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## ACRONYMS

<b>BBS</b>	Bangladesh Bureau of Statistics
<b>BRIS</b>	Online Birth Registration System
<b>BSAF</b>	Bangladesh Shishu Adhikar Forum
<b>CEDAW</b>	Convention on the Elimination of all forms of Discrimination Against Women
<b>CRAC,B</b>	Child Rights Advocacy Coalition in Bangladesh
<b>CMRA</b>	Child Marriage Restraint Act 2017
<b>CRC</b>	Convention on the Rights of the Child
<b>DPE</b>	Directorate of Primary Education
<b>DBR</b>	Digital Birth Registration
<b>FY</b>	Fiscal year
<b>FYP</b>	Five Years Plan
<b>GDP</b>	Gross Domestic Products
<b>GoB</b>	Government of Bangladesh
<b>HCD</b>	High Court Division
<b>ILO</b>	International Labor Organization
<b>KII</b>	Key Informant Interviews
<b>LGIs</b>	Local Government Institutes
<b>MoLE</b>	Ministry of Labour and Employment
<b>MoLG</b>	Ministry of Local Government
<b>MoLJPA</b>	Ministry of Law, Justice and Parliamentary Affairs
<b>MoE</b>	Ministry of Education

<b>MoFA</b>	Ministry of Foreign Affairs
<b>MoHA</b>	Ministry of Home Affairs
<b>MoHFW</b>	Ministry of Health and Family Welfare
<b>MoP</b>	Ministry of Planning
<b>MoPME</b>	Ministry of Primary and Mass Education
<b>MoSW</b>	Ministry of Social Welfare
<b>MoWCA</b>	Ministry of Women and Children Affairs
<b>NCLEP</b>	National Child Labour Elimination Policy
<b>NCLWC</b>	National Child Labour Welfare Council
<b>NCP</b>	National Children Policy 2011
<b>NCRC</b>	National Commission on the Rights of the Children
<b>NCTF</b>	National Children's Task Force
<b>NGO</b>	Non-Governmental Organization
<b>NHRC,B</b>	National Human Rights Commission, Bangladesh
<b>NPA</b>	National Plan of Action
<b>NPAECM</b>	National Plan of Action on Ending Child Marriage
<b>NSSS</b>	National Social Security Strategy
<b>OP3</b>	Optional Protocol 3
<b>PM</b>	Prime Minister
<b>PMO</b>	Prime Minister's Office
<b>SOP</b>	Standard Operating Procedure
<b>SRHR</b>	Sexual and Reproductive Health and Rights
<b>SSNPs</b>	Social Safety Net Programs
<b>UN</b>	United Nations

<b>UNCRC</b>	United Nation Child Rights Convention
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations International Children's Emergency Fund
<b>UNHRC</b>	United Nations Human Rights Council
<b>UPR</b>	Universal Periodic Review
<b>VAC</b>	Violence against Children
<b>VAW</b>	Violence Against Women

## PART I

### EXECUTIVE SUMMARY, METHODOLOGY AND CONSULTATION PROCESS

#### EXECUTIVE SUMMARY:

The report<sup>1</sup> is an assessment of the progress of the GoB in implementing child-focused recommendations since the third cycle held in 2018. It also includes some existing challenges and provides recommendations to overcome those challenges. It also highlights some emergent issues, i.e., COVID-19 impact, climate justice, and online sexual abuse, which require immediate interventions.

#### METHODOLOGY AND CONSULTATION PROCESS:

This report draws upon a series of consultations with children<sup>2</sup> and on the publications, documentation, and experiences of coalition members. A number of KIIs have been conducted with children's rights experts, justice sector actors, and service providers. The key concerns raised in the report have been shared and discussed with the children at both the divisional and national levels. This report also evaluates the government's performance in light of its commitments made in the previous cycle with regard to the protection and promotion of children's rights and presents specific recommendations for accomplishing this goal.

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<sup>1</sup> This report has been jointly prepared by (CRAC,B), a national platform of 10 national and international organisations and networks (Ain o Salish Kendra (ASK), ActionAid Bangladesh, Bangladesh Shishu Adhikar Forum (BSAF), Child Rights Governance Assembly (CRGA) UDDIPAN (Secretariat), Education and Development Foundation- Educo, National Girls Child Advocacy Forum (NGCAF), Plan International Bangladesh, Save the Children, Terre des Hommes Netherlands, World Vision Bangladesh) and Joining Forces Bangladesh (Joining Forces Bangladesh (Educo Bangladesh, Plan International Bangladesh, Save the Children in Bangladesh, SOS Children's Village International in Bangladesh, Terre des Hommes International Federation, World Vision Bangladesh) is a global platform consisting of six international leading child rights development organisations. See Annex 1-Organisation Profile.

