



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### Concluding observations on the initial report of Bangladesh\*, \*\*

#### I. Introduction

1. The Committee considered the initial report of Bangladesh<sup>1</sup> at its 600th and 601st meetings,<sup>2</sup> held on 25 and 26 August 2022. It adopted the present concluding observations at its 617th meeting, held on 7 September 2022.
2. The Committee welcomes the initial report of Bangladesh, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies<sup>3</sup> to the list of issues prepared by the Committee.<sup>4</sup>
3. The Committee appreciates the fruitful dialogue held with the State party's delegation, which included representatives of relevant government ministries.

#### II. Positive aspects

4. The Committee welcomes the measures taken by the State party to implement the Convention since its ratification thereof, in 2007.
5. The Committee acknowledges that the State party is temporarily hosting more than 1.1 million Rohingya refugees and that there is a large number of persons with disabilities among them.
6. The Committee welcomes the legislative and policy measures taken to promote the rights of persons with disabilities, in particular the following:
  - (a) The adoption of the Rights and Protection of Persons with Disabilities Act, in 2013, and the Rights and Protection of Persons with Disabilities Rules, in 2015;
  - (b) The translation of the Convention into Bangla, the official language of Bangladesh, and the development of a child-friendly version of the Convention;
  - (c) The adoption of the Neuro-Developmental Disability Protection Trust Act, in 2013, the strategic action plan for neuro-developmental disorders, 2016–2030, and the creation of the Autism Resource Centre, in 2010;

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\*\* Adopted by the Committee at its twenty-seventh session (15 August–9 September 2022).

<sup>1</sup> CRPD/C/BGD/1.

<sup>2</sup> See CRPD/C/SR.600 and CRPD/C/SR.601.

<sup>3</sup> CRPD/C/BGD/RQ/1 and CRPD/C/BGD/RQ/1/Corr.1.

<sup>4</sup> CRPD/C/BGD/Q/1.



(d) The development of a national health policy in 2011, in which health problems of people with disabilities are recognized and addressed;

(e) The adoption of the health, population and nutrition sector programme, 2017–2022, the fourth such programme, in which the need for accessible infrastructure and the development of human resources to address attitudinal problems in the health sector towards older persons and persons with disabilities is addressed;

(f) The adoption of a long-term plan of action, 2018–2025, aimed at addressing the gaps and issues identified in the current plan of action.

### **III. Principal areas of concern and recommendations**

#### **A. General principles and obligations (arts. 1–4)**

7. The Committee is concerned that the Rights and Protection of Persons with Disabilities Act of 2013 does not adequately provide protection for persons with disabilities, in particular women and girls with disabilities, persons with psychosocial and/or intellectual disabilities and persons affected by leprosy, and that the concept of disability used in the State party does not fully adhere to the human rights model of disability.

**8. The Committee recommends that the State party review the Rights and Protection of Persons with Disabilities Act of 2013 and effectively harmonize laws, policies, strategies and action plans with the Convention, including by ensuring provisions for women with disabilities.**

9. The Committee notes with concern the absence of mechanisms that are meaningful and effective for consultation and participation to ensure that the views, opinions and concerns of persons with disabilities, including women and children with disabilities, persons with intellectual and/or psychosocial disabilities and persons affected by leprosy, are adequately included at all stages of decision-making processes by public authorities at all levels, including in rural areas.

**10. In the light of its general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, the Committee recommends that the State party establish formal mechanisms for the effective participation and meaningful consultation of all persons with disabilities, including women and children with disabilities, through their representative organizations, in the implementation of the Convention and the monitoring thereof, including the provision of adequate funding for such organizations, which is currently insufficient.**

#### **B. Specific rights (arts. 5–30)**

##### **Equality and non-discrimination (art. 5)**

11. The Committee observes the following with concern:

(a) The lack of legislative and policy measures in the Constitution and laws of the State party that explicitly prohibit discrimination on the basis of disability, in line with the Convention, in particular against persons with intellectual and/or psychosocial disabilities, and multiple and intersectional discrimination;

(b) The insufficient steps taken to repeal all legislation and policies that are discriminatory in nature, in particular the policy for the implementation of living standard development programmes for Vedas and disadvantaged populations of 2013 and section 21 of the Mental Health Act of 2018, on the guardianship of a person with mental illness;

(c) The delay in the adoption of the anti-discrimination bill, which would recognize the denial of reasonable accommodation as a form of disability-based discrimination.

