



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Seventieth session

14 September–2 October 2015

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the fifth periodic report of Bangladesh

### Addendum

## Replies of Bangladesh to the list of issues\*

[Date received: 17 April 2015]

### Part I

#### • Reply to the issues raised in paragraph 1 of the list of issues (CRC/C/BGD/Q/5)

1. The Government of Bangladesh is reviewing the issue of possible withdrawal of the reservation to Article 14 (paragraph 1). Article 39(1) and Article 41(1) of the Constitution of the People's Republic of Bangladesh guarantee the rights of the child regarding freedom of thought, conscience and religion. The Government is working on preparing the societal mindset towards facilitating the withdrawal of the reservation to Article 14 (paragraph 1).

2. Likewise, as regards possible withdrawal of the reservation to Article 21, measures are being taken to develop favorable public opinion to this effect, through involvement of the non-government and civil society organizations as well as mainstream media. Under usual circumstances, the custody of the child in Bangladesh is decided under the Guardian Ward Act, 1890 and enforced through a decision of the competent court. The Children Act, 2013 provides for alternate care of an unidentified child through parental care by someone who is not a biological parent. In such cases, the designated officials of the Department of Social Services monitor the status of the child. It is expected that the adoption of such special arrangements for child custody would eventually help pave the way for withdrawal of the reservation to the Article 21.

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\* The present document is being issued without formal editing.



### **Reply to the issues raised in paragraph 2 of the list of issues**

#### *Current Status of Laws and Policies*

3. The Children Act, 2013 has already been enacted. The laws, policies, rules and regulations which are currently being reviewed or remain under process are listed below:

- The Education Act, 2015 (draft) by the Ministry of Education.
- The Child Marriage Restraint Act, 2015 (draft) by the Ministry of Women and Children Affairs.
- The Ban on Corporal Punishment Policy and Guideline, 2015 (draft).
- The Domestic Worker's Protection Policy 2015 (draft) by the Ministry of Labour and Employment.
- The Victim and Witness Protection Act, 2015 (draft) by the Ministry of Law, Justice and Parliamentary Affairs.
- The Children Rules, 2015 (draft) by the Ministry of Social Welfare.
- The Cyber Protection Act, 2015 (draft).
- The National Corporate Social Responsibility for Children Policy, 2015 (draft).
- The Prevention and Suppression of Human Trafficking Act, 2012 (Amendment).
- Overseas Employment and Migration Act, 2013 (Amendment).
- The Disabled Persons Protection and Rights Act, 2013 (Amendment).
- The Neurodevelopmental Disabled Persons Protection Trust Act, 2013 (Amendment).

#### *Administration of Juvenile Justice*

4. The Children Act, 2013 provides safeguards for the administration of justice for children who come to contact with it (victims, witnesses and offenders) with due regard to the child's dignity, age, gender, incapacities, maturity and so on. Child affairs police officers and separate courts are mandated to specifically deal with cases involving child victims, child witnesses and child offenders. For children accused or found guilty of having committed a criminal offence, the Act introduces diversions through family conferencing, alternatives to detention and non-custodial sentencing to ensure that the deprivation of liberty will be used as a measure of last resort and in the shortest period of time.

5. The Act further provides that children subjected to deprivation of liberty will not be allowed to associate with any adult persons in jail/prison. Although a child accused of offences like murder, rape, robbery or drug dealing on attaining 18 years may be transferred from Child Development Centers to jail even before the trial is complete, such a child should be kept in a separate ward from the adult prisoners or other under-trial prisoners. When the child is kept in a safe home, the law provides that the child should not be kept in the company of adults or any convicted child offender. The juvenile prisoner, while staying in prison, can take elementary and religious or ethical education. They can also contact their family or relatives through letters and physical visits at jail premises.

6. The Act provides that it is the duty of the probation officer to ensure legal representation of the child including legal aid through the District Legal Aid Committee. Moreover, no court should proceed with the trial of a child without ensuring legal representation on his behalf. If no legal counsel is appointed on behalf of a child, the juvenile court will appoint a lawyer from the panel of advocates of the District Legal Aid

Committee or of the Supreme Court to conduct the case. If the lawyer engaged for the child is regularly absent from the court without reasonable excuse, or his negligence in conducting the case is apparent, the juvenile court may release the lawyer and may treat his behavior as misconduct and report him to the Chairman of the District Legal Aid Committee, the Bar Council and the concerned Bar Association.

7. The juvenile court is supposed to complete a trial within 360 days of the child's first appearance before the court. If the trial cannot be completed within this time limit, the court will be given another 60 days as grace period to complete the trial. If the trial is not concluded within the extended time limit, the court will discharge the child. Any appeal or revision has to be disposed of within 60 days from the date it will be filed.

8. The Ministry of Home Affairs has appointed 597 Child friendly police officers in police stations to provide specialized services as stipulated in Children Act, 2013. The community policing programme run by the Ministry also involve communities to protect rights of women and children as well as to enhance people's awareness about their rights.

#### **Reply to the issues raised in paragraph 3 of the list of issues**

9. A Children's Wing has been established in the Ministry of Women and Children Affairs. The strengthening of the wing is in progress. A proposal for setting up a new Department of Children Affairs, with field level presence up to the *upazillas* (sub-district), had been submitted to the Ministry of Public Administration. The two Ministries are currently in the process of consultations with regard to the proposal.