<sup>2</sup> Four consultations with authorities and stakeholders in Barisal, Rangpur, Satkhira and Mymensingh, five consultations with children and youth in Dhaka, Rangpur, Barisal, Satkhira and Mymensingh and one national consultation with policy makers, National Human Rights Commission, children and youth representatives, and other stakeholders were organised with the draft report. Besides, there were several consultations in the drafting stage with the member organisations and their partners.

## PART II

### IMPLEMENTATION STATUS OF THIRD CYCLE RECOMMENDATIONS:

#### Progress on implementation of the recommendations in thematic issues

##### 1. Child Rights Governance<sup>3</sup>:

###### 1.1. Implementation status:

Child Policy 2011 and the 8th Five-Year Plan (8FYP) for 2021–2025 of Bangladesh endorsed the importance of **children's participation in the decision-making process** and adequate **resource allocation** for children.

The government published a **child-focused budget (CFB) in June 2015<sup>4</sup>**, in which allocation increased in terms of size over the last five fiscal years between FY 2015–16 and FY 2019–2020, but the CFB report was not published in the last three annual budgets<sup>5</sup> amid the COVID–19 pandemic. The child budget implementation status was last published in FY 2017–18; it is therefore challenging to establish and pinpoint the current implementation status. In FY 2019–2020, 2.78% of GDP<sup>6</sup> (15.3% of the national budget) was allocated for children. And in FY 2020–2021, FY 2021–2022, and FY 2022–2023, there was no publication of a CFB. The SOP is not followed in developing the child budget, which should be 20% of the public expenditure as targeted<sup>7</sup>. Also, the MoLG hasn't issued any circulars to the local government institutions to institutionalise child-friendly local budgets. Since 2020, no consultations have taken place with children in the budget development process.

The GoB announced their plan to set up a **Separate Directorate** for children in its 2020–21 budget speech<sup>8</sup>. After receiving recommendations during the second UPR cycle, the Government officials expressed their support for creating a separate directorate for children. But there is no time bound commitment to establish the same and the scope of a separate directorate has not been identified either.

The government has adopted the **National Social Security Scheme (NSSS)** and the National Action Plan (2021-2026). The NSSS Action Plan incorporates social

<sup>3</sup> Recommendation Nos.147.72(India); 147.13(Belarus); 147.52(Uruguay); 147.150(Chile)

<sup>4</sup> <https://bdnews24.com/economy/muhith-unveils-child-budget-for-the-first-time-in-bangladesh>

<sup>5</sup> (FY 2020-21, FY 2021-22 and FY 2022-23)

<sup>6</sup> [Children get little attention in budget | The Financial Express](#)

<sup>7</sup> [Allocations for children in Bangladesh's public expenditure | The Daily Star](#)

<sup>8</sup> Available at: [Economic Transition and Pathway to Progress](#)

security action plans in five thematic clusters and 39 ministries. But children's issues are not explicitly addressed in NSSS, NPA (2021-2026), or the Social Safety Net programme<sup>9</sup>.

Child rights organisations, in collaboration with the NHRC, developed a draft law to establish an independent body to oversee the government's initiatives for the promotion and protection of children's rights and submitted the draft to the MoWCA. The proposed **National Commission for Children's Rights (NCRC)** is yet to be established.

The Children Act was passed more than nine years ago, but the **Rules** of the Act is not finalised yet, making the meaningful implementation of the Act difficult.

Key actors involved in the juvenile justice process (i.e., police officers, probation officers, social workers) lack a clear understanding of child laws.<sup>10</sup> No efforts have been made to align the **definition of "children"** across national laws<sup>11</sup> resulting in delays and confusion in legal procedure.

**Children are not adequately prioritised in the social safety net programme** which is another setback in ensuring children's rights<sup>12</sup>.

## 1.2. Recommendations:

- **Identify priorities for child allocations in the budget for FY 2023–24 and address COVID-19's and the price hike's negative impact in order to address the changing context in terms of the children's wellbeing in the national budget.**
- **Create a SOP for meaningful child participation in accordance with the 2011 Children Policy and organise pre and post-budget consultations with children from all intersections in the budget development process, as committed in the 8th FYP. From FY 2023–24, develop and publish child budgets and reports periodically.**
- **Finalise a time-bound action plan to establish a separate directorate for children.**
- **Establish an independent National Commission for Children's Rights (NCRC).**
- **Establish a separate child Directorate for the wellbeing of the children**
- **Establish and strengthen a monitoring mechanism for the implementation of the Children Act, especially, form child help desks**

<sup>9</sup> [Social Protection Programs: Fiscal Year 2021-22](#)

<sup>10</sup> : <https://doi.org/10.3329/bioethics.v11i1.49268>

<sup>11</sup> See Annexure 2

<sup>12</sup> [Social Protection Programs: Fiscal Year 2021-22](#)

and place dedicated police officers for children at every police station, and appoint probation officers accordingly.

- Include a provision in the Children Act 2013 that specifically and categorically prohibits the use of physical and humiliating punishment (PHP) on children in all settings: home, educational institution, workplace, residential institution, and community.
- Take initiative for the effective functioning of the Children's Welfare Board by coordinating among the relevant departments.

