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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Bangladesh

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	11 June 1979 a	No	Individual complaints (art. 14): No
ICESCR	5 October 1998 a	Yes (Arts. 1,2,3,7,8,10,13)	-
ICCPR	6 September 2000 a	Yes (Art 10, para 3)	Inter-State complaints (art. 41): No
CEDAW	6 November 1984 a	Yes (Art 2 and 16 (1),(c))	-
OP-CEDAW	6 September 2000		Inquiry procedure (arts. 8 and 9): No
CAT	5 October 1998 a	Yes (Art 14, para.1)	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): Yes
CRC	3 Aug. 1990	Yes (Arts.14 (1) and 21)	-
OP-CRC-AC	6 September 2000	Binding declaration under article 3: 16/17 years	-
OP-CRC-SC	6 September 2000	No	-

Core treaties to which Bangladesh is not a party: ICCPR-OP 1, ICCPR-OP 2, OP-CAT, ICRMW (signature only, 1998), CPD [signature only, 2007], CPD-OP and CED.

<i>Other main relevant international instruments³</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	No, signature only
Palermo Protocol ⁴	No
Refugees and stateless persons ⁵	No
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶	Yes, except AP III
ILO fundamental conventions ⁷	Yes, except ILO C. 138
UNESCO Convention against Discrimination in Education	No

1. Bangladesh was urged by the Committee on the Elimination of Discrimination against Women (CEDAW) in 2004 to expedite the decision on the withdrawal of the reservations to articles 2 and 16 (1)(c) of the Convention within a concrete time frame.⁸ The Committee on the Rights of the Child (CRC) in 2003 reiterated its previous recommendation that Bangladesh withdraw its reservations to articles 14, para. 1 and 21 of the Convention.⁹

2. CEDAW regretted that Bangladesh opted out of the inquiry procedure contained in arts. 8 and 9 of OP-CEDAW¹⁰ and encouraged the State to withdraw its declaration in that regard.¹¹ Additionally, Bangladesh was invited to consider ratifying ICRMW;¹² making the optional declaration provided for in art. 14 of ICERD;¹³ acceding to the 1951 Convention relating to the status of refugees and its 1967 Protocol;¹⁴ ratifying and implementing ILO Convention No. 138 concerning the Minimum Age for Admission to Employment;¹⁵ and to consider becoming a party to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.¹⁶

B. Constitutional and legislative framework

3. CRC remained concerned that domestic legislation and customary law were not fully compatible with all the principles and provisions of the Convention and that laws implementing the Convention were frequently not applied, particularly in rural areas.¹⁷ In 2003, the Special

Rapporteur on the right to food was concerned that Bangladesh had still failed to pass enabling legislation that would accord ICESCR the force of law.¹⁸ CEDAW in 2004 raised similar concerns¹⁹ and called upon Bangladesh to incorporate without delay the provisions of the CEDAW Convention into its domestic law.²⁰ UNHCR in 2008 also recommended that Bangladesh take steps towards the drafting and adoption of national refugee legislation.²¹

C. Institutional and human rights infrastructure

4. CRC in 2004 welcomed the information from the delegation concerning the intention to establish a national human rights commission and an ombudsperson and recommended, inter alia, that Bangladesh expedite the process to establish an independent and effective mechanism in accordance with the Paris Principles, including with a mandate to monitor the implementation of the Convention.²² The Special Rapporteur on the right to food in 2003 also called for the establishment of an institution with a strong mandate to monitor and promote the realization of economic, social and cultural rights, including the right to food²³ and the Special Rapporteur on religious intolerance in 2000 called for the establishment of a national commission for human rights with a membership that includes not only women, but also non-Muslims.²⁴

D. Policy measures

5. CRC welcomed the formulation of a revised National Plan of Action for Children, the adoption of the National Policy for Safe Water Supply and Sanitation, and the 2002 National Plan of Action to combat sexual abuse and exploitation, including trafficking.²⁵

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2000	March 2001	-	Twelfth to fourteenth report overdue from 2002 to 2006
CESCR	-	-	-	Initial to Second report overdue from 2000 to 2005
HR Committee	-	-	-	Initial report overdue since 2001
CEDAW	2002	July 2004	-	Combined sixth to eighth report due in 2009
CAT	-	-	-	First to third reports overdue since 1999 to 2007
CRC	2003	October 2003	-	Combined third and fourth reports received in 2007 and scheduled for consideration in 2009
OP-CRC-AC	2004	January 2006	-	Second report overdue 2007
OP-CRC-SC	2005	June 2008	-	Second report due in 2009

6. CRC regretted, inter alia, that some of the recommendations it made have been insufficiently addressed, particularly regarding the withdrawal of the reservations, violence against children, the review of legislation, data collection, birth registration, child labour and the juvenile justice system.²⁶

7. In 2003, the Special Rapporteur on the right to food expressed concern that Bangladesh has not submitted regular reports on the implementation and realization of the rights guaranteed in the ICESCR.²⁷