12. **In the light of its general comment No. 6 (2018) on equality and non-discrimination, and recalling targets 10.2 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Review and amend the Constitution and the Rights and Protection of Persons with Disabilities Act of 2013 to prohibit disability-based discrimination, in line with the Convention, including multiple and intersectional forms of discrimination on the grounds of gender, age, ethnicity, religion, caste, profession, nature and type of disability;**

(b) **Repeal all laws and policies that are discriminatory to persons with disabilities, including persons affected by leprosy and persons with intellectual and/or psychosocial disabilities;**

(c) **Adopt without delay the anti-discrimination bill of 2015 and ensure that discrimination on the basis of disability in all areas of life is prohibited and that it provides for appropriate protection against disability-based discrimination, including multiple and intersectional discrimination, and includes the denial of reasonable accommodation as a form of disability-based discrimination.**

#### **Women with disabilities (art. 6)**

13. The Committee notes the following with concern:

(a) The persistent multiple and intersectional discrimination against women and girls with disabilities, on the basis of sex and age and/or ethnic, linguistic or religious background;

(b) That the Rights and Protection of Persons with Disabilities Act of 2013 and the national women's advancement policy of 2011 have not been reviewed to include the rights of women and girls with disabilities belonging to marginalized and/or minority groups or to develop inclusive programmes to protect their rights;

(c) That laws and policies have not been reviewed to mainstream the rights of women and girls with disabilities, including by eliminating family and social customs that are discriminatory against women with disabilities, especially women with intellectual and/or psychosocial disabilities and women affected by leprosy;

(d) That there are significant barriers that hinder the full and effective participation of representative organizations of women with disabilities in all decision-making processes, in all aspects of life.

14. **In the light of its general comment No. 3 (2016) on women and girls with disabilities, and recalling Sustainable Development Goal 5, the Committee recommends that the State party:**

(a) **Adopt and implement the measures necessary to address multiple and intersectional forms of discrimination against women and girls with disabilities, especially women with disabilities belonging to religious and ethnic minority groups, women affected by leprosy, women with intellectual and/or psychosocial disabilities and refugees with disabilities, and collect data disaggregated by sex, age and ethnic, linguistic and religious background;**

(b) **Revise the Rights and Protection of Persons with Disabilities Act of 2013 to include the rights of women with disabilities belonging to marginalized groups, review the national women's advancement policy of 2011 to address the rights of women with disabilities belonging to minority groups and develop inclusive programmes to protect their rights;**

(c) **Revise all laws and policies to mainstream the rights of women and girls with disabilities, including by eliminating family and social customs that are discriminatory against women with disabilities, especially against women with intellectual and/or psychosocial disabilities and women affected by leprosy;**

(d) **Take steps to eliminate all barriers that hinder the full and effective participation of representative organizations of women with disabilities in all decision-making processes, including by allocating sufficient resources for their participation.**

#### **Children with disabilities (art. 7)**

15. The Committee observes the following with concern:

(a) The insufficient awareness about the laws and policies in place for the protection of children with disabilities, in particular the national policy on children of 2011 and the Children Act of 2013, amended in 2018;

(b) The stigma, discrimination, negative attitudes, harmful practices and stereotypes that prevail against children with disabilities, affecting their lack of access to health-care, education and other services, including through corporal punishment against children, in particular children with disabilities and refugee children with disabilities.

16. **Recalling the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities, issued in 2022, the Committee recommends that the State party:**

(a) **Develop a national strategy for the promotion and protection of the rights of children with disabilities, with sufficient budgetary allocations and human, technical and financial resources;**

(b) **Adopt and implement the policy measures necessary to address stigma, discrimination, negative attitudes, harmful practices and stereotypes against children with disabilities and ensure their access to health-care, education and other services, without discrimination and on an equal basis with other children, and prohibit all forms of corporal punishment against children, in particular children with disabilities.**

#### **Awareness-raising (art. 8)**

17. The Committee is concerned about the following:

(a) The limited awareness-raising campaigns and initiatives on disability issues, targeted at the general public and public officials, with reference to the persistence of prejudices, stigma, stereotypes, derogatory language and discrimination against persons with disabilities, in particular women and girls with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities, and the lack of information on awareness-raising initiatives in appropriate formats for all persons with disabilities, especially in rural and remote areas;

(b) The lack of inclusion of persons with disabilities, through their representative organizations, in awareness-raising programmes and campaigns and the lack of effectiveness of legislation and policies aimed at dissuading the negative and comical portrayal of persons with disabilities in the media, in particular persons affected by leprosy.