## 2. Violence Against Children<sup>13</sup>

### 2.1. Implementation status

According to media monitoring yearly reports by ASK<sup>14</sup> from September 2018 to March 2023 **different forms of violence against children** are on the rise (child killed: 2474; child rape: 3500; attempt to rape: 730, rape (boy): 227, attempt to rape (boy): 14, online sexual harassment (pornography): 30, sexual harassment (stalkers): 210; sexual harassment by teacher: 106 ; physical torture: 525; student tortured by teacher (corporal punishment at educational institutions): 589). (See Annex No. 3) The National Action Plan to Prevent Violence against Women and Children 2013–2025<sup>15</sup> has been formulated to eradicate VAC.

These statistics show a worrying pattern of increasing sexual VAC in Bangladesh, especially among girls. However, the actual numbers may be significantly higher because of underreporting of cases and other issues. Nonetheless, the crime of **rape** is still perceived as an offense committed exclusively against women and girls, and this faulty notion is contributing to the trend of impunity in cases of rape against male children, transgender children, and intersex children.

On November 4, 2021, the High Court ordered MoWCA to establish an Upazila level monitoring committee to stop physical and mental abuse of students in all schools, colleges, and madrasas<sup>16</sup>. The 2011 Supreme Court ruling outlawed classroom corporal punishment. However, no law prohibits corporal punishment in all educational contexts<sup>17</sup>. Corporal punishment has been banned by the MoE in all Bangladeshi educational institutions, followed by a landmark High Court order in 2010, but lacks proper implementation . Section 89 of the Penal Code 1860 leaves scope for the

<sup>13</sup> Recommendation Nos. 147.56 (Namibia); 147.61 (Djibouti); 147.62 (Guyana); 147.90 (Egypt); 147.139 (Haiti); 147.142 (France); 147.145 (Nepal)

<sup>14</sup> <https://www.askbd.org/ask/statistics-on-human-rights-violations/>

<sup>15</sup> NAP VAWC

<sup>16</sup> www.ajker patrika.com-04 January 2022

<sup>17</sup> <https://www.endcorporalpunishment.org/wp-content/uploads/country-reports/Bangladesh.pdf>

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.

The High Court's **Sexual Harassment** Guidelines are only applicable in workplaces and educational institutions, they do not cover sexual harassment of males and transgender people, online harassment, etc.

The existing legal framework is inadequate to address **online VAC**, despite the widespread incidents. The survey report titled Cybercrime Trend in Bangladesh-2022<sup>18</sup> says that 13.57% of victims of cyber violence are under 18 years old, which is an increase from 2021 (8.93%).

The GoB has already set up a monitoring cell to look after **trafficking** cases at the district and divisional levels under the direct supervision of the MoHA to monitor pending cases of human trafficking, collect information on survivors, identify traffickers, provide shelter to survivors in GO/NGO shelter homes, and follow upon the status. To ensure justice for victims of commercial sexual exploitation and trafficking, a speedy trial of such cases by a tribunal needs to be ensured. The capacity of the actors in the justice sector dealing with such cases should be assessed. Furthermore, there is a gap in coordination among different state mechanisms.

Different laws give **different definitions of "children"**, which has caused confusion during legal proceedings and delayed the remedial process for children. (See Annex 3)

In 2022, a draft of the **Transgender Protection Law** was developed by the NHRC, B, and currently, the MoSW is taking the lead in processing the draft Act. This law is likely to confirm “living with family” for *Hijra* (an umbrella term to designate a group of individuals that may include intersex individuals, castrated men, and transgender women who were assigned male at birth) and transgender persons, including children, which should reduce a significant number of rights violation cases in the future<sup>19</sup>.

On 24 January 2023, the High Court Division directed that from now on a person's mother's name can be added as the guardian to any government official documents (in student documents).

### Recommendations:

- **Ensure proper implementation and monitoring of the NAP VAWC 2013–2025** and prepare a road map for the next plan.
- **Prohibit corporal punishment** in every sphere by amending the Children Act 2013, and take appropriate actions against the perpetrators while taking initiatives to build the capacity of the teachers and educational institutions to

<sup>18</sup> [https://ccabd.org/wp-content/uploads/2022/08/2022\\_Research\\_CCAF\\_Cyber\\_Crime\\_Final\\_Copy.pdf](https://ccabd.org/wp-content/uploads/2022/08/2022_Research_CCAF_Cyber_Crime_Final_Copy.pdf)

<sup>19</sup> [Hijra Protection Act being drafted to ensure life with family | Dhaka Tribune](#)

pursue positive approaches. Repeal Section 89 from the Penal Code to ensure that there is no legal provision that can be interpreted as providing a legal defence for the infliction of **corporal punishment**.