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Rapporteur on religious intolerance, visit to Bangladesh, 15-24 May 2000; ²⁸ Special Rapporteur on violence against women, mission to Bangladesh, Nepal and India, 28 October-15 November 2000; ²⁹ Special Rapporteur on the right to food, mission to Bangladesh, 23 October-4 November 2002. ³⁰
<i>Visits agreed upon in principle</i>	Special Rapporteur on Freedom of Religion
<i>Visits requested and not yet agreed upon</i>	Special Rapporteur on adequate housing, requested in 2005; Independent Expert on minority issues, requested in 2006; Special Rapporteur on Summary Executions, requested in 2006; Special Rapporteur on independence of judges and lawyers, requested in 2007; Special Rapporteur on contemporary forms of slavery, requested in 2008.
<i>Responses to letters of allegations and urgent appeals</i>	A total of 72 communications were sent during the period under review. In addition to communications sent for particular groups, 187 individuals, including 20 women, were covered by these communications. During the period under review, the Government replied to 61 communications, representing replies to 85 per cent of communications sent.
<i>Responses to questionnaires on thematic issues³¹</i>	Out of 12 questionnaires sent by special procedures mandate holders ³² in the period under review, Bangladesh has responded to none of them within the deadlines.

3. Cooperation with the Office of the High Commissioner for Human Rights

8. In 2004, OHCHR conducted a training course in Asia for trainers of military personnel deployed to peace operations, which was organized with the Bangladesh Institute of Peace Support Operation Training (BIPSOT) in Dhaka, Bangladesh.³³

B. Implementation of international human rights obligations

1. Equality and non discrimination

9. CRC remained deeply concerned about persistent discriminatory attitudes towards girls, which are deeply rooted in traditional stereotypes and limit access to resources and services.³⁴ CEDAW expressed similar concerns regarding the situation of women.³⁵ The Special Rapporteur on the right to food expressed concerns about the linkage between underweight births, the apparent persistence of social discrimination against women and the fact that women eat last and eat least.³⁶ A 2007 UNICEF report noted that social norms often discourage or restrict women's mobility outside of the home and that restrictions on women's movement can compromise children's access to emergency health care by preventing women from travelling independently to shops, pharmacies or hospitals, and limiting women's direct contact with unrelated males, including doctors.³⁷

10. CEDAW was concerned about the unequal status of Bangladeshi women within the family, particularly in matters related to marriage, divorce, custody, alimony and property inheritance. It expressed concern that personal laws, derived from religious precepts which were discriminatory to women, continue to prevail in the country and that no uniform Family Code is in place.³⁸ The Special Rapporteur on religious intolerance also highlighted this concern³⁹ and reported on allegations that the non-recognition of any right of inheritance for women with respect to parental property was discriminatory and encouraged the practice of the dowry;⁴⁰ that

the status of Hindu women seemed to be especially problematical and that Hindu women must be given the legal right to divorce and inheritance.⁴¹ CEDAW also urged Bangladesh to adopt without delay a uniform Family Code that fully complies with the provisions of the Convention and to step up its efforts to provide awareness-raising and training, including on the importance of a uniform Family Code.⁴²

11. CEDAW⁴³ together with CRC⁴⁴ and UNHCR⁴⁵ expressed concern that women were still unable to transmit their nationality to their foreign husbands and children.⁴⁶ CEDAW urged Bangladesh to ensure that a new citizenship law is adopted without delay, in order to eliminate all provisions that discriminate against women.⁴⁷

12. CRC was deeply concerned about the situation of children of the Chittagong Hill Tracts, and other religious, national and ethnic minorities, tribal groups or similar marginalized groups and the lack of respect for their rights, including the rights to food, health care, education, survival and development, and to enjoy their own culture.⁴⁸ These concerns were reiterated by UNICEF in a 2006 report.⁴⁹ A 2007 ILO report also noted that Hindus continued to be treated as unequal citizens and confined to low-skilled jobs.⁵⁰ The Special Rapporteur on religious intolerance recommended, inter alia, that positive-discrimination measures (which are recognized under Article 29 b) of the Constitution) be taken by the Government with regard to the recruitment and promotion of members of minorities and ethnic communities, especially within the police and the army.⁵¹ He also recommended that Bangladesh revise its primary-school textbooks and curricula, in order to ensure that the religious and ethnic diversity of Bangladesh are reflected in such a way that each religion is presented in an objective manner, and in order to promote the values of tolerance and non-discrimination.⁵²

13. Concerning progress towards ending the protracted stateless situation of approximately 300,000 Biharis (Urdu-speaking non-Bengalis)⁵³, UNHCR in 2008 noted that Bangladesh has actively moved to ensure that the Bihari/Urdu-speaking community in the country are able to exercise their rights as Bangladeshi citizens in accordance with the Bangladesh Citizenship (Temporary Provisions) Order of 1972.⁵⁴

14. CRC was concerned about discrimination against, inter alia, children with disabilities, street children, child victims of sexual abuse and exploitation and other vulnerable groups.⁵⁵ CRC recommended that Bangladesh, inter alia, undertake an awareness-raising campaign to sensitize the public to the rights and special needs of children with disabilities and ensure that they are registered at birth.⁵⁶