#### **Reply to the issues raised in paragraph 4 of the list of issues**

10. In view of the priority attached to protection and promotion of child rights, the National Human Rights Commission has formulated a Committee relating to the matters of Child Rights, Child Labour and Anti-Trafficking. The Committee is chaired by the Full Time Member of the Commission and comprises three of its Honorary Members. In order to make its composition broad-based and representative, the Committee has co-opted a number of international and non-governmental organizations such as UNICEF, World Vision, Child Rights Governance Assembly, Save the Children and Plan Bangladesh. Representatives of the concerned Ministries of the Government are also invited to the Committee's meetings.

11. The Committee monitors the compliance of Bangladesh's national laws with the provisions of CRC, implementation of relevant UPR recommendations, submission of report to the UN Child Rights Committee, and general issues of concern including corporal punishment, juvenile justice, child marriage, child labour, sexual abuse of children, trafficking and exploitation of children. The Committee had made a number of recommendations for incorporation in the Children Act, 2013. The Committee also submitted its First Stakeholders Report on Child Rights in Bangladesh to the UN Child Rights Committee in October 2014.

12. The Child Rights Committee works as per the mandate given to it by the National Human Rights Commission (NHRC). The Commission has developed a draft set of Standard Operating Procedures for dealing with complaints received from children or from adults making such complaints on their behalf. In principle, the Commission may use its existing mechanisms to deal with complaints received from or on behalf of children. The Commission has also made some good progress in making the complaints management system computerized, transparent, credible, responsive and accountable, including through online application.

**Reply to the issues raised in paragraph 5 of the list of issues**

13. The Ministry of Finance placed the report titled “Budget Thoughts for Children”, first of its kind in Bangladesh, during budget session for FY 2015-16 in the National Parliament. In formulating the child budget, the five Ministries directly related to the development of children have been divided in three categories. The Ministry of Health and Family Welfare falls under category one; the Ministries of Education and Primary and Mass Education come under category two; and, the Ministries of Social Welfare and Women and Children Affairs fall under category three.

14. Nearly Tk 15.17 billion has been allocated for the Ministry of Health and Family Welfare “as investment in child health”. The figure represents 4.13 per cent of the entire budget. Over Tk 96.46 billion has been earmarked for the Ministry of Education “as investment for children”. It was a little over Tk 91.88 billion in the just concluded FY. The allocation for the Ministry of Primary and Mass Education has also increased to over Tk 139.12 billion for the new FY from over Tk 110.26 billion for the last fiscal. The total allocation for the Ministries under category two accounts for 10.72 per cent of the total outlay. Under category three, the Ministry of Social Welfare gets more than Tk 4.65 billion as investment for protection, welfare and development of children. The allocation was over Tk 3.66 billion in the revised budget for the last FY. Tk 3.12 billion has been allocated for the Ministry of Women and Children Affairs. The figure was more than Tk 2.64 billion in the last FY.

15. The Ministry of Finance is implementing the child-sensitive budgeting framework project titled “Strengthening Capacity for Child-focused Budgeting in Bangladesh” (SC-CFB) with support from UNICEF.

**Reply to the issues raised in paragraph 6 of the list of issues**

16. The Government of Bangladesh has undertaken initiatives to further streamline collection and publication of statistical data on children. Recently, an initiative has been taken to monitor and report on the effective coverage of social services for children, with technical assistance from UNICEF. A trial has been conducted in nine districts by young female enumerators using smart phones and a mobile-based application to record questionnaire-based interviews with households. This data collected can be visualised almost in real-time on online dashboards. Once fully operational, this system will facilitate timely evidence-based decision-making on resource allocation for children.

17. As per the population census, the total number of population between the age of 0 and 18 years is 60,797,612, where males are 31,273,837 and females 29,523,775.

**Reply to the issues raised in paragraph 7 of the list of issues**

18. In Bangladesh, the minimum age of marriage for males is 21 years and females is 18 years. As per the Children Act, 2013, the minimum age of a child is 18 years.

19. In a recent meeting, on 15 September 2014, the Cabinet reviewed the updated draft Child Marriage Restraint Act, 2015, which was then approved in principle. The draft law is now awaiting further examination and vetting by the Legislative and Parliamentary Affairs Division under the Ministry of Law, Justice and Parliamentary Affairs. The concerned Division works through an inter-ministerial committee to ensure compliance of national laws with Bangladesh’s international obligations, including with the relevant provisions of CRC.

Table 1  
Prevalence of child marriage among women under 18 years of age (2012-2013)

<i>Division</i>	<i>Percentage married before age 15</i>	<i>Percentage married before age 18</i>
Barisal	14.1	53.6
Chittagong	9.9	42.6
Dhaka	18.9	51.5
Khulna	23.9	61.2
Rajshahi	27.1	65.2
Rangpur	23.7	62.2
Sylhet	7.4	30.2
<b>Total</b>	<b>18.1</b>	<b>62.3</b>

*Source:* Multiple Indicator Cluster Survey 2012-2013, Bangladesh Bureau of Statistics (BBS).

#### Reply to the issues raised in paragraph 8 of the list of issues

20. The Birth and Death Registration (Amendment) Act, 2013 provides a legal basis for the establishment of the Office of the Registrar General, a permanent structure overseeing birth and death registrations. It is expected that the Office of Registrar General will start functioning soon.