- Take immediate steps in redefining rape, amending rape laws as appropriately demanded by the Rape Law Reform Coalition. <sup>20</sup>
- Define and include the new forms of **cybercrime** in existing acts, e.g., the Pornography Control Act 2012, the Information and Communication Technology Act 2006, and the Children Act 2013, to combat online sexual exploitation of children.
- Enact a comprehensive and **inclusive law against sexual harassment** that covers all aspects of the private and public lives of all people at all intersections.
- Amend relevant laws to ensure the **uniform definition and specification of a child** and their age align with UNCRC and the National Children Policy 2011.
- **Enhance the capacity of justice sector actors**, especially the seven Anti-Trafficking Tribunals' personnel, to improve services for trafficking victims and ensure speedy trial of the cases dealing with child trafficking.
- **Improve inter-ministerial coordination** and increase monitoring to prevent commercial sexual exploitation of children, particularly those who are experiencing homelessness or use the streets as a source of livelihood, as well as the children of adults engaged in commercial sex in brothels.
- Ensure psychosocial support (i.e., effective **counselling**, psychotherapy) to overcome their psychological difficulties, traumas, or disorders.
- Accelerate the process of the **Transgender Protection Law** and ensure children with different gender identities are well addressed and their rights are protected.

### 3. Birth Registration<sup>21</sup>

#### 3.1. Implementation status

A government circular from January 2022 says that people born after 2001 require their parents' birth certificates to register their birth. Parents require registration of their births first before getting their children registered. This requirement created complexities, especially, for the marginalised children as many of them do not have any parents.

To address these challenges, the "Office of the Registrar General, Birth and Death Registration," circulated that parents' birth certificates will not be mandatory while

<sup>20</sup> [https://blast.org.bd/content/Rape%20Law%20Reform/RLRN\\_10-POINT-DEMANDS-ENG-FINAL.pdf](https://blast.org.bd/content/Rape%20Law%20Reform/RLRN_10-POINT-DEMANDS-ENG-FINAL.pdf)

<sup>21</sup> Recommendation Nos.147.149 (Holy See) 148.24(Argentina)

registering from July 27, 2022. From now on, the birth certificate or vaccination certificate provided after birth in the hospital can be used to register a child's birth<sup>22</sup>.

Despite the progress being made, the birth registration application process and access to the process, including digital birth registration, are bureaucratic and complex.

There is an unwillingness regarding birth registration since it requires additional payments from unions and municipalities on top of the government charge for the birth certificate. There is a lack of awareness about the importance of birth registration among the general population, especially marginalised communities. (See Annex 4)

### 3.2. Recommendations

- **Ensure easy access to the birth registration process and make it mandatory across the country for all children, free of cost.**
- **Initiate an awareness campaign about the recent development in birth registration criteria.**
- **Introduce an easy registration system to ensure accessibility for all, including persons from marginalised communities.**
- **Adopt and implement special measures to include the socially excluded and marginalised population, including children from ethnic minorities, persons with disabilities, *dalits*, intersex children, street children, orphans and children without legal guardians.**

## 4. Harmful and Traditional practices ( child marriage)<sup>23</sup>

### 4.1. Implementation status

The MoWCA and UNICEF Bangladesh have jointly launched the NPA 2018–2030, aiming to end child marriage in the country entirely by 2041. Although the CMRA Rules were issued in 2018 to provide further direction and clarification regarding the CMRA of 2017, ambiguity still exists in the law as it does not clarify the ‘special provision’ under which circumstances child marriage may happen with specific examples. The CMPCs formed at the local level, however they lack adequate resources and proper documentation. There is also lack of proper monitoring mechanism to make these committees fully active, functional and accountable as duty bearers<sup>24</sup>.

According to a UN Report, in Bangladesh, 51% of young women were married in childhood<sup>25</sup>. Bangladesh has the fourth highest prevalence of child marriage in the world. According to a report published by UNICEF, released on International Women’s

<sup>22</sup> Prothom Alo, www.prothomalo.com, Date: 15 August 2022

<sup>23</sup> Recommendation Nos.147.53(Belgium); 147.46 (Denmark); 147.47(Viet Nam); 147.50(Gabon)

<sup>24</sup> <https://www.bssnews.net/district/85283>

<sup>25</sup> ENDING CHILD MARRIAGE:

Day in 2021, warns that school closures, economic stress, service disruptions, pregnancy, and parental deaths due to the pandemic are putting the most vulnerable girls at increased risk of child marriage, and ten million additional child marriages may occur before the end of the decade<sup>26</sup>. UNFPA survey report indicates, marriage of girls between 15 to 19 years has increased by 10% in 2021 compared to 2020. COVID fallout led to the marriage of 27% of girls of this age group in two years.<sup>27</sup>

## 4.2. Recommendations

- **Include a provision in the Child Marriage Restraint Act declaring child marriages ‘void ab initio’<sup>28 29</sup>, as these marriages remain valid even if the court issues an injunction.**
- **Make sure the committees to prevent child marriage are active. Increase their capacity and establish a monitoring mechanism to regularly review their effectiveness.**
- **Ensure child representation in the Child Marriage Prevention Committees at all levels.**

## 5. Right to Education<sup>30</sup>

### 5.1. Implementation status

According to the **Education Statistics 2021**, the net enrolment has reached 98% in 2018, and due to COVID-19, the dropout rates increased from 2020–2021, which led to learning loss and included child marriages among girl children.