18. **The Committee recommends that, in consultation with representative organizations of persons with disabilities, the State party should endeavour to:**

(a) **Intensify awareness-raising campaigns and initiatives and adopt a national strategy on awareness-raising to educate the general public and public officials, in order to combat the prejudices, stigma, stereotypes, use of derogatory language and discrimination that prevail against persons with disabilities, including persons affected by leprosy, women and girls with disabilities and persons with intellectual and/or psychosocial disabilities, in particular in rural and remote areas;**

(b) **Develop and implement awareness-raising programmes that will address prejudices, stereotypes, stigma and discrimination against persons with disabilities, including those based on superstitious and mythical beliefs and customs, and intensify the promotion and protection of the rights of persons with disabilities, including the use of human rights language, involving the media and all necessary public officials.**

**Accessibility (art. 9)**

19. The Committee notes the following with concern:

(a) The lack of a specific implementation strategy to further the guidelines adopted on accessibility to public buildings, the physical environment, information and communications technologies and systems, public and private websites and other facilities and services open or provided to the public, including the lack of guidelines in the transportation sector, in particular in rural areas, and especially for refugees;

(b) The lack of inclusion of representative organizations of persons with disabilities in the design, implementation and monitoring of accessibility standards in relation to the built environment, transportation, information and communications technologies and systems and other facilities and services open to the public.

**20. In the light of its general comment No. 2 (2014) on accessibility, and recalling Sustainable Development Goals 9 and 11, the Committee recommends that the State party:**

**(a) Develop and implement a national strategy for accessibility, to facilitate access for persons with disabilities to the physical environment, transportation, information and communications, including information and communications technology and systems and other facilities and services open or provided to the public, in both urban and rural areas, including for refugees;**

**(b) Ensure the effective implementation of existing policies and rules on accessibility, in particular the Rights of Persons with Disabilities Act of 2013, and develop a monitoring mechanism to measure progress, with the full and effective participation and consultation of representative organizations of persons with disabilities.**

**Right to life (art. 10)**

21. The Committee is concerned about reported cases of infanticide on the basis of impairment.

**22. The Committee recommends that the State party take appropriate legal and policy measures to safeguard and protect children with disabilities from infanticide on the basis of impairment.**

**Situations of risk and humanitarian emergencies (art. 11)**

23. The Committee notes the vulnerability of the State party to natural disasters and is concerned about the following:

(a) The lack of the effective inclusion and participation of persons with disabilities, through their representative organizations, in the design and implementation of disaster risk reduction strategies in the State party, in particular in the national disaster response plan and the standing orders on disasters, as well as the lack of appropriate policies and measures with respect to persons with disabilities in humanitarian emergencies, including evacuation, rescue, shelter, relief and post-disaster rehabilitation plans;

(b) The fact that persons with disabilities, especially women and girls with disabilities and those belonging to ethnic and religious minority groups, including Rohingya refugees, are disproportionately affected in situations of risk, humanitarian emergencies and natural disasters and need special protection.

**24. The Committee recommends that the State party, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030, the Paris Agreement on climate change and Sustainable Development Goals 11 and 13:**

**(a) Ensure the effective inclusion and participation of persons with disabilities and their representative organizations in the design and implementation of disaster risk reduction strategies in the State party, in particular in the national disaster response plan and the standing orders on disasters, and adopt and implement**

**appropriate policies and measures for humanitarian emergencies, including evacuation, rescue, shelter, relief and post-disaster rehabilitation plans, that include all refugees;**

**(b) Increase the level of humanitarian protection for persons with disabilities, especially women and girls with disabilities and those belonging to ethnic and religious minority groups, including Rohingya refugees, and include them in all evacuation, rescue, shelter, relief and post-disaster rehabilitation plans.**

#### **Equal recognition before the law (art. 12)**

25. The Committee is concerned that the Contract Act of 1872, the Transfer of Property Act of 1882 and the Hindu Inheritance (Removal of Disabilities) Act of 1928 deny persons with disabilities, in particular persons with intellectual disabilities, women with disabilities and persons belonging to religious and ethnic minority groups, the legal capacity to enter into a contract or inherit property and provide for a substituted decision-making regime.

**26. The Committee recommends that, in line with its general comment No. 1 (2014) on equal recognition before the law, the State party:**

**(a) Repeal the Contract Act of 1872, the Transfer of Property Act of 1882, the Hindu Inheritance (Removal of Disabilities) Act of 1928 and all other laws and policies which deny persons with disabilities, in particular persons with intellectual disabilities, women with disabilities and persons belonging to religious and ethnic minority groups, to enter into a contract or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit;**

**(b) Introduce supported decision-making mechanisms which appropriately respect the autonomy, will and preferences of persons with disabilities.**

#### **Access to justice (art. 13)**

27. The Committee is concerned about the following:

(a) The lack of procedural and gender-sensitive and age-appropriate accommodations in judicial and administrative proceedings for persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities and persons who are deaf, hard-of-hearing or deafblind, in particular measures to provide information in accessible formats, such as Braille, Easy Read and sign language, and to ensure the physical accessibility of court buildings and all judicial and administrative facilities, including in rural and remote areas;

(b) The prejudices and stereotypes against women with disabilities and the intimidation of such women by judicial authorities when they try to gain access to justice;

(c) The insufficient awareness of the rights of persons with disabilities among, and training thereon for, all interlocutors in the justice system and the absence of procedural accommodations to enable persons with disabilities to act as lawyers, judges and jurors and in other roles and professions in the judicial system.