21. In July 2014, the government issued a circular to oblige health personnel countrywide to facilitate birth registration of newborn babies as part of the immunization programme with a view to further enhancing the birth registration rate.

22. An online Birth Registration Information System (BRIS), through UNICEF's support, has been put in place. The system enables around 5,000 local registrars nationwide and in Bangladesh Missions abroad to register births and deaths, and issue official certificates through a web-based application. The online system replaces manual birth and death registration. The system incorporates reporting features to monitor the progress of registration including the rate of registration within 45 days of birth as mandated by the Birth and Death Registration Act.

23. As of April 2015, BRIS has captured more than 131 million birth records. The figure is a combination of birth records migrated from manual registration books and new registration entries. The Birth and Death Registration Department of the Local Government Engineering Division (LGED) has introduced a new ICT-based facility to check the authenticity of the birth records issued. The Government has declared that birth registration is free for working, disabled and refugee children.

#### Reply to the issues raised in paragraph 9 of the list of issues

24. The High Court Division of the Supreme Court had given a directive to ban corporal punishment of children, which was subsequently disseminated among all educational institutions through a circular issued by the Ministry of Education. The High Court Division had also given a directive to enact a law to ban corporal punishment against children, which is presently being worked on. It has been decided to cover all educational institutions and workplaces under the draft law.

25. In addition, the Ministry of Education has been conducting nation-wide awareness campaign, including through the mass media, against corporal punishment against children. The media has been sensitized to give wide publicity to legal action taken against any alleged perpetrator of corporal punishment against children. The social media has proved to

be an effective tool in this regard, as evident from a couple of recent cases that came to attention and caused outrage throughout the nation.

26. A Committee headed by an Additional Secretary, Legislative and Parliamentary Affairs Division, Ministry of Law, Justice and Parliamentary Affairs is preparing a draft comprehensive law to impose a legal ban on all forms of violence against children (inclusive of corporal punishment of children). This Committee is also entrusted with the responsibility to recommend repeal, amendment or updating of any laws in conflict with the Constitution and Children Act, 2013. The Children Act, 2013 prohibits all forms of corporal punishment.

27. In this connection, a series of consultations had been held in Dhaka, Chittagong and Patuakhali districts under the aegis of SAIEVAC Bangladesh to discuss further legal amendments required to the existing laws on prevention of violence against children. The recommendations emanating from the consultations were submitted to the Ministry of Law, Justice and Parliamentary Affairs in March 2014.

#### **Reply to the issues raised in paragraph 10 of the list of issues**

28. The National Women Development Policy 2011; the Women and Children Repression Prevention Act, 2000; the Dhaka Metropolitan Ordinance of 1976; the Pornography Act, 2012; the Domestic Violence (Prevention and Protection) Act, 2010; and the Penal Code of 1860 provide various provisions to prevent sexual violence against children, including girls. The Executive Magistrates were given power to take steps under section 509 of the Penal Code in the schedule of the Mobile Court Act, 2009 to prevent sexual harassment of girls and women. The High Court in its judgment and directives on 14 May 2009 also provided some specific guidelines to prevent sexual harassment against girls and women in workplaces and educational institutions.

29. A host of measures are being taken to protect girls and women from sexual violence both within and outside marriage through, *inter alia*, awareness development programmes implemented through school teachers, and peer education and orientation programmes with focus on adolescent girls and boys.

30. The Ministry of Women and Children Affairs has issued a number of circulars directing the Deputy Commissioners and Upazila Nirbahi Officers to strengthen the enforcement of the Child Marriage Restraint Act and the Dowry Prohibition Act, and to arrange campaign to prevent involvement of children in political activities. The Inter-Ministerial Committee headed by Hon'ble State Minister for Women and Children Affairs provides overall guidance to prevent dowry and create mass awareness in this regard.

31. In terms of institutional measures, the line Ministry has also established the National Forensic DNA Laboratory in Dhaka (under the framework of the One-Stop Crisis Centre) and seven divisional DNA laboratories in Rajshahi, Chittagong, Sylhet, Barisal and Khulna, under the auspices of the Multi-Sectoral Programme on Violence against Woman (MSP-VAW) [details furnished in the Fifth Periodic Report].

#### **Reply to the issues raised in paragraph 11 of the list of issues**

32. The National Council for Women and Children Development (NCWCD) headed by the Hon'ble Prime Minister provides policy guidance towards safeguarding and protecting women and children. The National Children Policy, 2011 and the Children Act, 2013 provide various provisions for promotion of children safety and security.

33. There is a provision in the Children Act, 2013 to set up Child Welfare Boards at National, District and Upazila levels. Work in this regard has already been set in motion.

34. At present, the Ministry of Social Welfare operates six Baby Homes, one Day Care Center, six Divisional Safe Homes and six disabled and orphan children training and rehabilitation centers.

**Reply to issues raised in paragraph 12 of the list of issues**

35. To prevent unnecessary institutionalization of vulnerable children, a full chapter on alternative care has been introduced in the Children Act, 2013, which reaffirms the principle of the “Best Interests of the Child” in any decision related to the placement of a child. Family or extended family options are given priority if not considered detrimental to the child.

36. More specifically, in the Children Act, 2013, there are provisions to (a) develop family-based alternative care; (b) regulate and supervise the conditions of admission and the living conditions in alternative care facilities; (c) reintegrate children separated from their parents; and (d) protect all children deprived of a family environment. The Ministry of Social Welfare is also working to finalize the Children Rules where the implementation processes for these provisions would be further elaborated.