The government has increased the **allocation for the education sector** by Tk 94.95 billion (around 898,792,047 USD) in the proposed budget for the financial year 2022–23, compared to the previous year<sup>31</sup>. Gender-based budgetary allocation has also been increased in the education sector for fiscal year 2022–2023 as the government enhanced allocation for the MoPME and the Secondary and Higher Education Division by

<sup>26</sup> [https://www.unicef.org/bangladesh/en/press-releases/10-million-additional-girls-risk-child-marriage-due-covid-19-](https://www.unicef.org/bangladesh/en/press-releases/10-million-additional-girls-risk-child-marriage-due-covid-19)

unicef#:~:text=%E2%80%9CDespite%20significant%20progress%20in%20recent,difficulties%20facing%20millions%20of%20girls.

<sup>27</sup> <https://en.prothomalo.com/bangladesh/fhvgjaiskc>

<sup>28</sup> See : <https://www.lawinsider.com/dictionary/void-ab-initio>

<sup>29</sup> A law, agreement, sale, or other action that is void has no legal effect.

<sup>30</sup> Recommendation Nos. 147.126(Belarus); 147.130(Venezuela); 147.132(Azerbaijan); 147.51(Poland); 147.137(Thailand); 147.136(Singapore); 147.133(Barbados);147.138 Education Act of 2014 (Tunisia);147.29(United Arab Emirates); 147.52 (Uruguay); 147.127(Peru); 147.129 (Slovakia); 147.135(Djibouti); 147.131(Afghanistan), 148.24 (Argentina)

<sup>31</sup> [Education budget rises by Tk 94b | Prothom Alo](#)

60.21% and 44.73%, respectively<sup>32</sup>. Out of the total budget of Tk 678,064 (around 64,185,205 USD) crore for FY23, the allocation for the education sector is Tk 81,449 crore (around 7,709,922 USD), or 12% of the total, compared to 11.9% in FY22. In terms of GDP ratio, it is 1.83%, lower than the outgoing fiscal year's allocation. This is **one of the lowest in the world** and far below the recommended minimum of 4-6% of GDP and 20% of the national budget<sup>33</sup>.

The current education system is multidisciplinary, which is contributing to increasing **discrimination** among children from different intersections. Some textbooks contain discriminatory content and language.<sup>34</sup> Also, the socially excluded and marginalised communities (i.e., ethnic minorities, children with disabilities, intersex children, *dalits*, and street children) do not enjoy equal and non-biased access to education.

**The GoB has promised to prioritise ICT**, digital technology, and research as it seeks to modernise the country's education system and get optimum output<sup>35</sup>. During the pandemic, only 21% of students could access online or TV classes. Around 94% of rural students could not access those. Around 10% of students had to start working to support their families financially, which hampered their education<sup>36</sup>.

Although girls are doing better than the boys in 63 districts in Bangladesh regarding secondary school enrolment<sup>37</sup>, they are facing difficulties receiving education due to poverty, child marriage, and gender-based violence. There is a tendency to prioritise investing in a boy's education. **The lack of safety, hygiene, and sanitation for girls** in educational institutions, contributes to the dropout rates.

Initiatives to bring **systematic changes for quality education** are being taken by the GoB, such as the recently approved national competency-based curriculum framework and the blended education initiative<sup>38</sup>. The government has prioritised vocational and digital education at secondary and higher levels in a mid-term plan that seeks to create jobs and skilled workforce<sup>39</sup>. The government has targeted a 100% literacy rate and vocational upskilling by 2030, including providing non-formal education to nine lakh children aged 8–14 years who did not have access to school<sup>40</sup>.

<sup>32</sup> [Govt increases gender-based budgetary allocation in education sector | News | Bangladesh Sangbad Sangstha \(BSS\)](#)

<sup>33</sup> [Education in budget 2022-23: Small mercies and dashed hopes | undefined](#)

<sup>34</sup> <https://www.prothomalo.com/bangladesh/capital/2ilzrihlm7>

<sup>35</sup> [ICT, Digital Technology to get priority in new-look education system](#)

<sup>36</sup> See more: [Budget for children in last 2yrs: It rose in numbers, fell compared to GDP](#)

<sup>37</sup> [Secondary School Enrolment: Girls ahead of boys in 63 districts](#)

<sup>38</sup> [Changing Course. Transforming Education in Bangladesh on International Day of Education 2022 | UNESCO](#)

<sup>39</sup> [Govt focuses on digital and vocational education to build skilled manpower: Official document | Prothom Alo](#)

<sup>40</sup> [International Literacy Day: Govt now targets 100pc literacy by 2030 | The Daily Star](#)

The **Informal Education Act of 2014**<sup>41</sup> is yet to be implemented.