**28. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities, prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility, and endorsed by the Committee, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:**

**(a) Adopt and implement effective measures to ensure procedural, age-appropriate and gender-sensitive accommodations in judicial and administrative proceedings for persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities and persons who are deaf, hard-of-hearing or deafblind, and measures to provide information in accessible formats and ensure the physical accessibility of court buildings and all judicial and administrative facilities, including in rural and remote areas;**

(b) **Combat all prejudices, stereotypes and stigma against persons with disabilities and eliminate all barriers, including intimidation against women with disabilities, so that the judicial process is disability- and gender-sensitive;**

(c) **Ensure effective training for judicial personnel, including the police and prison staff, so that they understand the rights of persons with disabilities, and provide individualized support and procedural accommodation for persons with disabilities who wish to act as lawyers, judges and jurors and in other roles and professions in the judicial system.**

#### **Liberty and security of person (art. 14)**

29. The Committee is concerned that persons with disabilities, especially those with intellectual and/or psychosocial disabilities, are still subjected to frequent harassment, arrest and detention through the misapplication of existing laws. It is also concerned about cases of the confinement and shackling of persons with intellectual disabilities by family members at home and about the detention and treatment of persons with intellectual and/or psychosocial disabilities without their free and informed consent.

30. **The Committee recalls its guidelines on the right to liberty and security of persons with disabilities and recommends that the State party:**

(a) **Revise section 54 of the Code of Criminal Procedure of 1898, the Metropolitan Police Ordinances and the Vagabond and Homeless Persons Rehabilitation Act of 2011, to prevent the unwarranted harassment, arrest, detention, unlawful restraint and confinement of persons with disabilities, in particular women with disabilities and persons with intellectual and/or psychosocial disabilities, including by also revising the Penal Code of 1860 and the Domestic Violence (Prevention and Protection) Act of 2010;**

(b) **Take specific measures to prevent the confinement of persons with intellectual disabilities within the home and take measures to collect statistical data, disaggregated by age, gender and disability, on the number of persons with disabilities who are detained without their consent.**

#### **Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

31. The Committee observes the following with concern:

(a) The reported cases of torture and custodial deaths of persons with disabilities in institutions, the absence of information and data, disaggregated by age and sex, on the issue and the lack of the provision of protection measures, enforceable remedies, accessible services, including shelters, and information in accessible formats for persons with disabilities and their families who have been victims of such torture, including persons with disabilities belonging to minority groups, migrant workers and refugees with disabilities;

(b) The lack of measures adopted to sanction perpetrators of torture or cruel, inhuman or degrading treatment or punishment, including corporal punishment perpetrated against children with disabilities, and the lack of mechanisms to monitor the implementation of sanctions.

32. **The Committee recommends that the State party:**

(a) **Take specific measures to prevent cases of torture and custodial death of persons with disabilities in institutions, collect data, disaggregated by age and sex, on the issue, establish accessible complaint mechanisms, enforceable remedies, accessible services and shelters and provide information in accessible formats for persons with disabilities and their families who have been victims of such torture, including persons with disabilities belonging to minority groups, migrant workers and refugees with disabilities;**

(b) **Establish mechanisms to sanction perpetrators of torture or cruel, inhuman or degrading treatment or punishment, including corporal punishment**

**against children with disabilities, and ensure that mechanisms are established for monitoring the implementation of sanctions.**

**Freedom from exploitation, violence and abuse (art. 16)**

33. The Committee notes the following with concern:

(a) The reported cases of exploitation, violence and abuse against persons with disabilities, in particular women and girls with disabilities and persons with intellectual and/or psychosocial disabilities, and the insufficient protection measures available, such as accessible shelters for older women with disabilities who are victims of violence;

(b) The lack of effective remedies and redress for victims of such violence, including rehabilitation and compensation, and the absence of complaint mechanisms and sanctions against the perpetrators of such violence;

(c) The lack of specific safeguards for the protection of children with disabilities from all forms of violence and abuse and harmful practices, such as begging.

