

CHILDREN OF THE STATE

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(An alternative report on CRC from Bangladesh-2012)



BANGLADESH SHISHU ADHIKAR FORUM (BSAF)



**CRC Alternative Report:
Bangladesh 2012**

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Abbreviation and Acronym

AAB	: Action Aid BAngladesh
ASD	: Assistance for Slum Dwellers
BBS	: Bangladesh Bureau of Statistics
BDHS	: Bangladesh Demographic and Health Survey
BEHTRUWC	: Basic Education for Hard to Reach Urban Working Children
BGMEA	: Bangladesh Garment Manufacturers and Employers Association
BINP	: Bangladesh Integrated Nutrition Program
BNFE	: Bureau of Non-formal Education
BRA	: Birth Registration Act
BRIS	: Birth Registration Information System
BSA	: Bangladesh Shishu Academy
BSAF	: Bangladesh Shishu Adhikar Forum
BSCIC	: Bangladesh Small and Cottage Industries
BTEB	: Bangladesh Technical Education Board
BTRC	: Bangladesh Telecommunication Regulatory Commission
CBCPC	: Community Based Child protection Committee
CBMCRP	: Capacity Building and Monitoring Child Rights Project
CBR	: Community Based Rehabilitation
CDC	: Child development Center
CEDAW	: Convention on the Elimination of Discrimination Against Women
CFS	: Child Friendly Space
CFW	: Cash for Work
CIDA	: Canadian International Development Agency
CLMIS	: Child Labour Information Management System
CLU	: Child Labour Unit
CNSP	: Children in Need of Special Protection
CODEC	: Community Development Centre
CP	: Child Parliament
CPE	: Compulsory Primary Education
CRC	: Convention on the Rights of the Child
DCRMC	: District Child Rights Monitoring Committee
DF	: Disaster Forum
DG	: Deputy General
DMC	: Department of Mass Communication
DNC	: Department of Narcotics Control

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DNFE	: Directorate of Non-formal Education
DOE	: Department of Education
DPE	: Directorate of Primary Education
DSS	: Department of Social Services
DWA	: Directorate of Women Affairs
EAGP	: Empowerment of Adolescent Girls Project
ECCD	: Early Childhood Care and Development
EERC	: Enabling Environment for Child Rights
ELCD	: Early Learning and Childhood Development
ELDS	: Early Learning and Development Standards
EMOC	: Emergency Obstetric Care
EPI	: Expanded Program on Immunization
ESP	: Essential Service Package
EU	: European Union
FFE	: Food for Education
FFW	: Food for Work
FPAB	: Family Planning Association of Bangladesh
FSSSP	: Female Secondary School Stipend Programme
GDP	: Gross Domestic Product
GoB	: Government of Bangladesh
HIV	: Human Immune Deficiency Virus
HNPSP	: Health, Nutrition and Population Sector Program
HPSP	: Health and Population Sector Program
HSC	: Higher Secondary Certificate
ICIDH	: International Classification for Impairment, Disability and Handicap
ICDDRDB	: International Center for Diarrhoeal Disease Research Bangladesh
IDA	: International Development Association
IEC	: Information, Education and Communication
ILO	: International Labour Organization
IMCI	: Integrated Management of Childhood Illness
IMED	: Implementation, Monitoring and Evaluation Division
INGO	: International Non-government Organization
IPHN	: Institute of Public Health and Nutrition
IPT	: Interactive Popular Theatre
JATI	: Judicial Administration Training Institute
JCF	: Jagorony Chakra Foundation
JCLWG	: Joint Child Labour Working Group
JPUF	: Jatiyo Protibondhi Unnayan Foundation

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MCO	: Mass Communication Officer
MDGs	: Millennium Development Goals
MICS	: Multiple Indicator Cluster Survey
MJF	: Manusher Jonno Foundation
MMR	: Maternal Mortality Rate
MNGO	: Member Non-government Organization
MoE	: Ministry of Education
MoH&FW	: Ministry of Health and Family Welfare
MoHA	: Ministry of Home Affairs
MoHFP	: Ministry of Health and Family Planning
Moi	: Ministry of Information
MoICT	: Ministry of information Communication Technology
MoLE	: Ministry of Labour and Employment
MoLGRD&C	: Ministry of Local Government, Rural Development and Cooperative
MoLJPA	: Ministry of Law, Justice and Parliamentary Affairs
MoPME	: Ministry of Primary and Mass Education
MoSW	: Ministry of Social Welfare
MoWCA	: Ministry of Women and Children Affairs
MoYS	: Ministry of Youth and Sports
MSPVAW	: Multi-sectoral Programme on Violence against Women
NATSPA	: National Anti Trafficking Strategic Plan of Action
NCLEP	: National Child Labour Elimination Policy
NCP	: National Children Policy
NCTF	: National Children Taskforce
NCWCD	: National Council on Women and Children Development
NFE	: Non-formal Education
NFOWD	: National Forum of Organizations Working with the Disabled
NFSL	: National Food Safety Laboratory
NGO	: Non-government Organization
NHRC	: National Human Rights Commission
NID	: National Immunization Days
NIPORT	: National Institute of Population, Research and Training
NNP	: National Nutrition Program
NORAD	: Norwegian Agency for International Development
NPA	: National Plan of Action
NPAN	: National Plan of Action for Nutrition
NSDC	: National Skill Development Council
OCC	: One-stop Crisis Center