37. Accordingly, the Department of Social Services, under the Ministry of Social Welfare, is implementing a project titled “Child Sensitive Social Protection”, which is addressing the concerns of alternative care and listing conditions in alternative care for children separated from parents and children deprived of family care.

**Reply to issues raised in paragraph 13 of the list of issues**

38. The Ministry of Health and Family Welfare has developed a comprehensive Plan of Action for the period of 2011-2016 for Adolescent Reproductive and Sexual Health in line with the National Maternal Health Strategy and the National Reproductive Health Strategy. The Plan of Action focuses on, *inter alia*:

- Counseling and developing awareness of adolescents on personal hygienic practices, nutrition, puberty, anaemia, RTI/STI, unprotected sexual and reproductive health services, violence and sexual abuse;
- Training adolescents on sexual and reproductive health through peer groups;
- Syndromic management of RTI/STDs, awareness creation on HIV/AIDS and condom promotion for married adolescents;
- Providing consultation and treatment for some reproductive health related problems of adolescents;
- Full immunization of adolescent girls with five dose TT vaccination;
- Carrying out advocacy at community level for the gatekeepers of adolescents (parents/guardians, teachers, religious/community leaders and others);
- Developing and printing training manuals, guidelines, booklets regarding adolescent health;
- Initiation for making all service centers adolescent friendly in phases.

39. The Ministry of Women and Children Affairs, through its project titled “Enabling Environment for Child Rights (EECR)” has been working towards empowering adolescent girls and boys through organizing them in adolescent clubs with a view to grooming them as agents for bringing about positive changes within the communities. Since its inception in July 2011, the project has counted 11,370 adolescents among its beneficiaries. The project also provides counselling to adolescent girls and boys to prevent pregnancy as well as sexual abuse and exploitation.

40. The Ministry of Education has included life skills based education on Adolescent Reproductive Health Services (ARHS) in the school curriculum from class six to ten.

**Reply to issues raised in paragraph 14 of the list of issues**

41. The National Children Policy, 2011 stipulates in clear terms that children cannot be used in political activities, neither can they be lured nor compelled to be involved in such activities.

42. The Children Act, 2013 incorporates the provision that any person – be it the person supervising the child or having charge of a child or not – that engages a child in terrorist activities under section 6 of the Anti-Terrorism Act, 2009 shall himself or herself be deemed to have committed such terrorist activity and shall be punishable for such offence in the same way.

**Reply to issues raised in paragraph 15 of the list of issues**

43. There is an inherent assumption in the question about “growing trend of violence and armed rivalry” in the CHT, which is not backed by any evidence. There are occasional instances of tension and unrest in the region, which are at times used by certain quarters to give a communal dimension. It would be, however, unwarranted to consider the situation in the CHT as a conflict situation per se.

44. In the aftermath of the CHT Peace Accord concluded in 1997, there has been no report of the involvement of children in armed conflicts in the area. As per the provisions of the Accord, the former combatants had gone through the DDR process, and had been rehabilitated through employment and education, as appropriate.

**Reply to issues raised in paragraph 16 of the list of issues**

45. The Governments of Bangladesh and India cooperate on prevention of trafficking in persons, including women and children, through a bilateral institutional mechanism in place. The Joint Taskforce on Rescue, Recovery, Repatriation and Reintegration (RRRI) has developed a set of Standard Operating Procedures for guiding cooperation on prevention of trafficking in persons, including children. The RRRI Taskforce collaborates with NGOs for the protection of victims of trafficking. The Ministry of Home Affairs maintains a database on child victims of trafficking, which is updated on a weekly basis and is linked with the websites of the concerned agencies.

46. An MoU on Rescue, Recovery, Repatriation and Integration (RRRI) of victims of human trafficking, especially women and children, has been signed during the visit of the Hon’ble Prime Minister of India on 6-7 June 2015 in Dhaka, where both sides agreed on the following:

(a) To take effective preventive measures in the respective countries including strengthening border controls, raising awareness and taking effective legal actions against traffickers, touts and agents involved in human trafficking;

(b) To strengthen bilateral cooperation with regard to mutual legal assistance, prosecution of persons involved in human trafficking and rescue, recovery, repatriation of victims of human trafficking;

(c) To conduct coordinated patrolling and strengthen other border management measures as agreed in the Coordinated Border Management Plan signed in 2011 in the presence of Honourable Home Ministers of both the countries;

(d) To expedite the process of nationality verification and confirmation and hold a Joint Workshop in New Delhi in the second half of 2014. It was also agreed that cases

pending for verification of nationality from either countries for more than 1 year would be taken up on priority basis and the cases which are not resolved within the time frame, shall be escalated to higher authorities;

(e) To develop and share database on victims in the shelter homes and visit to shelter houses will be taken into consideration to facilitate and expedite the process;

(f) To set up more transit shelter homes along the India-Bangladesh border by both the Governments;

(g) To maintain and share the database on traffickers on regular basis;

(h) To regularly exchange information through the designated focal points in Ministry of Home Affairs in India and Bangladesh, and copies of the communication would also be marked to other concerned agencies;

(i) To organize joint training and capacity building programmers in the prevention of human trafficking and combating organized crime for concerned agencies of both countries;

(j) To designate NGOs in India and Bangladesh for expediting process of rescue, repatriation and rehabilitation of the victims of human trafficking.