## 5.2. Recommendations:

- Allocate the budget as per SOP and implement a COVID-19 recovery and remedial plan, including the curriculum and textbook board, National Academy for Primary Education, the National Academy for Educational Management, and the Directorates, in order to mitigate the learning loss during the pandemic.
- Develop and implement a uniform and non-discriminatory curriculum and teaching style in line with human rights principles, and enhance the capacity of SMCs<sup>42</sup>, teachers, to ensure accountability and to ensure quality education for all children.
- Strengthen SRHR and well-being education comprehensively, enabling teachers to provide SRHR education inclusively and effectively.
- Increase investment in ICT in education with a special focus on children from remote areas and marginalised groups i.e. ethnic minority, *dalit*, children with disabilities.
- Implement the Non-Formal Education Act 2014 and “National Skill Development Policy 2011” to promote skill-based education for all.
- Introduce and enact the Primary Education Law immediately with a robust reflection of the National Education Policy 2010<sup>43</sup> to promote and protect the right to education for all children.
- Develop a plan of action to identify and bring back the dropped-out school children due to COVID-19.

## 6. Right to Health<sup>44</sup>

### 6.1. Implementation Status

“The Findings of the Multiple Indicator Cluster Survey (MICS) 2019” conducted by the BBS and UNICEF says, Bangladesh has made significant strides in the areas of water, education, health, child protection, nutrition, sanitation, and hygiene<sup>45</sup>.

The National Adolescent Health Strategy 2017–2030 has been developed using a participatory process, with active participation and contributions from key stakeholder

<sup>41</sup> [https://www.dpp.gov.bd/upload\\_file/gazettes/34476\\_52670.pdf](https://www.dpp.gov.bd/upload_file/gazettes/34476_52670.pdf)

<sup>42</sup> School Management Committee

<sup>43</sup> UPR 3rd year assessment - 2018 - 2021

<sup>44</sup> Recommendation Nos. 147.123(Holy See);147.124(Plurinational State of Bolivia)

<sup>45</sup> <https://www.dhakatribune.com/bangladesh/foreign-affairs/2020/02/24/unicef-bangladesh-sees-sharp-decline-in-child-malnutrition>

groups<sup>46</sup>. But it is to be noted that there lacks effective monitoring at **community-level health service** centres especially in remote areas.

‘Adolescent Health’ (AH) is a key agenda for the government, where a newer approach called Adolescent Friendly Health Services (AFHS) is being implemented all over the country through MoHFW.<sup>47</sup> But there is a lack of awareness regarding **AFHS** among adolescents and parents, furthermore, existing stigma around **SRH** services for unmarried adolescents and as a result, a large fraction of adolescents are not being able to access AFHS .

In Bangladesh, 3.4–22.9% of children suffer from **mental health** issues<sup>48</sup>. The closure of schools across the country due to **COVID-19** for around ten months has kept millions of children confined to their homes and away from their peers, resulting in a lack of outdoor sports opportunities and causing them to feel social isolation, boredom, and stress. All of this may lead to increased levels of anxiety and depression lasting for years.<sup>49</sup> Despite enacting the **Mental Health Act in 2018**, there is **poor implementation** of the Act due to a lack of awareness about the law.

## 6.2. Recommendations

- **Monitor the implementation of the National Adolescent Health Strategy 2017–2030.**
- **Raise awareness among community members, including parents, teachers, SMCs, and religious leaders, regarding the importance of SRHR for children and adolescents.**
- **Promote positive narratives against stigmatisation against SRHR for all children.**
- **Take initiatives and invest more in Adolescent Friendly Health Services to make this system more inclusive and accessible for children from all intersections, especially those with disabilities, intersex, *Dalit*, street children *and* ethnic minority backgrounds.**
- **Ensure the proper implementation of the Mental Health Act, 2018<sup>50</sup>.**

<sup>46</sup> [National-Strategy-for-Adolescent-Health-2017-2030.pdf](#)

<sup>47</sup> [https://adoinfo.dgfp.gov.bd/uploads/policy\\_guideline/1672578072\\_Implementation\\_Research\\_to\\_enhance\\_facility-based\\_gender-responsive\\_adolescent-friendly\\_health\\_services\\_in\\_selected\\_districts\\_of\\_Bangladesh.pdf](https://adoinfo.dgfp.gov.bd/uploads/policy_guideline/1672578072_Implementation_Research_to_enhance_facility-based_gender-responsive_adolescent-friendly_health_services_in_selected_districts_of_Bangladesh.pdf)

<sup>48</sup> [An analysis on the Mental Health Act 2018 | The Daily Star](#)