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OPAC	: Optional Protocol of the Child in Armed Conflict
PCAR	: Protection of Children at Risk
PEDP	: Primary Education Development Project
PIC	: Project Implementation Committee
PLAGE	: Policy Leadership and Advocacy for Gender Equality
PRSP	: Poverty Reduction Strategy Paper
PSC	: Project Steering Committee
PSST	: Professional Social Service Training
PSTC	: Population Services and Training Centre
PTI	: Primary Teachers Training Institute
PWD	: Person with Disability
RDRS	: Rangpur Dinajpur Rural Services
RMCH	: Rangpur Medical Collage
ROSC	: Reaching out of School Children
RSNC	: Rajshahi Sacetan Nagorik Committee
SAECT	: Sexual Abuse and Exploitation of Children including Trafficking
SHC	: School Health Clinis
SSC	: Secondary School Certificate
SSN	: Social Safety Net
SWA	: Sector Wide Approach
TBP	: Time-Bound Program
TFR	: Total Fertility Rate
TLM	: Total Literacy Movement
ToT	: Training of Trainers
UEO	: Upazilla Education Officer
UN	: United Nations
UNCRC	: United Nations Convention on the Rights of the Child
UNDAF	: United Nations Development Assistance Framework
UNESCO	: United Nations Education Scientific and Cultural Organization
UNFPA	: United Nation Population Fund
UNHCR	: United Nations High Commissioner for Refugees
UNICEF	: United Nations Children Education Fund
UNO	: Upazila Nirbahi Officer
USAID	: United States Assistance for International Development
UU	: Unnayan Udog
VAC	: Violence Against Children
VGD	: Vulnerable Group Development
VGF	: Vulnerable Group Feeding

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VTE : Vocational and Technical Education
WBTI : World Brest Feeding Trends Initiative

Executive Summary

Back ground

The “United Nations Convention on the Rights of the Child”(UNCRC) was unanimously adopted by a resolution passed by the General Assembly of the United Nations on 20 November, 1989. Bangladesh was one of the first 22 nations which rendered its total support on 3 August, 1990. That is, Bangladesh committed itself to implement and preserve children’s rights in the country.

Bangladesh, being a signatory of the CRC and as per commitment, needs to submit a report on status of implementation of the CRC in every five years. On the basis of this report the UN Committee reviews the status and recommends necessary measures which will have to be taken in the next five years to protect children’s rights. Bangladesh sent its first Report to the Committee in 1997. The second Report was sent in 2003 while the 3rd and 4th Reports were together submitted in 2007.

The Committee reviewed thoroughly 3rd and 4th Reports and published its recommendations for Bangladesh in 2007 and these recommendations are commonly known as ‘concluding observations’. In response to these recommendations or concluding observations, Bangladesh prepared the fifth report on progress or status of implementation of the CRC in Bangladesh. The fifth report includes various steps taken by the state to protect the rights of the children as well the steps in the process of implementation.

Bangladesh Shishu Adhikar Forum (BSAF), A networking body of 263 NGOs, involved in protection and promotion of child right issues of the country, conducted an in depth review of the fifth state party report and prepared this ‘Alternative report’ for submission to concerned committee of the United Nations.

Review process

In order to prepare this alternative report a rigorous review process has been conducted, which included desk review of Government’s CRC implementation status, literature on CRC and its optional protocols implementations in Bangladesh, tracking of child right situation from secondary data and relevant information collection from fields (divisional level), stakeholder consultations in eight targeted districts (e.g. Dhaka, Kurigram, Rajshahi, Khulna, Barisal, Rangpur, Sylhet and Chittagong). A total of 240 participants attended the consultations and among them 86 children participated and out of them 43 were girls.

Organization of the report

The reporting, discussion and findings of this alternative report, has been organized under respective themes as mentioned in the CRC sections. For ease of reference a matrix has been attached in the annex, which contains concluding observations and state party response as article by article. This alternative report is not limited to only reviewing the status implementations but also presented a number of critical issues as ‘new phenomena’ and this can be served as pre-cursors for areas of intervention in future.

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Challenges / Limitation of the report

A number of 'actions' by the state party has been reported as "doing", "will do" "in process" in order to implement various recommendations and resolutions taken by the Committee in last five years, which leads towards a bewildering context for reporting.

