7, paras. 15-16.
- ⁴² Ibid., para. 18.
- ⁴³ A/HRC/15/55, para. 125(e).
- ⁴⁴ CEDAW/C/BGD/CO/7, para. 14.
- ⁴⁵ Ibid., paras. 37-38.
- ⁴⁶ UNICEF submission to the UPR on Bangladesh, p. 2.
- ⁴⁷ CRC/C/BDG/CO/4, para. 32.
- ⁴⁸ Ibid., para. 33.
- ⁴⁹ A/HRC/20/25, paras. 66- 67; see also A/HRC/15/55.
- ⁵⁰ UNICEF submission to the UPR on Bangladesh, p. 2.
- ⁵¹ CRC/C/BDG/CO/4, para. 93.
- ⁵² Ibid., para. 47.
- ⁵³ Ibid., para. 36.
- ⁵⁴ A/HRC/19/58/Rev.1, annex I, para. 53.
- ⁵⁵ CRC/C/BDG/CO/4, para. 92.
- ⁵⁶ UNICEF submission to the UPR on Bangladesh, p. 2.
- ⁵⁷ Ibid., pp. 2-3.
- ⁵⁸ CRC/C/BDG/CO/4, para. 93.
- ⁵⁹ CEDAW/C/BGD/CO/7, para. 19.
- ⁶⁰ Ibid., paras. 19-20; see also UNHCR submission to the UPR on Bangladesh, p. 8.
- ⁶¹ UNICEF submission to the UPR on Bangladesh, pp. 1-2.
- ⁶² CRC/C/BDG/CO/4, para. 87.
- ⁶³ Ibid., para. 56.
- ⁶⁴ UNICEF submission to the UPR on Bangladesh, p. 2 and CRC/C/BDG/CO/4, para. 49.
- ⁶⁵ CEDAW/C/BGD/CO/7, paras. 21-22.
- ⁶⁶ CRC/C/BDG/CO/4, para. 84.
- ⁶⁷ UNHCR submission to the UPR on Bangladesh, p. 6; also CEDAW/C/BGD/CO/7, para. 20.
- ⁶⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning Forced Labour Convention, 1930 (No. 29), adopted 2011, published 101st ILC session

- (2012), sixth paragraph, available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID:2698219.
- 69 CRC/C/BDG/CO/4, para. 89.
- 70 Ibid., para. 81.
- 71 UNICEF submission to the UPR on Bangladesh, p. 2.
- 72 CRC/C/BDG/CO/4, para. 82.
- 73 Ibid., para. 82-83 and CEDAW/C/BGD/CO/7, para. 30.
- 74 CEDAW/C/BGD/CO/7, para. 19.
- 75 Ibid., para. 20.
- 76 UNICEF submission to the UPR on Bangladesh, p. 2,3.
- 77 CRC/C/BDG/CO/4, para. 39 and 93.
- 78 Ibid., para. 92.
- 79 Ibid., para. 93.
- 80 OHCHR, Press release, “Bangladesh: Justice for the past requires fair trials, warn UN experts” (Geneva, 7 February 2013), available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12972&LangID=E>
- 81 CEDAW/C/BGD/CO/7, para. 25.
- 82 Ibid., para. 26.
- 83 UNICEF submission to the UPR on Bangladesh, p. 3.
- 84 CRC/C/OPSC/BGD/CO/1, paras. 22-25; see also A/HRC/15/55, para. 20.
- 85 UNICEF submission to the UPR on Bangladesh, p. 3.
- 86 CRC/C/BDG/CO/4, para. 68.
- 87 CEDAW/C/BGD/CO/7, paras. 39-40.
- 88 Ibid., paras. 39-40.
- 89 UNICEF submission to the UPR on Bangladesh, p. 3.
- 90 CEDAW/C/BGD/CO/7, para. 23.
- 91 Ibid., para. 24.
- 92 A/HRC/19/55/Add.2, paras. 33-34.
- 93 A/HRC/18/19, paras. 25-27; A/HRC/18/51, p. 66 and A/HRC/19/44, p. 13.
- 94 UNESCO submission to the UPR on Bangladesh, p. 9.