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

15. In 2006, the Special Rapporteur on extrajudicial, summary or arbitrary executions expressed concern about the trend of criminal suspects being shot and killed in crossfire while in the custody of Bangladeshi security forces, such as the Rapid Action Battalion (RAB), as well as the regular police and its auxiliary Cheetah and Cobra units.⁵⁷ In 2007 he informed the Government that he had received information according to which killings by the RAB continue unabated, including in RAB detention. The victims were allegedly either tortured or extra judicially executed. According to the Special Rapporteur, the frequency of reported RAB abuses is indicative of what seems to be an atmosphere of impunity in which its members are allowed to operate. To date, not a single RAB member is known to have been criminally convicted for having tortured or killed a suspect.⁵⁸

16. Communications transmitted to the Government by Special Procedures mechanisms relating to freedom of expression, concerned, in particular, harassment, attacks, as well as death threats against members of the press by criminal gangs, politicians and the police (e.g. Rapid Action Battalion), among others.⁵⁹ Similarly, attacks, threats and arbitrary arrests of human rights defenders (e.g. campaigners for minority communities, poverty alleviation, and landless people in Bangladesh) have been the subject of communications.⁶⁰

17. CERD was also concerned about reports of human rights violations by security forces present in the Chittagong Hill Tracts affecting the tribal population, including reports of arbitrary arrests and detentions, and ill-treatment.⁶¹ The situation of members of indigenous communities in the Chittagong Hill Tracts (e.g. Marma, Mro, Jumma, and Garo communities) has been the subject of numerous communications sent by several Special Procedures mandate holders jointly with the Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people. In particular, allegations have consisted of arrests and attacks against indigenous activists, political leaders, and communities by the security forces or the Joint Forces (e.g. military, the Rapid Action Battalion, the Bangladesh Rifles, the police and intelligence services),⁶² or attacks against these communities by settlers with the acquiescence of security forces.⁶³

18. CEDAW⁶⁴ and CRC⁶⁵ welcomed the 2000 Prevention of Women and Children Repression Act, the 2002 Acid Control Act, and the 2002 Acid Crime Control Act, CEDAW expressed concern that, despite the adoption of these laws, violence against women, including domestic violence, rape, acid throwing, dowry-related violence, fatwa-instigated violence, and sexual harassment in the workplace, continues to exist.⁶⁶ CEDAW urged Bangladesh to accord priority attention to the adoption of a comprehensive approach to address violence against women and girls. It further encouraged Bangladesh to take effective measures to protect women against fatwa-instigated violence.⁶⁷ CRC also expressed its deep concern at the reported inhuman and degrading punishment carried out by order of traditional village councils (“shalishes”) as well as at the increasing incidents of acid attacks on women and girls.⁶⁸ Similar concerns were also highlighted by the Special Rapporteur on violence against women.⁶⁹

19. CRC expressed concern at reports of ill-treatment and violence against children in State institutions, including by law enforcement agents, as well as at the solitary confinement of juvenile and child prisoners;⁷⁰ and reported violence against children living or working on the streets, including sexual abuse and physical brutality, directed at these children by police officers.⁷¹ CRC expressed its profound concern at the prevalence of corporal punishment in schools, and at the fact that corporal punishment was still legal and widely practised within the legal system, in educational and other institutions and in the family.⁷²

20. CRC was also concerned at the high incidence of abuse, including sexual abuse and at the lack of effective measures to combat this phenomenon.⁷³ Despite measures taken to prevent trafficking in women and children, CRC in 2007 and CEDAW in 2004 raised concerns about the serious problem of commercial sexual exploitation of women and children. An ILO Committee of Experts in 2008 encouraged the Government to redouble its efforts to eliminate the trafficking of children under 18 years for labour and sexual exploitation.⁷⁴

21. CRC in 2003 also remained deeply concerned at the high prevalence of child labour in Bangladesh.⁷⁵

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

22. The Special Representative of the Secretary-General on human rights defenders and Special Rapporteur on the independence of judges and lawyers expressed concern at threats and attacks against the judiciary across the country.⁷⁶ It was reported that the judiciary was targeted in order to force them to conduct court proceedings according to Islamic Laws. Concern was expressed about the safety of judges and lawyers in Bangladesh and their freedom to carry out their legal work without pressures, threats or interferences.⁷⁷

23. The Special Rapporteur on the right to food in 2003 reported that poor governance and mismanagement was also an obstacle to the realization of the right to food. It was widely alleged in Bangladesh, and by different international non-governmental organizations, that corruption was widespread in some institutions and authorities.⁷⁸ The Special Rapporteur made recommendations with a view to improving accountability and stated that efforts must be made to reduce impunity for human rights violations.⁷⁹

24. In 2003, CRC, while acknowledging the efforts made to improve the juvenile justice system, was concerned at: the sentencing to life imprisonment of children from the age of 7 years and to the death penalty of children from the age of 16 years; the absence of juvenile courts and judges in some parts of Bangladesh; the extensive discretionary powers of the police, reportedly resulting in incarceration of street children and child prostitutes; the use of caning and whipping as a sentence for juvenile offenders; the failure to ensure full respect for the right to a fair trial, including legal assistance for alleged offenders and the very long periods of pre-trial detention; and the detention of children with adults and in very poor conditions.⁸⁰

4. Right to privacy, marriage and family life

25. CRC recommended that Bangladesh urgently take measures to increase alternative care opportunities for children and take effective measures to prevent abandonment of children.⁸¹