Findings

A number of steps already have been taken by the State to protect the rights of the children as well the steps in the process of implementation. However, many of the strongly recommended activities which need to be done as a result of the latest review made by the Child Rights Committee have not yet been started. Five years have elapsed in the meantime. State has not yet implemented the measures which were recommended by the Committee. This includes evaluation and research of seven important issues on preservation of child rights, compilation and creation of four policy guidelines, undertaking of four work strategies vis-a-vis to establish three associate organizations to protect and promote child rights.

According to data of "Manusher Jonno Foundation"¹(MJS), in 2012, 1,79,43,559 cases of violation of children's rights were observed. Among these are repression, neglect and accident which caused death to 1,760 persons. 18,035 were injured. These figures were arrived at from news items published in the daily newspapers. Several such cases of abuse of children's rights are not reported or counted.

Year Report 2012 of Bangladesh Bureau of Statistics (BBS) mentioned the total number of children (less than 18 years of age) is 5,95,89,000. Therefore, children comprise 47% of the total population of the country. The rights of this large portion of population cannot be ignored as well as it is critical to evaluate the effectiveness of programme, plan and actions were taken so far for protecting and promoting right of children since signing the CRC.

The state party report reflects a number of measures undertaken by the State have brought positive results in following areas:

- Increase in number of children taking admission in various schools and decrease in the percentage of passing in examinations
- Reduction in the rate of dropout children
- Child marriage is being restricted
- Expression of opinion of children is being recognized
- An oppressed child is getting assistance from the family and also receiving legal assistance
- Child abuse cases are being brought to justice
- Resistance to 'eve-teasing' is on the increase and awareness has increased too
- Physical punishment in the schools is on the decrease.

¹ Manusher Jonno Foundation is a DFID funded non-profit organization working for promotion of the human right in Bangladesh

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In spite of these positive steps taken by the state there are many negative incidents which are deterring the development of the children. At present 'Child Security' is standing on a weak structure. There has been an increase in the rate of repression to children in any form. Kidnapping of children, asking for ransom and killing children if ransom is not paid – is becoming a regular feature. Selling of children is also on increase. Rape of children, killing, murdering children as a result of family problems, physical injury to maid servants in the households, molestation of children in the children homes, etc. These types of incidents are gradually increasing and taking different forms.

Children are not safe in their family environment, educational institutions, and place of work and in the place of work of their parents. Gross violation children's rights like, providing of food, education, health and shelter is seen rampant.

Now children are not asking for a "better future", all they are asking for a "secured present" and even after promising, state is failing to provide this security to the children.

Part I

Programmes Undertaken to Protect Rights of the Children – Implementations and Limitations

As one of the signatories of the United Nation's Convention on the Rights of the Child (UNCRC), Bangladesh is bound to implement its decisions. For the same reason Bangladesh has to submit a Report on implementation of the programmes related to children's right to the UN Child Rights Committee after every 5 years. Bangladesh is also accountable for implementation of the various recommendations and resolutions taken by the Committee. Although state always reflects many achievements but there often remain mismatch between reality and the Report. While reporting, state describes a number of 'actions' as "doing", "will do" "in process" in order to implement various recommendations and resolutions taken by the Committee in last five years, which leads towards a bewildering context for reporting.

After reviewing the entire Report, the UN Committee provides recommendation to Bangladesh state party what Bangladesh should do in the next five years. It is seen that the UN Committee express similar concerns every time and also provides recommendations to overcome the shortcomings.

The concerns and recommendations made by the UN Committee in 2009 after reviewing Bangladesh's 3rd and 4th Reports and the progress achieved have been incorporated in the fifth report submitted by Bangladesh. But this time state has accepted its failure in many cases of implementation of the recommendations and limitations.

The State has taken no step at all to nominate an Ombudsman for the children. Bangladesh continues to debate on the independence of thought, conscience and religion mandate (clause 14(1) and also regarding the mandate on adoption of children (clause 21(1). Allocation of adequate fund and manpower, refugee children and other concerns continues to be at the same level. Similar concerns which were expressed in the Report prepared by Dr. Atiar Rahman², former Senior Research Fellow of Bangladesh Institute of Development Studies and the present Governor of Bangladesh Bank and Rathindra Nath Pal, Executive Director of Unnayan Udyog on the CRC and reality –continues to loom in the same manner.

The fifth Report submitted by state party has stated regarding promulgation of many rules and regulation relevant to National Child Policy, mitigation of child labour, etc. However, there is no real picture as to the implementation process of these rules and regulations.