- 95 ILO Committee of Experts, Observation concerning the Abolition of Forced Labour Convention, 1957 (No. 105), adopted 2011, published 101st ILC session (2012), first paragraph, available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:269931.
- 96 A/HRC/15/55, para. 126 (d).
- 97 CEDAW/C/BGD/CO/7, para. 30.
- 98 CRC/C/BDG/CO/4, para. 83.
- 99 UNICEF submission to the UPR on Bangladesh, p. 1.
- 100 A/HRC/15/55, para. 9.
- 101 Ibid., paras. 77, 106, 108, 126 (a), (b) and (c).
- 102 CEDAW/C/BGD/CO/7, para. 33.
- 103 Ibid., para. 34.
- 104 Ibid., para. 36.
- 105 CRC/C/BDG/CO/4, para. 71, 72.
- 106 Ibid., para. 20.
- 107 A/HRC/15/55, paras. 59- 60.
- 108 Ibid., para. 125 (b).
- 109 CRC/C/BDG/CO/4, paras. 59 and 62.
- 110 Ibid., para. 60.
- 111 CEDAW/C/BGD/CO/7, para. 32.
- 112 CRC/C/BDG/CO/4, para. 59.
- 113 A/HRC/15/55, para 19.
- 114 CRC/C/BDG/CO/4, para. 64.
- 115 Ibid., para. 70.
- 116 Ibid., paras. 65-66.
- 117 UNESCO submission to the UPR on Bangladesh, p. 9.
- 118 CRC/C/BDG/CO/4, para. 75.

- ¹¹⁹ CEDAW/C/BGD/CO/7, para. 28.
- ¹²⁰ UNICEF submission to the UPR on Bangladesh, p. 3.
- ¹²¹ UNESCO submission to the UPR on Bangladesh, p. 9.
- ¹²² UNICEF submission to the UPR on Bangladesh, p. 3.
- ¹²³ A/HRC/15/55, para 18.
- ¹²⁴ UNESCO submission to the UPR on Bangladesh, p. 7.
- ¹²⁵ UNICEF submission to the UPR on Bangladesh, p. 4.
- ¹²⁶ CRC/C/BDG/CO/4, paras. 57-58.
- ¹²⁷ A/HRC/15/55, paras. 21-23.
- ¹²⁸ UNICEF submission to the UPR on Bangladesh, p. 4.
- ¹²⁹ CRC/C/BDG/CO/4, para. 60.
- ¹³⁰ A/HRC/15/55, para. 25.
- ¹³¹ *Ibid.*, para.125 (d).
- ¹³² *Ibid.*, para. 27; see also UNHCR, “Note on the nationality status of the Urdu-speaking community in Bangladesh” (December 2009), available at www.unhcr.org/refworld/pdfid/4b2b90c32.pdf.
- ¹³³ A/HRC/15/55, para 28.
- ¹³⁴ CRC/C/BDG/CO/4, para. 78.
- ¹³⁵ UNHCR submission to the UPR on Bangladesh, p. 2.
- ¹³⁶ *Ibid.*, p. 1.
- ¹³⁷ UNICEF submission to the UPR on Bangladesh, p. 4.
- ¹³⁸ CRC/C/BDG/CO/4, para. 79.
- ¹³⁹ UNHCR submission to the UPR on Bangladesh, pp. 1-2.
- ¹⁴⁰ *Ibid.*, pp. 1 and 4.
- ¹⁴¹ *Ibid.*, p. 1.
- ¹⁴² CRC/C/BDG/CO/4, para. 79.
- ¹⁴³ UNHCR submission to the UPR on Bangladesh, p. 2.
- ¹⁴⁴ A/HRC/15/55, para.31.
- ¹⁴⁵ A/HRC/20/25, paras. 67-68.
- ¹⁴⁶ A/HRC/17/25/Add.1, paras. 23-28.
- ¹⁴⁷ A/HRC/20/30, p. 24; A/HRC/21/47/Add.3, paras. 12-16; also OHCHR, Press release, “Bangladesh open-pit coal mine threatens fundamental rights, warn UN experts” (Geneva, 28 February 2012), available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11878&LangID=E>.
- ¹⁴⁸ A/HRC/15/55, para. 39.
- ¹⁴⁹ *Ibid.*, para. 42.
-