26. A 2007 UNFPA report noted that the median age for women to marry is 15, and it is lower in poor rural areas.⁸² In 2000, the Special Rapporteur on religious intolerance in 2000 provided information on the alleged harmful effects of the non-registration of marriages⁸³ and called for efforts to be made, especially in rural areas, in order to combat religious traditions or traditions attributed to religion, which perpetuate, among other practices, the illegal practice of forcing minors into marriage.⁸⁴ CRC in 2003⁸⁵ and CEDAW in 2004⁸⁶ also expressed concern about the existence of harmful traditional practices, such as child marriages, with CRC recommending in 2007 that Bangladesh intensify its efforts to protect children from early and forced marriages.⁸⁷ CRC in 2007 also expressed its concern about the falsification of identity documents in order to “legalize” early marriages or involve children in prostitution,⁸⁸ and recommended, inter alia, that Bangladesh accelerate the implementation of the Births and Deaths Registration Act of 2004.⁸⁹ A 2008 UNICEF report noted that birth registration rates are very low due to the absence of effective and functioning birth registration systems, and that only 10 per cent of births are registered.⁹⁰

27. A 2004 UNDP report noted that men who have sex with men and hijras reported being severely discriminated against because of their sexual orientation.⁹¹

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

28. The Special Rapporteur on religious intolerance in his report following his visit to Bangladesh in 2000 reported, *inter alia*, that the State appeared to be powerless, or at least weakened, in its efforts to combat religious extremism, to the detriment of Muslims, minorities, and women. Thus, a climate of insecurity affected the Ahmadis, religious minorities, and women of all faiths, due to sporadic, but traumatic attacks against Ahmadi and non-Muslim institutions (particularly places of worship); the stealing of land (especially Hindu land), or attempts to appropriate assets illegally; threats against women; or fatwas declared against Muslims. In that regard, the Special Rapporteur, in 2000, paid tribute to the attention brought by the Government to the problem represented by fatwas in the context of its National Action Plan for Women's Advancement, and encouraged the Government to implement its recommendation aimed at combating the practice of the fatwa.⁹²

29. The Special Representative of the Secretary-General on human rights defenders has reported that the legal framework of Bangladesh is very restrictive in terms of the laws and provisions relevant for the work of human rights defenders. In a context of reported deep rooted political polarisation, human rights defenders who are more vocal about human rights abuses are reportedly perceived by the Government as being linked to the opposition and their criticism and their claims are dismissed as such. The Special Representative expressed concern that human rights defenders continue to receive death threats and be at risk of physical attacks, including assassinations and human rights defenders at higher risk of retaliation are those who criticize the authorities and members of the ruling parties for human rights abuses; those who reveal links between politicians, police and criminal armed gangs; those who reveal corruption in the ruling administration and law enforcement personnel; those who work for the enhancement of minorities' rights; and those who criticize human rights abuses by Islamic parties.⁹³

30. A 2008 United Nations Statistics Division source indicated that, in 2004, 45 reserved seats for women were added to the number of seats in Parliament. Parliament was dissolved on 27 October 2006 and women held 52 seats in the outgoing Parliament.⁹⁴ CEDAW in 2004, while welcoming the measures taken to increase the number of women in the National Parliament,⁹⁵ recommended that Bangladesh, *inter alia*, introduce legislation providing for the direct election of women to the National Parliament rather than through selection by members of the Parliament.⁹⁶

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

31. CEDAW expressed concern about the poor working conditions women endure in both the formal and informal sectors of the economy. It was particularly concerned about the persistence of wage disparities between women and men, and about the lack of childcare facilities for working mothers.⁹⁷ An ILO Committee of Experts in 2007 asked the Government to provide information on any measures to address wage inequalities with a view to implementing the National Strategy for Accelerated Poverty Reduction.⁹⁸ CEDAW also recommended that Bangladesh ensure that maternity leave is available in all public and private employment, especially through the enactment of a law, and expand the number of crèches available for working mothers.⁹⁹

32. While welcoming the lifting of the ban on overseas employment of women domestic workers, CEDAW was concerned about the vulnerability of Bangladeshi women migrant workers whose rights were not adequately protected.¹⁰⁰ It recommended the

adoption of a comprehensive gender-sensitive migration policy and the conclusion of bilateral and multilateral agreements with destination countries. It urged Bangladesh to ensure that potential women migrants are fully aware of their rights, as well as of the potential risks of such employment.¹⁰¹

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

33. The Special Rapporteur on the right to food was concerned by signs of *regression* in the realization of the right to food¹⁰² and that food insecurity remains a reality for millions of Bangladesh's extremely poor, including farmers and landless labourers.¹⁰³ The Special Rapporteur recommended, inter alia, that existing legislation on land issues should be reviewed, revised and harmonized in order to improve protection of the land rights of the poorest, minorities and women, including improving access to *khas* (fallow Government-owned) land and challenging the illegal acquisition of land by powerful people. The review should include the Land Reform Act as it relates to sharecropping and leasing practices, with a view to improving the situation of tenant farmers. The land registration and recording system should also be made more reliable, transparent and accountable, and brought under the responsibility of the Land Ministry. A separate land tribunal or land court could be established to improve the settlement of disputes over land.¹⁰⁴