<sup>49</sup> UPR 3rd year assessment - 2018 - 2021

<sup>50</sup> National Mental Health Strategic Plan 2020-2030

## 7. Child Labour<sup>51</sup>:

### 7.1. Implementation status:

The GoB ratified the ILO's Minimum Age Convention (No. 138)<sup>52</sup>. The MoLE has updated and gazetted the list of hazardous works<sup>53</sup> and included five new sectors including dry fish, street children, Informal Garment sector, Brick production and stone lifting, and waste/ garbage collection. The National Plan of Action on Child labour<sup>54</sup> 2021-2025 has been revised to achieve the SDG 8.7 target by 2025<sup>55</sup>. The government is committed to eliminating all hazardous work by children by 2025 and completely eliminating child labour by 2030. The BBS now initiates a survey on child labour highlighting the baseline SDG achievement and COVID-19 fallout on child workers<sup>56</sup>. The dropout rate and the number of children engaged in work have increased due to COVID-19<sup>57</sup>.

According to National Child Labour Survey, the country has 3.4 million child workers, of whom 1.2 million are involved in hazardous work<sup>58</sup>.

Lack of proper enforcement of child labour related laws and policies is still a big challenge. Lengthy legal processes and low fines are too common under the Labour Law regarding child labour. Inadequate support from employers is a major barrier to ending child labour. Furthermore, there is a lack of segregated data regarding criminal law enforcement against child labour.

The primary obstacle to effectively implementing the Domestic Workers Protection and Welfare Policy is that the government has not adopted the Domestic Workers Protection and Welfare Act.

Due to the lengthy procedure of coordination, it is challenging to coordinate among many departments and to organise regular meetings of the National Child Labour Welfare Council.

### 7.2. Recommendations:

- **Allocate a specific budget provision for eliminating all forms of child labour by 2025.**

<sup>51</sup> Recommendation Nos. 147.150(Chile); 149.13(Spain)

<sup>52</sup> [Child Labour: Bangladesh ratifies the Minimum Age Convention](#)

<sup>53</sup> [Govt to expand list of hazardous child labour](#)

<sup>54</sup> <https://mole.gov.bd/site/page/4215281a-a63a-417b-abdc-c2dfd1df2820/>

<sup>55</sup> <https://www.ilo.org/global/topics/sdg-2030/goal-8/target-8-7/lang--en/index.htm>

<sup>56</sup> [Bangladesh lacks child labour data | undefined](#)

<sup>57</sup> [COVID-19 may push millions more children into child labour - ILO and UNICEF](#)

<sup>58</sup> <https://www.thedailystar.net/news/bangladesh/news/childhood-gone-too-soon-3107326>

- Ensure effective measures are taken by the MoLE on Child labour taking into account the COVID-19 context, and adopt a child-focused response plan during any crises like pandemic.
- Strengthen monitoring of hazardous works for children as per the list and take a multi-sectoral approach to tackle hazardous child labour develop a rehabilitation strategy.
- Enact the Domestic Workers Protection and Welfare Act, and ratify ILO Conventions 189. Amend labour law to include the informal sector to protect 95% of the child labourers engaged in the informal sector. Develop segregated data regarding criminal law enforcement against child labour to create accountability for justice sector actors.
- Strengthen effective collaboration between government and NGOs to avoid overlapping of services to ensure that working children have access to basic services, such as education, health, and recreation, and that they are protected from all forms of abuse and exploitation in schools, at home, and at the workplace.

## 8. Juvenile Justice<sup>59</sup>

### 8.1. Implementation status

Under the Children's Act, development centres were established in Tongi, Jashore, and Gazipur. The total number of seats in the three centres run under the Social Services Department of the MoSW is 600<sup>60</sup>. According to the Department of Social Services, there are 902 residents against 600 seats. The overcrowded child development centres meant to support children in conflict with the law are failing to protect child rights<sup>61</sup>.

The Children Act requires child inmates to be categorised according to age and the nature of offences, but because of inadequate seats, it has not been possible.<sup>62</sup>

These centres are being run with various challenges, including a limited budget, administrative weakness, insufficient manpower, underdeveloped development processes, and rehabilitation activities<sup>63</sup>.

### 8.2. Recommendations:

- Increase the age of criminal responsibility by amending the Children Act.
- Increase the number of child development centres in different divisions.

<sup>59</sup> Recommendation No. 148.21(Austria)

<sup>60</sup> See more [Juvenile justice system in Bangladesh: Law and reality](#)

<sup>61</sup> [Govt must meet standards on child development centres](#)

<sup>62</sup> Ibid

<sup>63</sup> [Child Development Centres Should Rise to the Occasion | Print Version](#)

- Enhance the capacity of the probation officers in line with human rights principles and UNCRC.
- Develop a category of juvenile offenders to create appropriate reintegration plans.

## 9. Climate Justice

### 9.1. Implementation status

Children's Climate Risk Index refers, children in Bangladesh are ranked 15 and classified as being at "extremely high risk"<sup>64</sup>. A study published in 2022 found that air pollution caused by climate change is a significant threat to the health of children in Bangladesh, leading to increased respiratory illnesses and other health problems<sup>65</sup>.