34. **The Committee recommends that the State party:**

(a) **Adopt specific measures to provide protection for persons with disabilities who are subjected to exploitation, violence and abuse, in particular older women and girls with disabilities and persons with intellectual and/or psychosocial disabilities, including by establishing accessible shelters;**

(b) **Introduce effective mechanisms for lodging complaints, sanctioning perpetrators and providing remedies and redress for victims, establish an independent mechanism to prevent exploitation, violence and abuse against persons with disabilities, with the mandate to monitor facilities and programmes designed to serve persons with disabilities, and provide adequate resources to make the mechanisms functional and effective;**

(c) **Adopt specific and effective measures to ensure that children with disabilities are protected from all forms of violence, abuse and harmful practices, in particular begging.**

**Protecting the integrity of the person (art. 17)**

35. The Committee is concerned about the following:

(a) Forced abortion and forced sterilization perpetrated against women with disabilities in institutions, in particular women with intellectual and/or psychosocial disabilities, as well as forced medical and/or psychiatric interventions and involuntary psychiatric admissions;

(b) The lack of statistical data, disaggregated by sex, age and type of impairment, on persons with disabilities who have been subjected to forced sterilization, forced abortion, forced medical and/or psychiatric interventions and involuntary psychiatric admission;

(c) That harmful practices perpetrated against women and girls with disabilities, in particular forced marriage, remain common.

36. **The Committee recommends that the State party:**

(a) **Take specific measures to prohibit the perpetration of forced abortion and forced sterilization of women with disabilities, in particular women with intellectual and/or psychosocial disabilities, including by abolishing forced medical and psychiatric interventions and involuntary psychiatric admissions, and establish mechanisms of supported decision-making to enable persons with disabilities to express their prior and informed consent in relation to such interventions and treatment;**

(b) **Collect statistical data, disaggregated by sex, age and type of impairment, on persons with disabilities subjected to forced sterilization, forced abortion, forced medical and/or psychiatric interventions and involuntary psychiatric admission;**



(c) **Implement robust measures to prevent harmful practices such as forced marriage.**

**Liberty of movement and nationality (art. 18)**

37. The Committee is concerned about the following:

(a) The absence of civil documentation, such as official birth, marriage and death certificates, of children with disabilities, in particular refugee children with disabilities belonging to the Rohingya community and children with disabilities in remote and rural areas, leading to a lack of access to services for such children;

(b) The lack of freedom of movement of persons with disabilities, in particular refugees with disabilities belonging to the Rohingya community, thereby impeding their access to seek medical rehabilitation outside of refugee camps or abroad;

(c) The State party's having not ratified the Convention relating to the Status of Refugees or the Protocol thereto, the Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness.

38. **The Committee recommends that the State party:**

(a) **Adopt specific measures to ensure the availability of civil documentation for all children with disabilities, in particular refugee children with disabilities belonging to the Rohingya community and children with disabilities in remote and rural areas, to enable them have access to all services;**

(b) **Take effective measures to ensure freedom of movement for persons with disabilities, in particular refugees with disabilities belonging to the Rohingya community, and enable them to seek medical rehabilitation outside refugee camps or abroad;**

(c) **Take the measures necessary to ratify the Convention relating to the Status of Refugees and the Protocol thereto, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, and repeal the Foreigners Act of 1946, which is targeted mainly at Rohingya Muslims.**

**Living independently and being included in the community (art. 19)**

39. The Committee observes the following with concern:

(a) The insufficient community-based services for, recurrent discrimination against, and the segregation from the community of, persons with disabilities, as a result of stigma and attitudinal barriers, in particular against women and children with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities, which hinders their ability to live independently and be included in the community, in particular in rural and remote areas;

(b) The lack of financial resources, accessible physical infrastructure and adequate support services, including the provision of personal assistance and assistive devices to promote independent living, to enable persons with disabilities, in particular women and children with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities, to choose where and with whom they want to live.

40. **In the light of its general comment No. 5 (2017) on living independently and being included in the community and its guidelines on deinstitutionalization, including in emergencies,<sup>5</sup> the Committee recommends that the State party:**

(a) **In close consultation with representative organizations of persons with disabilities, develop a national strategy to ensure access for persons with disabilities to mainstream community services, eliminate all barriers that hinder the enjoyment and participation of persons with disabilities, in particular women and children with disabilities, persons affected by leprosy and persons with psychosocial and/or**

<sup>5</sup> CRPD/C/5.

**intellectual disabilities, and provide sufficient human, financial and material resources for the realization of the strategy, in rural and remote areas in particular;**

**(b) Ensure sufficient budgetary allocations for the acquisition of personal assistance and assistive devices, to ensure that community support services are available, accessible and affordable, including in remote and rural areas, so that all persons with disabilities can exercise their right to live independently and be included in the community.**

#### **Personal mobility (art. 20)**

41. The Committee is concerned about the barriers often faced by persons with disabilities, especially women and children with disabilities, in obtaining, using and maintaining the mobility aids, assistive devices and assistive technologies and services, including accessible transportation and infrastructure, necessary for their personal mobility, in particular in rural areas.