34. A 2007 UNDP report noted that the islands and other low lying delta lands—known as chars—are home to over 2.5 million highly vulnerable people living under risk of frequent flooding and over 80 percent, of whom, live in extreme poverty and indicators for nutrition, child mortality and public health are among the worst in the country.¹⁰⁵

35. Despite the measures taken, CRC,¹⁰⁶ CEDAW¹⁰⁷ and the Special Rapporteur on the right to food were concerned about the problem of arsenic contamination of groundwater used for drinking water and irrigation. CRC urged Bangladesh: to continue and strengthen its efforts to reduce contamination and pollution of air and water as well as improve sanitation facilities, including by strengthening the implementation of the National Policy for Safe Water Supply and Sanitation; and to intensify awareness-raising campaigns and educational programmes in this regard.¹⁰⁸

36. The Special Rapporteur on the right to food raised concerns about gender disparity in nutrition and high maternal malnutrition particularly in rural areas and recommended that patterns of discrimination whereby women eat last should be challenged, particularly where this implies that they also eat least, and further stated that this should be understood as a form of violence against women.¹⁰⁹ In a 2008 report published by the World Bank it was stated that maternal health is a key issue of concern and the biggest obstacle to achieving the Millennium Development Goals.¹¹⁰ The CRC, while noting with appreciation the achievements made, also expressed its concern about related issues and about the lack of infrastructure for access to health facilities, notably in rural areas.¹¹¹ CRC recommended that Bangladesh: facilitate greater access to free primary health services throughout the country as well as prevent and combat malnutrition, paying particular attention to pre- and antenatal care for both children and their mothers;¹¹² strengthen the programme of health education in schools;¹¹³ and undertake appropriate measures to prevent HIV/AIDS.¹¹⁴

8. Right to education and to participate in the cultural life of the community

37. UNESCO,¹¹⁵ UNDP,¹¹⁶ CEDAW¹¹⁷ and CRC welcomed the progress made in the field of education, particularly for girls. However, CRC was concerned that free compulsory

education ends after grade 5, and that the school dropout rate was high. Other concerns included reports of abuse and sexual molestation, especially of girls, inaccessibility to schools, inadequate sanitation and the misuse of allocated resources.¹¹⁸ A 2007 World Bank report also noted that in rural Bangladesh, late school entry and grade repetition in primary school reduce the chances of going to secondary school and completing it.¹¹⁹

38. In 2004, CRC expressed concern about the narrow content of the education in the madrasas,¹²⁰ and in 2006, CRC also expressed concern about the possible military training that children in unregistered “madrassas”, also known as “qaumi madrassas”, undergo from a very young age.¹²¹ CRC recommended, inter alia, that Bangladesh continue to streamline the education in the madrasas in order to ensure more compatibility with formal public education.¹²² The Special Rapporteur on religious intolerance also recommended that the State take the necessary measures to protect the mosques and madrasahs from all efforts at indoctrination on the part of extremists.¹²³

9. Minorities and indigenous peoples

39. In 2001, CERD was concerned about the slow progress in implementing the Chittagong Hill Tracts Peace Accord and urged Bangladesh to intensify its efforts in this regard.¹²⁴ The Special Rapporteur on religious intolerance in 2000 also stated that 1997 Peace Accord is fundamental for the survival of the ethnic communities of the Chittagong Hill Tracts and the preservation of their ethnic, religious, and cultural identity.¹²⁵ In 2008, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people sent a joint communication calling the attention of the Government to the alleged illegal seizure of the traditional lands of indigenous communities in the Chittagong Hill Tracts. Concern was expressed that these cases may be part of a systematic campaign to support the settlement of non-indigenous families in the Chittagong Hill Tracts, with the active support of the security forces, with an ultimate view to displace the indigenous community.¹²⁶

40. In 2000 the Special Rapporteur on religious intolerance received information about the alleged appropriation of property under Vested Property Act¹²⁷ and stated, inter alia, that the Hindu community and the Hurukh/Oroan tribes (who are the main victims of this law) have their right to property be fully restored to them, notably through the return of stolen property and through compensation.¹²⁸

10. Migrants, refugees and asylum-seekers

41. CRC¹²⁹ and CERD¹³⁰ together with UNHCR expressed particular concern about the situation of refugees, particularly 28,000 stateless refugees – residents of the Northern Rakhine State of Myanmar of Muslim faith commonly referred to as the Rohingya.¹³¹ A 2007 UNHCR report noted that the Government of Bangladesh remained adamant that the only durable solution available for the 28,000 refugees from Myanmar living in two camps in Bangladesh was voluntary return to Myanmar.¹³² UNHCR mentioned that, in addition, the Government estimates that around 100,000 Rohingya are residing in Bangladesh but they are not recognized as refugees.¹³³

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

42. The Special Rapporteur on the right to food in his report found that Bangladesh has made important advances in the progressive realization of the right to food and that the country has managed to overcome the threat of famine that haunted its past.¹³⁴