**Reply to issues raised in paragraph 17 of the list of issues.**

47. The Government of Bangladesh has included children born to the Myanmar refugees living in the two registered camps in Kutupalong (Ukhiya) and Noapara (Teknaf) under the purview of compulsory birth registration. The current number of children in the two official camps is 17,553.

48. The Ministry of Local Government, Rural Development and Cooperatives has taken measures to register all children in these two refugee camps in coordination with the Refugee Relief and Rehabilitation Commissioner's Office, Cox's Bazar and UNHCR. The Local Government Division under the Ministry of Local Government, Rural Development and Cooperatives has also waived the birth registration fees for children belonging to the Myanmar refugees. The Children belonging to the registered refugee camps are provided protection and assistance as per relevant international norms and standards, in collaboration with UNHCR and a host of local and international organizations working as partners.

49. The Government has taken a decision in principle to conduct a survey of undocumented Myanmar Nationals (Muslims from Myanmar's Rakhine State, known as Rohingyas), including their children, living inside Bangladesh territory. The survey would help determine the approximate number and exact location/concentration of the undocumented Myanmar National, reportedly spread across different districts.

50. In the meantime, the Government has taken measures to streamline the provision of humanitarian assistance to the undocumented Myanmar Nationals, through the involvement of the International Organizations for Migration (IOM) and some local and international NGOs. The aforementioned survey would also help further customize the provision of humanitarian assistance to the concerned populations, as well as their host communities. Along with health care services, the Government has decided to extend family planning support to the target population.

51. Bangladesh is not a Party to the 1951 Refugee Convention and its 1967 Additional Protocol. However, Bangladesh has all along adhered to the fundamentals of the international protection standards emanating from these two instruments. It needs to be flagged that Bangladesh has hosted a huge number of Myanmar Refugees for over three decades without sufficient international burden sharing and any meaningful international efforts to bring this protracted refugees situation to a feasible and sustainable solution.

**Reply to issues raised in paragraph 18 of the list of issues**

52. The Penal Code, 1860 provides that a child under 9 years of age has no criminal responsibility. However, the criminal responsibility of a child above 9 years of age and under 12 years of age has to be determined having regard to maturity of understanding to adjudge the nature and consequences of his conduct. In case, a child becomes subject to criminal liability, that child cannot be sentenced to death, imprisonment for life or even imprisonment of any length.

**Part II**

**A. New bills or laws and their respective regulations**

53. Laws:

(a) The Children Act, 2013 has been enacted by the Parliament as Act No. 24 of 2013;

(b) The Rights and Protection of PWDs Act, 2013 has been enacted by the Parliament as Act No. 39 of 2013;

(c) The Protection of Neuro-Developmental Disability Trust Act, 2013 has been enacted by the Parliament as Act No. 52 of 2013;

(d) The Persons with Vagrant and Shelterless (Rehabilitation) Act, 2011 has been enacted by the Parliament as Act No. 15 of 2011;

(e) The Domestic Violence (Prevention and Protection) Acts, 2013;

(f) The Deoxyribonucleic Acid (DNA) Act, 2014;

(g) The Child Marriage Restraint Act, 2015 (Draft);

(h) The Education Act, 2015 (Draft).

54. Regulations:

(a) The Domestic Violence (Prevention and Protection) Rules, 2013;

(b) The Children Rules, 2015 has been drafted;

(c) The Rights and Protection of PWDs Rules, 2015 has been drafted;

(d) The Protection of Neuro-Developmental Disability Trust Rules, 2015 has been drafted;

(e) The Persons with Vagrant and Shelterless (Rehabilitation) Rules, 2015 has been drafted.

**B. New institutions and their mandates or institutional reforms**

55. A Children's Wing has been established in the Ministry of Women and Children Affairs. The strengthening of wing is in progress. A proposal for setting up a new Department of Children Affairs, with field level presence up to the *upazilas* (sub-district), had been submitted to the Ministry of Public Administration. The two Ministries are currently in the process of consultations with regard to the proposal.

### C. Recently introduced policies, programmes and action plans and their scope and financing

56. The Government has recently formulated and adopted the National Plan of Action (NPA) for Combating Human Trafficking 2015-17, by adding a number of important issues to previous NPAs. A decision has been taken to form Counter Trafficking Committees in all unions of the country, with particular focus on the trafficking-prone districts. The Government is working towards further strengthening the overall legal and regulatory regime to combat this scourge, with particular focus on child victims of trafficking.

### D. Recent ratifications of human rights instruments

57. Bangladesh ratified the Convention on the Rights of Persons with Disabilities on 30 November 2007. Bangladesh also acceded to the Optional Protocol to the Convention on 12 May 2008.

58. Bangladesh acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families on 24 August 2011.

## Part III

### Reply to paragraph 19 of the list of issues

Table 2

#### Children focus in the Ministry of Women and Children Affairs<sup>1</sup>

Description	2013-14	2012-13	2011-12	2011-00
Grand Total of the Ministry of Women and Children's Affairs (In 000 Taka)	14 493 813	13 337 634	13 060 182	13 082 777
Fully Identifiable as a ratio of Total of the Ministry of Women and Children Affairs (%)	10.05	5.18	4.79	9.56
Partially Identifiable as a ratio of Total of the Ministry of Women and Children Affairs (%)	4.08	3.61	3.69	3.59
Not Identifiable as a ratio of Total of the Ministry of Women and Children Affairs (%)	85.87	91.21	91.52	86.84
	100	100	100	100

Source: Finance Division, Ministry of Finance, Government of Bangladesh.