**42. The Committee recommends that the State party eliminate all barriers hindering persons with disabilities from acquiring affordable and high-quality mobility aids, assistive devices and assistive technologies and services, including accessible transportation and infrastructure, so as to aid their personal mobility, and provide the necessary information and training on their usage and maintenance. It also recommends that the State party create an enabling environment whereby persons with disabilities can procure such devices from overseas through reduced customs tariffs and, in consultation with representative organizations of persons with disabilities, continue developing the means of manufacturing and repairing such devices at an affordable cost.**

#### **Freedom of expression and opinion, and access to information (art. 21)**

43. The Committee is concerned about the following:

(a) The insufficient recognition of Bangla sign language as an official language of deaf persons and the limited number of trained sign language interpreters for use in the judicial process and at public functions;

(b) The absence of information in accessible formats for persons with disabilities, including Braille and Easy Read, tactile communication and accessible multimedia, as well as written, audio, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communications technology, in particular in rural and remote areas;

(c) The insufficient number of accessible private and public websites and captioning, sign language and audio description available for television programming, to respond to the needs of deaf, blind and visually impaired persons;

(d) The lack of financial resources to provide training for sign language interpreters and other professionals in the application of Braille and Easy Read formats, tactile communication, accessible multimedia and other augmentative and alternative modes, means and formats of communication.

**44. The Committee recommends that the State party:**

**(a) Recognize Bangla sign language as an official language;**

**(b) Take all measures necessary, including legislative and policy measures, to ensure that information provided to the general public is available to persons with disabilities in accessible modes and formats, such as Braille, sign language and Easy Read formats, audio description, captioning and tactile, augmentative and alternative means of communication, including in rural and remote areas;**

**(c) Adopt and implement legislative and policy measures aimed at ensuring that television stations provide their programmes in accessible formats, such as with captioning, sign language and audio description for deaf and blind and visually impaired persons, and at ensuring that public and private websites are made accessible;**

(d) **In consultation with representative organizations of persons with disabilities, provide financial resources for the training of qualified sign language interpreters, as well as other relevant professionals, in the use of tactile, Braille and Easy Read formats.**

#### **Respect for home and the family (art. 23)**

45. The Committee is concerned about the following:

(a) Religious laws that are discriminatory against or deny the right to marriage of persons with disabilities, in particular women with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities, including laws allowing for divorce on the grounds of disability and restrictions on the rights and responsibilities of parents with disabilities and their right to adopt children;

(b) The lack of measures to prevent the separation of children from their parents on the basis of disability;

(c) The absence of information in accessible formats on the sexual and reproductive health and rights of persons with disabilities, in particular women and girls with disabilities, the lack of training for personnel thereon and the lack of meaningful consultation and effective participation of persons with disabilities in initiatives on family education.

46. **The Committee recommends that the State party:**

(a) **Eliminate religious laws that are discriminatory against or deny the right to marriage of persons with disabilities, in particular women with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities, and enact legislation to prohibit the arbitrary divorce of women with disabilities and to enable parents with disabilities to adopt children;**

(b) **Adopt and implement effective measures to prevent the separation of children from their parents on the basis of disability and provide all necessary support services, including financial support, counselling and community-based support and services, for children with disabilities and their parents and families and for parents with disabilities, to guarantee their enjoyment on an equal basis with others of their rights with respect to family life;**

(c) **Adopt and implement measures to provide comprehensive information and support services to children with disabilities and their families, including programmes and policies to provide persons with disabilities, including those living in rural and remote areas, with family planning education in accessible formats and accessible and age-appropriate information on sexual and reproductive health.**

#### **Education (art. 24)**

47. The Committee notes the following with concern:

(a) The overreliance on segregated and special education, including the combined special education policy on disability of 2019, as opposed to developing inclusive education, and the lack of statistical data on the number of children enrolled in primary schools, in particular in rural and remote areas;

(b) The lack of available learning materials in accessible formats, including Braille, sign language and Easy Read, for blind and deaf persons and persons with intellectual and/or psychosocial disabilities, as well as the lack of accessible school transportation and buildings;

(c) The insufficient training for professionals in the education system in Braille, sign language and Easy Read skills and the deficient level of individualized support and reasonable accommodation provided for students with disabilities;

(d) The lack of sufficient budgetary allocations for the promotion of inclusive education and the absence of systematic data collection, disaggregated by sex and type of impairment, on the number of students with disabilities enrolled in the education system.