43. The Special Rapporteur on the right to food noted that non-governmental organizations were major actors in national development, including BRAC, Proshika and the Grameen Bank, and that many of the large NGOs have activities based on microcredit.¹³⁵ United Nations High Commissioner for Human Rights Louise Arbour congratulated the Grameen Bank of Bangladesh and its founder Muhammad Yunus on receiving the 2006 Nobel Peace Prize and welcomed the growing international awareness on the interlinkage between the fight against poverty and respect for fundamental freedoms.¹³⁶

44. CEDAW commended Bangladesh for the achievement of gender parity in school enrolment at the primary and secondary levels, and decreasing girls' dropout rates. CEDAW also appreciated the successful efforts to increase girls' and women's literacy rates.¹³⁷

45. A 2007 UNDP report indicated that Bangladesh has developed an increasingly effective disaster management system, including the development of early warning systems, community-based flood defence and post-flood recovery.¹³⁸

46. CRC recognized that poverty and recurrent natural disasters have impeded the full implementation of the Convention.¹³⁹

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

A. Pledges by the State

47. In 2006, Bangladesh pledged, inter alia, to strengthen its fight against corruption and also against terrorism; to further integrate the promotion and protection of human rights and fundamental freedoms into its national policies, including that on development and poverty eradication, with special efforts on the rights of women, children, minorities and persons with disabilities; to continue to work towards further strengthening and consolidating the institutional structures that promote good governance, democracy, human rights and rule of law.¹⁴⁰

B. Specific recommendations for follow-up

48. The Special Rapporteur on religious intolerance following his visit to Bangladesh recommended,¹⁴¹ inter alia, protecting religion from all forms of political exploitation, including by extremists¹⁴² and guaranteeing the security of minorities and ethnic communities.¹⁴³

49. The Special Rapporteur on the right to food following his mission recommended, inter alia, that Bangladesh: (a) increase the focus on access to food by the poorest and to address problems of structural hunger; (b) always maintain an emergency reserve of food stocks or cash in order to provide an immediate response to the frequent disasters; and (c) take urgent action to address the arsenic problem.¹⁴⁴

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

50. CRC recommended that Bangladesh seek technical assistance, from, among others, UNICEF and relevant NGOs in regard to birth registration.¹⁴⁵ UNHCR reported that it is ready to provide technical support in the drafting of national refugee legislation as well as to assist in building required institutional capacity to set up border and refugee status determination procedures.¹⁴⁶

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPD	Convention on the Rights of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Bangladesh before the Human Rights Council, as contained in the note verbale dated 21 March 2006 sent by the Permanent Mission of Bangladesh to the United Nations addressed to the President of the General Assembly pp. 3-4. available at: <http://www.un.org/ga/60/elect/hrc/bangladesh.pdf> (accessed on 20 August 2008).

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

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No.105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁸ Committee on the Elimination of Discrimination against Women, Concluding Comments, (A/59/38 SUPP, para. 236). See also report of the Special Rapporteur on the right to food, mission to Bangladesh, 23 October-4 November 2002 (E/CN.4/2004/10/Add.1, para. 18); and United Nations MDG report, Bangladesh Progress Report, February, 2005, p. 25, available at: http://www.undg.org/archive_docs/5580-Bangladesh_MDG_Report.pdf, (accessed on 20 August 2008).

⁹ Committee on the Rights of the Child, Concluding Observations, (CRC/C/15/Add.221, para.11).

¹⁰ A/59/38, para. 231.

¹¹ A/59/38, para. 263.

¹² A/59/38, para. 266.

¹³ Committee on the Elimination of Racial Discrimination, Concluding Observations, (CERD/C/304/Add.118, para 17).

¹⁴ CRC/C/15/Add.221, para 68 and UNHCR submission to the UPR on Bangladesh, p. 3, available at: <http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).

¹⁵ CRC/C/15/Add.221, para 70.

¹⁶ CRC/C/15/Add.221, para 48.

¹⁷ CRC/C/15/Add.221, para.12.

¹⁸ E/CN.4/2004/10/Add.1, para. 18

¹⁹ A/59/38, para. 239.

²⁰ A/59/38, para. 240.

²¹ UNHCR submission to the UPR on Bangladesh, p. 3, available at:

<http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).

²² CRC/C/15/Add.221, para 17.

²³ E/CN.4/2004/10/Add.1, para. 54, part (i).

²⁴ A/55/280/Add.2, para. 110.

²⁵ CRC/C/15/Add.221, para 3.

²⁶ CRC/C/15/Add.221, para 8.

²⁷ E/CN.4/2004/10/Add.1, para. 18

²⁸ A/55/280/Add.2.

²⁹ E/CN.4/2001/73/Add.2.

³⁰ E/CN.4/2004/10/Add.1.

³¹ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate holder.

³² See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working

Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004; (k) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (l) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices.

³³ OHCHR Annual Report 2004, P.184.

³⁴ CRC/C/15/Add.221, para 28.

³⁵ A/59/38, para. 245.

³⁶ E/CN.4/2004/10/Add.1, para. 39.

³⁷ UNICEF, *The State of World's Children 2007*, New York, 2006, p. 27, available at: http://www.unicef.org/publications/files/The_State_of_the_Worlds_Children_2007_e.pdf (accessed on 17 September 2008).

³⁸ A/59/38, , para. 247.

³⁹ A/55/280/Add.2, para. 90

⁴⁰ A/55/280/Add.2, para. 80

⁴¹ A/55/280/Add.2, para. 90

⁴² A/59/38, para. 248.