Table 3

#### Children focus in the Ministry of Health and Family Welfare<sup>2</sup>

Year	Total Child Explicitly	Total Nutrition	Total Child Explicitly Plus Nutrition	Total Children plus Mother	Total Children plus Mother Plus Nutrition
1997-98	4.64	1.70	6.34	6.48	8.18
1998-99	0.21	0.05	0.26	0.21	0.26

<sup>1</sup> CSID-SCI; Child Budget in Bangladesh; Dhaka, 2014; Table-10.

<sup>2</sup> CSID-SCI; Child Budget in Bangladesh; Dhaka, 2014; Table-11.

<i>Year</i>	<i>Total Child Explicitly</i>	<i>Total Nutrition</i>	<i>Total Child Explicitly Plus Nutrition</i>	<i>Total Children plus Mother</i>	<i>Total Children plus Mother Plus Nutrition</i>
1999-00	0.22	0.05	0.27	0.22	0.27
2000-01	0.19	1.38	1.57	0.19	1.57
2002-01	0.18	4.24	4.43	0.18	4.43
2003-02	0.19	3.15	3.34	0.19	3.34
2003-04	0.31	11.42	11.73	0.31	11.73
2004-05	0.29	0.04	0.33	0.48	0.52
2005-06	0.29	3.62	3.91	2.40	6.02
2006-07	0.29	3.91	4.20	2.32	6.23
2007-08	0.64	2.65	3.29	3.34	5.99
2008-09	0.63	2.58	3.21	2.68	5.26
2009-10	0.57	3.03	3.60	2.35	5.38
2010-11	0.78	3.10	3.88	2.06	5.16
2011-12	0.67	0.08	0.74	0.67	0.75
2012-13	0.64	2.03	2.66	7.09	9.12
2013-14	0.63	0.95	1.57	6.57	7.51

*Source:* Finance Division, Ministry of Finance, Government of Bangladesh.

Table 4  
**Children focus in social protection budget of Bangladesh<sup>3</sup>**

<i>Programme</i>	<i>Budget (2012-13)</i>	<i>Revised (2012-13)</i>	<i>Budget (2013-14)</i>
Grants for Residents in Government Orphanages and Other Institutions	28.5	27.1	30.88
Capitation Grants for Orphan Students in Non-gov. Orphanages	66	66	71.4
Stipend for Disabled Students	8.8	8.8	9.7
Grants for the Schools for the Disabled	5.81	5.81	5.81
Child Development Center	3	3	3.2
Stipend for Primary Students	949	925	1 000
School Feeding Programs & School feeding program in poverty prone area	522.3	456.5	541
Stipend for Dropout Students	45.78	94.01	0
Stipend and Access Increase for Secondary and Higher Secondary Level Students	565	647.5	449.86
Maternal Health Voucher Scheme	75	0	0
National Nutrition services	184	0	0
Fundamental Education for Urban Working Children	22	32	33
Sisimpur Outreach Project	3.76	5.44	1.34

<sup>3</sup> CSID-SCI; Child Budget in Bangladesh; Dhaka, 2014; Table-15.

<i>Programme</i>	<i>Budget (2012-13)</i>	<i>Revised (2012-13)</i>	<i>Budget (2013-14)</i>
Maternal, Child, Reproductive and Adolescent Health (MCRAH)	135	139	125
Reaching Out of School Children	0	69.58	248.99
Child Sensitive Social Protection	0	13.08	25.98
Total Children Social Protection	2 613.95	2 492.82	2 546.16
Total Social Protection	22 750.55	23 097.52	25 371.35
Total Budget	191738	189 326	222 491
GDP	1 041 360	1 037 987	1 188 800
Total Social Protection to Total Budget (%)	11.87%	12.20%	11.40%
Total Social Protection to GDP (%)	2.18%	2.23%	2.13%
Total Children Social Protection to Budget (%)	1.36	1.32	1.14
Total Children Social Protection to GDP (%)	0.25	0.24	0.21

*Source:* Finance Division, Ministry of Finance and Author's Calculation Major Children Related Programs.<sup>4</sup>

**Table 5**  
**Maternity allowance program for poor lactating mothers**

	<i>2008-09</i>	<i>2009-10</i>	<i>2010-11</i>	<i>2011-12</i>	<i>2012-13</i>	<i>2013-14</i>
Nominal Value (Taka in Crore)	22.59	33.60	43.20	42.50	42.50	48.88
% Change from Previous Year	0.00	48.74	28.57	-1.62	0.00	15.01
Grants for Residents in Government Orphanages and Other Institutions						
Nominal Value (Taka in Crore)	17.20	23.39	25.72	28.66	28.50	30.88
% Change from Previous Year	0.00	35.99	9.96	11.43	-0.56	8.35
Capitation Grants for Orphan Students in Non-Gov. Orphanages						
Nominal Value (Taka in Crore)	37.80	40.32	42.00	63.00	66.00	71.40
% Change from Previous Year	0.00	6.67	4.17	50.00	4.76	8.18
Stipend for Disabled Students						
Nominal Value (Taka in Crore)	6.00	8.00	8.80	8.80	8.80	9.70
% Change from Previous Year	0.00	33.33	10.00	0.00	0.00	10.23
Grants for the Schools for the Disabled						
Nominal Value (Taka in Crore)	1.80	1.80	5.81	5.81	5.81	5.81
% Change from Previous Year	0.00	0.00	222.78	0.00	0.00	0.00
Child Development Center						
Nominal Value (Taka in Crore)	0.00	5.67	5.41	3.00	3.00	3.20
% Change from Previous Year	-	0.00	-4.59	-44.55	0.00	6.67
Stipend for Primary Students						
Nominal Value	488.00	487.52	750.00	879.99	949.00	1000.00
% Change from Previous Year	0.00	-0.10	53.84	17.33	7.84	5.37

