

4th cycle of Universal Periodic Review (UPR)

Violence against Children

September 2018-June 2023



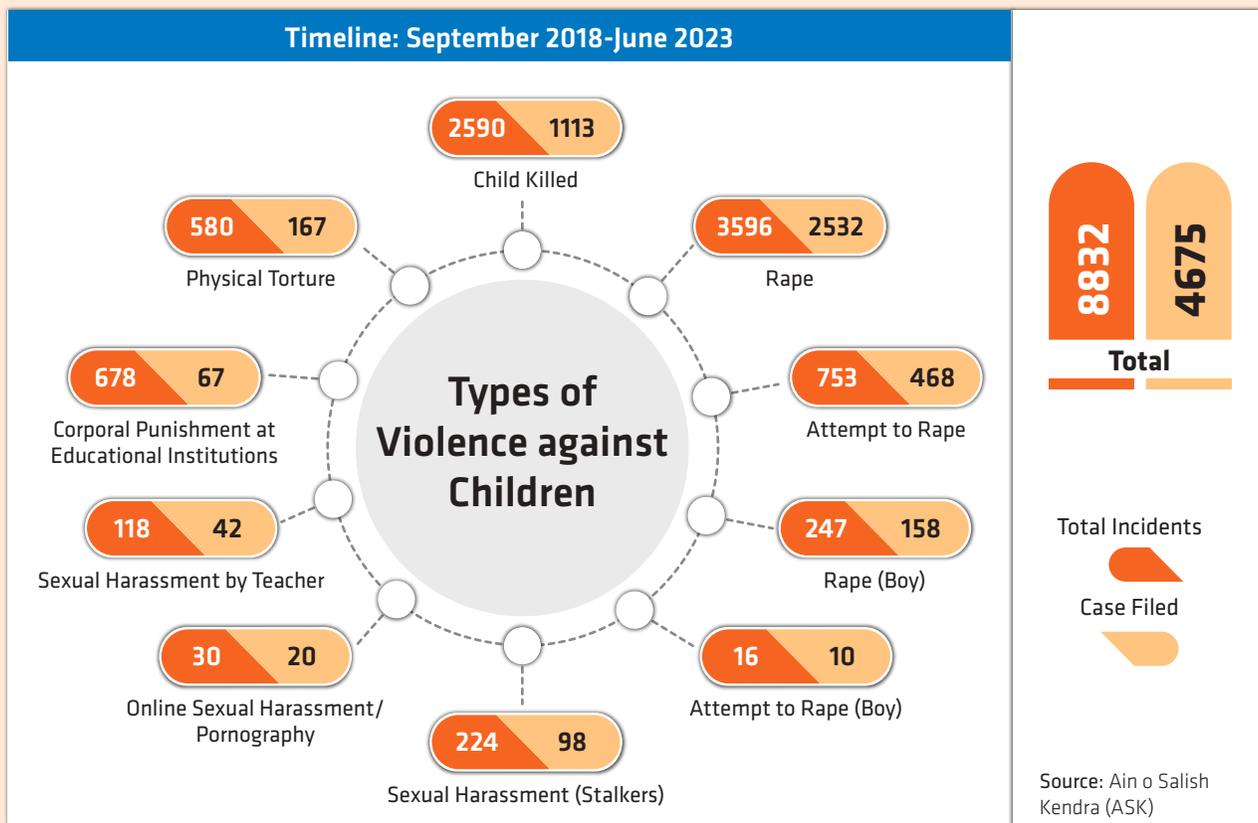
Issues Covered

Violence against Children (VAC), Child Killed, Rape, Online Sexual Harassment, Corporal Punishment.

Recommending States

Recommendation Nos. 147.56 (Namibia); 147.61 (Djibouti); 147.62 (Guyana); 147.90 (Egypt); 147.139 (Haiti); 147.142 (France); 147.145 (Nepal); 147.150 (Chile).

Status of Violence against Children in Bangladesh:



Challenges

Defining "children"

Impact

Different laws give different definitions of children; e.g. according to the Children Act 2013, anyone up to the age of 18 years would be considered as 'children', Prevention of Oppression against Women and Children Act 2003 defines 'children' as a person not over 16 years of age.

Prevalence of VAC	The increased incidence of VAC in Bangladesh can be attributed, in part, to delays in ensuring justice caused by a lack of legal awareness and a slow, complex, layered, cumbersome, and expensive legal system.
Corporal punishment of children	Section 89 of the Penal Code 1860 leaves scope for the infliction of corporal punishment, and prohibition is still to be achieved at home as well as in alternative care settings, day-care centres, and penal institutions.
Faulty definition of Rape	Existing rape law is neither inclusive nor comprehensive (9 Mar 2021, <i>The Daily Star</i>) and do not recognise all forms of rape incidents and sexual violence.
Tackling online violence against children	The existing legal framework is inadequate to address online VAC, despite the widespread incidents.
Combating human trafficking	There is a gap in coordination among different state mechanisms (e.g. MoHA, GO/NGO shelter homes) engaged in combating human trafficking.
Establishing a legislative framework to eliminate discrimination against marginalised and disadvantaged children	The draft Anti-discrimination Bill (16 Nov 2022, <i>The Daily Star</i>) and the Transgender Protection Law (23 Mar 2021, <i>Dhaka Tribune</i>) are under review by the relevant Ministries. The proposed Anti-discrimination bill has already raised several concerns among the members of civil societies and human rights organisations. Children from the marginalised groups must be consulted before adaptation of these Acts.

Questions

What initiatives have been taken to redefine 'rape' and amend the relevant laws considering the best interest of the children?

What initiatives have been taken to prevent VAC and ensure justice?

What strategies have been taken to cope up with the dynamic features of cybercrime for the protection of the children?

What steps have been taken to improve the inter-ministerial coordination in responding violence against children?

Recommendations

1. Redefine rape, amend rape laws in accordance with human rights standards.
2. Repeal Section 89 of the Penal Code to limit the scope of claiming legal defense in case of corporal punishment.
3. Define and include the new forms of cybercrime to combat online sexual exploitation of children.
4. Amend relevant laws to ensure the uniform definition and specification of a child.
5. Enhance the capacity of justice sector actors to improve services for trafficking victims.
6. Improve inter-ministerial coordination and increase monitoring to prevent commercial sexual exploitation of children.
7. Ensure psychosocial support for children to address psychological difficulties, traumas, or disorders.
8. Establish a national database to track violence cases against women and girls so that it can reinforce policy decisions on the prevalence of violence.

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