48. **In the light of its general comment No. 4 (2016) on the right to inclusive education, and recalling target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Adopt and implement a national action plan on inclusive education and collect statistical data on the number of children enrolled in the education system, in particular children with disabilities in rural and remote areas;**

(b) **Intensify efforts to make learning materials in accessible formats available to all students with disabilities and provide accessible school transportation and infrastructure across the education system;**

(c) **Establish an effective programme for training teachers on inclusive education, including the acquisition of sign language, Braille and Easy Read skills, and facilitate individualized support and reasonable accommodation for students with disabilities;**

(d) **Provide sufficient budgetary allocations for the promotion of inclusive education and the collection of systematic statistical data, disaggregated by sex and type of impairment, on the number of children with disabilities enrolled in the education system.**

#### **Health (art. 25)**

49. The Committee notes the following with concern:

(a) The lack of accessible hospitals and health centres for persons with disabilities, especially persons with intellectual and/or psychosocial disabilities, women and girls with disabilities, persons with disabilities belonging to minority groups, persons affected by leprosy and migrants and refugees with disabilities;

(b) The deficiency in health-care services for women and girls with disabilities, including those relating to sexual and reproductive health and rights and HIV/AIDS prevention;

(c) The lack of meaningful consultation and effective participation of representative organizations of persons with disabilities in the preparation of health policies and programmes, including in the new health policy that the State party is developing;

(d) The insufficient budgetary allocations in the health-care system for the training of health professionals to understand the requirements of persons with disabilities.

50. **Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Adopt and implement a national strategy on accessible, high-quality health-care services, including accessible hospitals and health centres for persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, women and girls with disabilities, persons with disabilities belonging to minority groups, persons affected by leprosy and migrants and refugees with disabilities;**

(b) **Take specific measures to provide women and girls with disabilities with appropriate and accessible information on sexual and reproductive health and HIV/AIDS prevention, including counselling that is accessible, inclusive, age-appropriate and gender-sensitive;**

(c) **Ensure meaningful consultation with and the effective participation of representative organizations of persons with disabilities in the preparation of health policies and programmes, including in the new health policy that the State party is developing;**

(d) **Provide budgetary allocations in the health-care system, in particular for training health professionals on the human rights model of disability and the requirements of persons with disabilities.**

**Work and employment (art. 27)**

51. The Committee is concerned about the following:

(a) Discriminatory practices, including harassment, against persons with disabilities in employment, in particular against women with disabilities, persons affected by leprosy, persons with intellectual and/or psychosocial disabilities and workers in tea plantations, including unequal treatment in recruitment, the lack of individualized support and reasonable accommodation, unequal salary payment and unfavourable employment conditions and benefits;

(b) Reported cases of sexual harassment in the workplace against women with disabilities and the lack of prevention and protection measures;

(c) The absence of effective incentives and affirmative action programmes to promote the inclusion of persons with disabilities in the open labour market, in both the public and private sectors.

**52. In the light of its general comment No. 8 (2022) on the right of persons with disabilities to work and employment, the Committee recommends that the State party, in line with target 8.5 of the Sustainable Development Goals:**

**(a) Adopt measures to address attitudinal and physical barriers, including negative attitudes held by employers, lack of individualized support and of reasonable accommodation and unfavourable employment conditions;**

**(b) Take measures to combat sexual harassment, exploitation and abuse at the workplace against women with disabilities, including by creating public awareness-raising programmes and providing redress for victims;**

**(c) Adopt and implement a national strategy to ensure access to employment for persons with disabilities in the open labour market, in both the public and private sectors, including by providing incentives and implementing affirmative action programmes.**

**Adequate standard of living and social protection (art. 28)**

53. The Committee notes the following with concern:

(a) The high number of persons with disabilities living in extreme poverty without a regular source of income and the absence of a comprehensive social protection system guaranteeing access for persons with disabilities and their families to an adequate standard of living, including resources to cover expenses related to disability;

(b) The lack of involvement of organizations of persons with disabilities in the development of policies and programmes geared towards alleviating extreme poverty and deprivation among persons with disabilities.

**54. Recalling the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals, which seek to empower and to promote the economic inclusion of all persons, irrespective of disability status, the Committee recommends that the State party:**

**(a) Adopt and implement a national strategy for the alleviation of poverty among persons with disabilities by developing a robust social protection scheme that would create an adequate standard of living, including by helping persons with disabilities to meet their additional disability-related expenses;**

**(b) Ensure the full and effective participation of representative organizations of persons with disabilities in the design of any social protection policies and programmes.**

**Participation in political and public life (art. 29)**

55. The Committee notes the following with concern:

(a) That articles 66 and 122 of the Constitution and the Electoral Rolls Act of 2009 restrict the participation of persons with disabilities in political life on the basis of impairment, in particular persons with intellectual and/or psychosocial disabilities;

(b) The physical inaccessibility of polling centres and lack of information regarding electoral materials in accessible formats for persons with disabilities, in particular blind and visually impaired persons, to exercise their right to vote;

(c) The lack of secrecy in the voting process for persons with disabilities, which makes the process undemocratic;

(d) The low levels of representation and participation of persons with disabilities, including women with disabilities, in political and public decision-making.