<sup>4</sup> CSID-SCI; Child Budget in Bangladesh; Dhaka, 2014; Table-16

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
<b>School Feeding Program &amp; School Feeding Program in Poverty Prone Area</b>						
Nominal Value (Taka in Crore)	4.00	34.26	18.00	32.50	522.30	541.00
% Change from Previous Year	0.00	756.50	-47.46	80.56	1 507.08	3.58
<b>Stipend for Dropout Students</b>						
Nominal Value (Taka in Crore)	87.00	92.89	65.00	104.52	45.78	0.00
% Change from Previous Year	0.00	6.77	-30.02	60.80	-56.20	-100.00
<b>Stipend and Access Increase for Secondary and Higher Secondary Level Students</b>						
Nominal Value (Taka in Crore)	331.61	527.70	677.30	634.11	565.00	449.86
% Change from Previous Year	0.00	59.13	28.35	-6.38	-10.90	-20.38
<b>Maternal Health Voucher Scheme</b>						
Nominal Value (Taka in Crore)	51.00	70.00	66.40	90.00	75.00	0.00
% Change from Previous Year	0.00	37.25	-5.14	35.54	-16.67	-100.00
<b>National Nutrition Services</b>						
Nominal Value (Taka in Crore)	128.00	173.00	225.00	181.00	184.00	0.00
% Change from Previous Year	0.00	35.16	30.06	-19.56	1.66	-100.00
<b>Protecting Children at Risk</b>						
Nominal Value (Taka in Crore)	7.68	29.37	15.39	10.25	0.00	0.00
% Change from Previous Year	0.00	282.42	-47.60	-33.40	-100.00	-
<b>Fundamental Education for Urban Working Children</b>						
Nominal Value (Taka in Crore)	46.50	82.84	45.00	23.00	22.00	33.00
% Change from Previous Year	0.00	78.15	-45.68	-48.89	-4.35	50.00
<b>Sisimpur Outreach Project</b>						
Nominal Value (Taka in Crore)	-	-	10.52	12.00	3.76	1.34
% Change from Previous Year	-	-	0.00	14.07	-68.67	-64.36
<b>Maternal, Child, Reproductive and Adolescent Health (MCRAH)</b>						
Nominal Value (Taka in Crore)				118.15	135.00	125.00
% Change from Previous Year	-	-	-	0.00	14.26	-7.41

Source: Finance Division, Ministry of Finance.

### Reply to paragraph 20 of the list of issues

#### (a) Children abandoned by parents in the Baby Homes

59. There are 6 Baby Homes in 6 divisions. The total number of children abandoned by parents in the Baby Homes is 145.

Table 6  
Number of inmates in Baby Homes by year

Sl. no.	Name of institutions	No. of inmates		
		2012	2013	2014
1.	Baby Homes (6)	41	49	55

**(b) Children who have been victims of sexual abuse and exploitation, including victims of trafficking, as well as the number of complaints, investigations and prosecutions carried out in this regard**

60. Some cases of sexual harassment to the children have been lodged in different police stations. In every police station, there is one designated child friendly police officer according to the Children Act, 2013. The cases related to children are handled carefully.

**(c) Children who have been victims of child marriage, as well as the number of complaints, investigations and prosecutions carried out in this regard**

- Women 20-24 married before 18 is 52.3%
- Women 20-24 married before 15 is 18.1%
- Women 20-24 married between 15 and 18 is about 34%

(Reference: 2012-2013 MICS, BBS)

61. The National Helpline Centre for Violence against Women and Children (toll free helpline 10921) plays an important role to prevent child marriage in Bangladesh. Up to April 2015, this helpline received a total of 133 complaints regarding child marriage.

**(d) Working children**

Table 7  
**Proportion of child workers (10-14 years) in 2011**

<i>Division</i>	<i>Both sex</i>	<i>Male</i>	<i>Female</i>
Barisal	4.4	7.4	1.2
Chittagong	5.3	8.2	2.2
Dhaka	8.0	11.0	4.8
Khulna	3.7	6.5	0.7
Rajshahi	5.0	8.6	1.0
Rangpur	4.5	7.5	1.2
Sylhet	7.5	12.6	2.0
<b>Total</b>	<b>6.0</b>	<b>9.1</b>	<b>2.6</b>

*Source:* Child Equity Atlas: Pockets of Social Deprivation in Bangladesh, July 2013, BBS, UNICEF, BIDS.

62. The Ministry of Labour and Employment implements a project titled “Eradication of Hazardous Child Labour in Bangladesh”. In the 1st phase (2000-2005) of the project, 10,000 children were withdrawn from child labour through non-formal education, skills development-training and socio-economic empowerment of their parents. In the 2nd phase (2005-2009), 30,000 children were withdrawn from child labour through non-formal education and skill development training.