⁴³ A/59/38, para. 250.

⁴⁴ CRC/C/15/Add.221, para 39 and CRC/C/OPSC/BGD/CO/1, paras. 22-23.

⁴⁵ UNHCR submission to the UPR on Bangladesh, p. 2, available at: <http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).

⁴⁶ A/59/38, para. 249.

⁴⁷ A/59/38, para. 250.

⁴⁸ CRC/C/15/Add.221, para 79.

⁴⁹ UNICEF, *The State of the World's Children 2006*, New York, 2005, p. 25, available at: http://www.unicef.org/sowc06/pdfs/sowc06_fullreport.pdf (accessed on 17 September 2008).

⁵⁰ ILO, *Equality at Work: Tackling the Challenges*, Geneva, 2007, p. 34, available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---webdev/documents/publication/wcms_082607.pdf (accessed on 19 September 2008).

⁵¹ A/55/280/Add.2, para. 108.

⁵² A/55/280/Add.2, para. 105.

⁵³ UNHCR, *Global Report 2006*, Geneva, 2007, p. 35, available at: <http://www.unhcr.org/gr06/index.html> (accessed on 18 September 2008).

⁵⁴ UNHCR submission to the UPR on Bangladesh, p. 2, available at: <http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).

⁵⁵ CRC/C/15/Add.221, para 28.

⁵⁶ CRC/C/15/Add.221, para 56. See also CRC/C/15/Add.221, para 55.

⁵⁷ For example, A/HRC/4/20/Add.1, pp. 38-49.

⁵⁸ For example, A/HRC/8/3/Add.1, page 51.

⁵⁹ For example, E/CN.4/2005/64/Add.1, para. 83; E/CN.4/2006/55/Add.1, paras. 45, 47, 50, 51, 53, 55, 57, 58, 60, 62, and 63; A/HRC/4/27/Add.1, para. 51, 52, and 53; A/HRC/7/14/Add.1, para. 43, 45, and 46.

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- ⁶⁰ For example, E/CN.4/2006/95/Add.1, para. 31, and 32; and A/HRC/7/28/Add.1, paras. 70, 80, 97, 110, 116 and 123.
- ⁶¹ CERD/C/304/Add.118, para 9.
- ⁶² For example, A/HRC/6/15/Add.1, para. 25, 33, 45, and 57.
- ⁶³ For example, A/HRC/4/32/Add.1, para. 12.
- ⁶⁴ A/59/38, para. 241.
- ⁶⁵ CRC/C/15/Add.221, para 3.
- ⁶⁶ A/59/38, para. 241.
- ⁶⁷ A/59/38, para. 242.
- ⁶⁸ CRC/C/15/Add.221, para 41.
- ⁶⁹ E/CN.4/2003/75/Add.1, paras. 926-930.
- ⁷⁰ CRC/C/15/Add.221, para. 41.
- ⁷¹ CRC/C/15/Add.221, para 75.
- ⁷² CRC/C/15/Add.221, para 43.
- ⁷³ CRC/C/15/Add.221, para 49.
- ⁷⁴ ILO Committee of Experts on the Application of Convention and Recommendations, 2008, Geneva, Doc. No. 062008BGD182, para. 5 and 7.
- ⁷⁵ CRC/C/15/Add.221, para 69.
- ⁷⁶ For example, E/CN.4/2006/95/Add.1, para. 34.
- ⁷⁷ See also A/HRC/4/37/Add.1, para. 46.
- ⁷⁸ E/CN.4/2004/10/Add.1, para. 49..
- ⁷⁹ E/CN.4/2004/10/Add.1, para. 54 (h).
- ⁸⁰ CRC/C/15/Add.221, para 77.
- ⁸¹ CRC/C/15/Add.221, para 46.
- ⁸² UNFPA, The State of World Population 2007, New York, 2007, p. 31, available at: http://www.unfpa.org/swp/2007/presskit/pdf/sowp2007_eng.pdf (accessed on 19 September 2008).
- ⁸³ A/55/280/Add.2, para. 76.
- ⁸⁴ A/55/280/Add.2, para. 90.
- ⁸⁵ CRC/C/15/Add.221, para 61.
- ⁸⁶ A/59/38, para. 257.
- ⁸⁷ CRC/C/OPSC/BGD/CO/1, para. 25.
- ⁸⁸ CRC/C/OPSC/BGD/CO/1, para. 24.
- ⁸⁹ CRC/C/OPSC/BGD/CO/1, para. 23
- ⁹⁰ UNICEF, The State of the World's Children 2008, New York, 2007, p. 23, available at: http://www.unicef.org/publications/files/The_State_of_the_Worlds_Children_2008.pdf (accessed on 17 September 2008).
- ⁹¹ UNDP, Law, Ethics and HIV/AIDS in South Asia, p. 25, available at: <http://www.undp.org/hiv/docs/alldocs/Asia%20-%20Law,%20Ethics%20and%20HIV-AIDS%20-%20Study%20of%20the%20Legal,%20Social%20Environment%20of%20Epidemic%20in%20Bangladesh,%20India,%20Nepal%20and%20Sri%20Lanka.pdf> (accessed on 8 September 2008).
- ⁹² A/55/280/Add.2, para. 97.
- ⁹³ E/CN.4/2006/95/Add.5, paras. 168-184.