Frequent flooding, river erosion, salinity, and other disasters have short and long-term results that significantly affect children's education, food security, nutrition, health, and overall mental and physical well-being.

### 9.2. Recommendations

- To mitigate climate change impact, develop a Plan of Action by engaging children regarding climate change adaptation, mitigation, and response work to the various climate emergencies.
- Allocate a child-centric climate adaptation budget and make resources available to mitigate the loss caused by climate change.

## 10. Rohingya children

### 10.1. Implementation status

According to UNICEF, by August 2022, more than 130,000 learners were learning per their home country curriculum<sup>66</sup>. As per the '2021 Joint Response Plan: Rohingya Humanitarian Crisis', 515,052 Rohingya children need educational support<sup>67</sup>. A study published in 2020 found that there was a lack of funding and resources to provide access to education for Rohingya children in Bangladesh<sup>68</sup>. As a result, they are being deprived of formal schooling. Three out of every four children living in the camps are out of

<sup>64</sup> [Children in four South Asian countries at 'extremely high risk' of the impacts of the climate crisis - UNICEF](#)

<sup>65</sup> <https://www.thedailystar.net/environment/climate-change/news/air-pollution-posed-significant-threat-children-health-bangladesh-study-2999300>

<sup>66</sup> [Rohingya crisis | UNICEF](#)

<sup>67</sup> <https://www.unicef.org/media/112081/file/2022-HAC-Bangladesh.pdf>

<sup>68</sup> [Full article: Education in emergencies: challenges of providing education for Rohingya children living in refugee camps in Bangladesh](#)

school, and the living conditions in the camps are so grim that there is a major risk of disease outbreaks, including cholera and diphtheria. Girls are exposed to violence and abuse<sup>69</sup>.

A study conducted in 2019 which was published in The Lancet which found that 52% of Rohingya children have emotional disorders<sup>70</sup>. Furthermore, 75% of babies are born in unsafe and unsanitary bamboo shelters, and almost one-third of children under five have had their growth stunted by lack of food<sup>71</sup>.

## 10.2. Recommendations

- **Enhance international diplomatic relations with other state parties to advocate for increasing international funding for Rohingya children in Bangladesh with a focus on education, health, and other basic services to protect Rohingya children from violation of their basic rights.**

## 11. Right to Recreation

### 11.1. Implementation status

The government has adopted the Bangladesh Sports Educational Institutions Act 2020 in order to promote sports among youngsters from different intersections of society, but there is a gap in the implementation of the Act.

The right to recreation is not taken seriously, so there is a lack of dialogue and a proper plan to ensure this right. There is a recent trend of adolescent and child gang culture across Bangladesh, mostly in urban areas. And this sudden spike in children's gang culture in urban areas<sup>72</sup> is contributing to violent criminal activities ranging from petty crimes to murder, stalking to rape, mugging to drug abuse<sup>73</sup>.

### 11.2. Recommendations

- **Take a multi-sectoral approach to ensuring the right to recreation for children.**
- **Introduce edu-entertainment to promote ethics, social cohesion, etc. using innovative and diverse range of mediums and tools, i.e., art, social media.**

<sup>69</sup> <https://www.savethechildren.net/what-we-do/emergencies/rohingya-crisis>

<sup>70</sup> [Health risks of Rohingya children in Bangladesh: 2 years on - The Lancet](#)

<sup>71</sup> [The Rohingya Crisis: Explained | Save the Children](#)

<sup>72</sup> [Juvenile gang culture - Bangladesh Post](#)

<sup>73</sup> <https://www.thedailystar.net/frontpage/news/teen-gang-culture-too-dangerous-be-ignored-1994957>

- **Implement the Bangladesh Sports Educational Institutions Act 2020 to promote and engage youths in sports.**

## 12. Ratification of the Treaties regarding Child Rights<sup>74</sup>

### 12.1. Implementation status

Although the government supported the recommendation for ratification of OP3<sup>75</sup>, there is no concrete step to fulfill the commitment. The government continues to uphold reservations regarding articles 14<sup>76</sup> and 21<sup>77</sup> of the UNCRC, notwithstanding numerous recommendations from the UNCRC committee.

### 12.2. Recommendations

- **Sign and ratify Optional Protocol 3 before the next cycle report.**
- **Make a specific and time-bound commitment to withdraw its reservations about the two articles: Articles Nos. 14 and 21 of the UNCRC<sup>78</sup>.**

<sup>74</sup> Recommendation No. 148.2(Madagascar)

<sup>75</sup> Optional Protocol 3

<sup>76</sup> deals with the right of the child to freedom of thought, conscience, and religion.

<sup>77</sup> deals with the adoption of a child.

<sup>78</sup> [Convention on the Rights of the Child | OHCHR](#)