63. In the 3rd phase (2009-2014) of the project, 49,405 children were withdrawn from child labour through non-formal education and skills development training and 40,504 children were skilled in different trades. Initiatives have been taken to launch the 4th phase of the project, targeting 60,000 children to be withdrawn from hazardous forms of work.

**(e) Children in institutional care, including information on the reasons for their placement in institutional care**

64. The list of institutions and reasons for placement of children therein are furnished below:

- (a) Shishu Bikash Kendra: For children from extreme poor families, single parents, broken families etc;
- (b) Government Orphanage (Shorkari Shishu Poribar): For orphan children;
- (c) Baby Home: For abandoned children;
- (d) Kishor Unnayan Kendra: For child victims and juvenile delinquents.

**(f) Refugee, asylum-seeking children and/or children in otherwise irregular migration situations and those currently subject to detention**

65. Children belonging to Myanmar refugees living in the two official camps in the Cox's Bazar district currently number at 17,553. They are provided protection and assistance (including food, medical care, nutrition support, education, wash and sanitation facilities, language training, computer literacy, psychosocial support, birth registration and so forth) as per the relevant international norms and standards.

66. Children belonging to the undocumented Myanmar Nationals, living in settlements adjacent to the official camps, are provided humanitarian services through the International Organization for Migration (IOM) and a number of local and international NGOs, under the supervision of the Deputy Commissioner's Office, Cox's Bazar. Provision of such services is expected to be further streamlined following the planned survey/listing of the undocumented Myanmar Nationals, including their children, living in Bangladesh.

67. The local administration and law enforcement agencies remain sensitized to provide legal protection and redress, as appropriate, to children belonging to Myanmar Refugees and Undocumented Myanmar Nationals living in Bangladesh.

**(g) Children sentenced by the courts and the average length of deprivation of liberty**

Table 8

**Number of children (juvenile delinquents) in correctional centres, by year**

Sl. No.	Name of Institutions	No. of Children			Age	Duration of Sentence
		2012	2013	2014		
1.	Kishor (Adolescent-boys) Unnayan Kendra, Tongi, Gazipur	25	13	36	12-16 years	below 6 month-2 years
2.	Kishor (Adolescent-boys) Unnayan Kendra, Pulerhat, Jessore.	15	23	12	10-18 years	below 3 month-3 years
3.	Kishori (Adolescent-girls) Unnayan Kendra, Konabari, Gazipur	-	-	-	-	-

**Reply to paragraph 21 of the list of issues****(a) Living with their families**

68. The number of Persons with Disabilities (PWD) in Bangladesh identified so far is about 1647,005. A national database system is under construction to include all PWD

related information. About 99% PWD lives with their families and 1% live in different government and non-government organizations.

Table 9  
**Disability rate per 1,000 of the population, by age and sex, in 2012**

<i>Age group</i>	<i>Both sex</i>	<i>Male</i>	<i>Female</i>
0-4	2.60	2.87	2.31
5-9	4.73	5.10	4.34
10-14	6.49	7.62	5.33
15-59	8.82	10.09	7.50
60+	46.71	47.06	46.37
<b>Total</b>	<b>10.05</b>	<b>11.01</b>	<b>9.05</b>

*Source:* Report of the Sample Vital Registration System (SVRS) 2012, December 2014, BBS.

**(b) In institutions**

Table 10  
**Number of inmates in institutions for persons/children with disabilities, by year**

<i>Sl. No</i>	<i>Name of Institutions</i>	<i>No. of Inmates</i>		
		<i>2012</i>	<i>2013</i>	<i>2014</i>
1.	National Training & Rehabilitation Centre for the visually Impaired (NTRCV)	18	14	11
2.	Employment and Rehabilitation Centre for the Physically Handicapped (ERCPH)	75	50	61
3.	Institute for Children with Development Disorders	56	63	99

**(c) Attending regular primary schools**

69. The Department of Social Services is providing social protection and development services to orphans and vulnerable children up to 18 years of age through 85 Shorkari Shishu Poribar (Government orphanage). There are 43 such orphanages for boys, 41 for girls and one for both. The total number of inmates is 10,300. Among them, about 60% are attending regular primary school.

**(d) Attending regular secondary schools**

70. Among the above, 40% are attending regular secondary schools and other level.

**(e) Attending special schools**

Table 11

**Number of children with disabilities attending special schools, by year**

<i>Sl. no.</i>	<i>Name of Institution/ School</i>	<i>No. of Students</i>		
		<i>2012</i>	<i>2013</i>	<i>2014</i>
1.	Physically Handicapped Training Centre (PHTC)			
	(a) School for the Visually Impaired	2 427	2 426	2 398
	(b) School for the Hearing Impaired	4 589	5 026	5 132
2.	Integrated Education Programme for the Visually Impaired	3 607	3 606	3 417

**(f) Out of school**

71. Exact data is not available at present.

**(g) Abandoned by their families**

72. Please see paragraph 59 above.

**Reply to paragraph 22 of the list of issues**

73. Please see the reply to paragraph 19 of the list of issues above.

**Reply to paragraph 23 of the list of issues**

74. There is a CRC Focal Persons Committee under the chairmanship of the Hon'ble State Minister for Women and Children Affairs and with representation from the relevant Ministries and national and international NGOs engaged in child rights related activities.