⁹⁴ United Nations Statistics Division coordinated data and analyses, available at: <http://mdgs.un.org/unsd/mdg/Data.aspx> (accessed on 13 August 2008)

⁹⁵ A/59/38, para. 255.

⁹⁶ A/59/38, para. 256.

⁹⁷ A/59/38, para. 253.

⁹⁸ ILO Committee of Experts on the Application of Convention and Recommendations, 2008, Geneva, Doc. No. 092007BGD100, para. 1.

⁹⁹ A/59/38, para. 254.

¹⁰⁰ A/59/38, para. 251.

¹⁰¹ A/59/38, para. 252.

¹⁰² E/CN.4/2004/10/Add.1, para. 39.

¹⁰³ E/CN.4/2004/10/Add.1, Summary, page 2.

¹⁰⁴ E/CN.4/2004/10/Add.1, para. 54 (f).

¹⁰⁵ UNDP, Human Development Report 2007/2008, New York, 2007, p. 177, available at: http://hdr.undp.org/en/media/HDR_20072008_EN_Complete.pdf (accessed on 17 September 2008).

¹⁰⁶ CRC/C/15/Add.221, para 53.

¹⁰⁷ A/59/38, para. 259.

¹⁰⁸ CRC/C/15/Add.221, para 54.

¹⁰⁹ E/CN.4/2004/10/Add.1, paras. 39 and 54 (e).

¹¹⁰ World Bank, Whispers to Voices, March 2008, Foreword, available at: .

¹¹¹ CRC/C/15/Add.221, para 51.

¹¹² CRC/C/15/Add.221, para 52.

¹¹³ CRC/C/15/Add.221, para 60.

¹¹⁴ CRC/C/15/Add.221, para 58.

¹¹⁵ UNESCO, EFA Global Monitoring Report 2007, Paris, 2006, p. 76, available at: http://www.unesco.org/education/GMR/2007/Full_report.pdf (accessed on 17 September 2008).

¹¹⁶ UNDP, Human Development Report 2005, New York, 2005, p. 81, available at: http://hdr.undp.org/en/media/HDR05_complete.pdf (accessed on 17 September 2008).

¹¹⁷ A/59/38, para. 233.

¹¹⁸ CRC/C/15/Add.221, para 63.

¹¹⁹ World Bank, World Development Report 2007, Washington DC, 2006, p. 71, available at: http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2006/09/13/000112742_20060913111024/Rend ered/PDF/359990WDR0complete.pdf (accessed 17 September 2008).

¹²⁰ CRC/C/15/Add.221, para 64.

¹²¹ CRC/C/OPAC/BGD/CO/1, para. 17.

¹²² CRC/C/15/Add.221, para 66.

¹²³ A/55/280/Add.2, para. 104.

¹²⁴ CERD/C/304/Add.118, para 10.

¹²⁵ A/55/280/Add.2, para. 108.

¹²⁶ For example, A/HRC/9/9/Add.1, para. 50.

¹²⁷ A/55/280/Add.2, paras-33.

¹²⁸ A/55/280/Add.2, para. 91.

¹²⁹ CRC/C/15/Add.221, para 67.

¹³⁰ CERD/C/304/Add.118, para 12.

¹³¹ UNHCR submission to the UPR on Bangladesh, p. 1, available at: <http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).

¹³² UNHCR, Global Appeal 2007, Geneva, 2006, p. 226, available at: <http://www.unhcr.org/static/publ/ga2007/ga2007toc.htm> (accessed on 18 September 2008).

¹³³ UNHCR submission to the UPR on Bangladesh, p. 1, available at: <http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).

¹³⁴ E/CN.4/2004/10/Add.1, Summary, page 2.

¹³⁵ E/CN.4/2004/10/Add.1, para. 36

¹³⁶ High Commissioner for Human Rights, Press Release, 13 October 2006.

¹³⁷ A/59/38, para. 233.

¹³⁸ UNDP, Human Development Report 2007/2008, New York, 2007, p. 197, available at: http://hdr.undp.org/en/media/HDR_20072008_EN_Complete.pdf (accessed on 17 September 2008).

¹³⁹ CRC/C/15/Add.221, para 7.

¹⁴⁰ Pledges and commitments undertaken by Bangladesh before the Human Rights Council, as contained in the letter dated March 21, 2006 sent by the Permanent Mission of Bangladesh to the United Nations addressed to the President of the General Assembly, p.6, available at: <http://www.un.org/ga/60/elect/hrc/bangladesh.pdf> (accessed on 20 August 2008).

¹⁴¹ A/55/280/Add.2, paras. 101-112.

¹⁴² A/55/280/Add.2, paras. 101-107.

¹⁴³ A/55/280/Add.2, para. 108.

¹⁴⁴ E/CN.4/2004/10/Add.1, para. 54.

¹⁴⁵ CRC/C/15/Add.221, para 38.

¹⁴⁶ UNHCR submission to the UPR on Bangladesh, p. 3, available at: <http://www.ohchr.org/EN/HRBodies/UPR> (accessed on 08 Sep. 2008).