**56. The Committee recommends that the State party:**

(a) **Repeal or amend all laws and policies that restrict or deny persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, the right to vote and to stand for election;**

(b) **Take specific measures to ensure the physical accessibility of polling centres and provide information in accessible formats on electoral materials for all persons with disabilities;**

(c) **Ensure that persons with disabilities are guaranteed secrecy in the voting process;**

(d) **Promote the participation of persons with disabilities, including women with disabilities, in political and public decision-making processes at all levels, including by encouraging them to stand for election.**

**Participation in cultural life, recreation, leisure and sport (art. 30)**

57. The Committee is concerned about the following:

(a) The lack of accessibility of all museums, cultural and recreational centres, tourist attractions and stadiums, including the provision in public libraries of information in accessible formats for persons who are blind or visually impaired and the lack of sufficient budgetary allocations to enable persons with disabilities to participate actively in sports and recreational activities, including in rural and remote areas.

(b) The fact that the State party has not yet ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, which allows for access to published material for blind persons and persons with visual impairments or who are otherwise print disabled.

**58. The Committee recommends that the State party take specific measures to eliminate all barriers to the participation of persons with disabilities in cultural life and recreational and sports activities and encourage their participation on an equal basis with others, including by expediting action on the establishment of the national disability sports centre, and to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, as soon as possible.**

**C. Specific obligations (arts. 31–33)**

**Statistics and data collection (art. 31)**

59. The Committee is concerned about the lack of accurate, comprehensive, high-quality, timely and reliable data on persons with disabilities, including women and girls with disabilities, minorities, migrants, refugees and older persons with disabilities, persons with intellectual and/or psychosocial disabilities and persons affected by leprosy, in all areas of the State party, the lack of integration of disability concerns into the monitoring indicators for the implementation of the Sustainable Development Goals and the absence of information on statistical data and its dissemination in accessible formats to persons with disabilities.

60. **The Committee recalls the Washington Group short set of questions on functioning and the policy marker on the inclusion and empowerment of persons with disabilities developed by the Development Assistance Committee of the Organisation for Economic Co-operation and Development and recommends that the State party:**

(a) **Take the measures necessary to meaningfully consult with and include representative organizations of persons with disabilities, including those belonging to minority groups, in the forthcoming national census and the disability detection survey conducted by the Ministry of Social Welfare and design a system for the collection of up-to-date disaggregated data on persons with disabilities, including by considering the use of the Washington Group short set of questions on functioning;**

(b) **Pay special attention to the links between article 31 of the Convention and target 17.18 of the Sustainable Development Goals, to significantly increase the availability of high-quality and reliable data, disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographical location and other characteristics relevant in national contexts;**

(c) **Adopt measures for analysing such data, in order to enable the State party to formulate and implement policies to give effect to the Convention, and ensure that such data is available in Braille, sign language, Easy Read and electronic formats, including for persons with disabilities in rural and remote areas.**

#### **International cooperation (art. 32)**

61. The Committee notes with concern the lack of the active and meaningful participation of representative organizations of persons with disabilities, including organizations of women and girls with disabilities, in the planning, implementation, monitoring and evaluation of international cooperation agreements and activities.

62. **The Committee recommends that the State party adopt specific measures to ensure the meaningful consultation and effective participation of representative organizations of persons with disabilities, including organizations of women and girls with disabilities, throughout the design, implementation, monitoring and evaluation phases, and mainstream disability rights into the national implementation the 2030 Agenda for Sustainable Development and the monitoring thereof.**

#### **National implementation and monitoring (art. 33)**

63. The Committee notes with concern the insufficient clarity as to the focal points on disabilities and their mandate, the lack of an identifiable independent substantive monitoring mechanism to promote, protect and monitor the implementation of the Convention that meets the standards of the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), along with sufficient budgetary and human resources to enable it fulfil its mandate, and the limited involvement and participation of persons with disabilities, through their representative organizations, in the implementation of the Convention and the monitoring thereof.

64. **The Committee recommends that the State party clarify the government focal points and define their roles, identify an independent monitoring mechanism in line with the Paris Principles, provide the budgetary and human resources necessary to carry out its work of promoting and monitoring the implementation of the Convention and ensure the active participation of civil society organizations, in particular representative organizations of persons with disabilities, in the promotion and monitoring of the implementation of the Convention, with sufficient budgetary allocations to carry out their work.**

## **IV. Follow-up**

### **Dissemination of information**

65. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party's attention to the recommendations falling under articles 6 and 7 of the Convention.

66. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and Parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

67. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

68. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read format, and to make them available on the government website on human rights.

### **Next periodic report**

69. The Committee requests the State party to submit its combined second to sixth periodic reports by 30 December 2029 and to include therein information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.

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