Many children are still suffering from malnutrition. Illness has become part of their everyday life, cases of child torturing, number of child marriage and child laborers have increased. However, in reality, state does not have concrete figures of actual numbers or statistics. The UN Committee pointed out in 2007 that the report, the state suffers dearth of specific data on the various issues

² Dr. Atiar Rahman², former Senior Research Fellow of Bangladesh Institute of Development Studies and the present Governor of Bangladesh Bank and Rathindra Nath Pal, Executive Director of Unnayan Udyog – A Non-Governmental Organization

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it has reported and the numbers cannot be substantiated by facts and figures. The same scenario continues in the Report presented by Bangladesh to the Committee in 2012.

Investments in child development related programmes are still very inadequate, especially in the fields of health care, education and social security. There is no specific line item in the budget which clearly states the amount of investment for child related projects. There is no accounting as to what is the proportion of the budget of Ministry of Women and Children's Affairs that is allotted for the children and percentage actually spent in this regard.

The Committee continues to express its concern on the issues of lack of playground and related materials, specific time of rest for all children and on the issues of entertainment facilities including holding of cultural programmes, annual picnic, annual sports, etc. They feel that even if there is financial allocation, it is discriminatory, that is, a male child will get more than female children.

Programmes undertaken by Shishu Academy³ are implemented in 64 districts. In the Upazilla, it is present in only 6 Upazillas. So, poor children mostly remain out of the preview of Shishu Academy related functions and activities.

The Committee has stated that children, especially poor and marginal children, do not have equal right in the information technology and means of mass communication. Similar attitude is prevalent in the fields of judicial service and administrative machinery. Girls are not allowed to express their own views.

In the schools and clinics, children are not able to express themselves as there is no system of maintaining confidentiality in running the operations of the office. State has not fixed any minimum age limit, that is, up to what age a child can contribute effectively or work independently. State has not endorsed the ILO mandate on minimum age for service. It has also not signed the Convention on Refugees too. It is to be noted here that as a signatory to the Convention, Bangladesh has not made any commitment. In the recent crisis of Rohingyas with Bangladesh, the state's attitude was derogatory. The Committee has also expressed great concern that female child, retarded children, children residing in slum and villages and minority children are subject to discriminatory attitude of the parents.

Concern has also been raised that number of violence has increased. Number of children residing in welfare centers, orphanage, child care centers and street children is increasing at an alarming rate, etc. The Committee has earlier recommended that a child should not be punished till s/he attains 18 years of age. But in reality, even nine year old children are punishable under the prevalent Bangladeshi law.

It has been observed that there are significant limitations amongst the people in the society whether he is a rich person or a poor person-regarding the rights of a children in the society. There is also no national awareness campaign in this regard. In the workshop held in Barisal, the

³ Shishu Academy – National Academy for Children in Bangladesh for unfolding the inherent talent physical, mental and cultural genius.

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Gov. Mass Communication Officer categorically said that he does not have any document about the Convention on the Rights of the Child , State Party Report or the about the National Plans regarding the future of our children.

The State party has submitted its Report in 2012 claims that it has submitted the fifth report based on various measures taken in order to implement the recommendations made in the Concluding Observation Report of the Child Rights Committee published in 2009. The actual status of implementation can be deciphered from some of programmes mentioned below:

1. General Measures of Implementation

1.1 Legislative measures

The United Nations Child Rights Committee in 2009 has recommended that the 1974 Children's Act need to be amended immediately by incorporating all aspects of a child's rights. It also encouraged the state to monitor and evaluate its impact on the lives of the children. In light of these recommendations, state has reported in 2012 that the final draft of the new Children Act has been made and passed by the Bangladesh Parliament. In fact, the council of Ministers had finally agreed on the draft on February 25, 2013 and accordingly a bill was placed before the parliament. The parliament adopted the bill and thus the children act 2013 was passed. Subsequently it was approved by the Hon'ble President and now the children Act 2013 is in place. Children Act 2013 covers a wide range of areas like a special judicial mechanism, prohibition of joint trial with adults, detention of a child in a safe place, and restrictions on punishment of children, and introduction of alternative care and diversions for the protection of juvenile offenders. After a child is arrested and alleged to have committed a crime or on suspicion, if the crime is of minor in nature, the court may also order the probation officer to resolute it alternatively. The new Act of 2013 contains provisions for diversions also for correction of children in conflict with the law, notwithstanding there is no guideline or rules how the methods would be applied or how alternative interventions would be conducted in the ground.

The age of child has been defined as any person below the age of 18 years in the draft Children Act. The committee has recommended to raises the present age (9 years) of accepting a child to be considered as a "Criminal" to 12 years. No plausible measures have been taken in this regard.

Also flowing the new **National Children Policy (NCP) 2011** is adopted that defined child as any person under the age of 18 years, which is appreciating.

Under the coordination of the Ministry of Labour and Employment (MoLE), the **National Child Labour Elimination Policy (NCLEP) 2010** has been adopted to prevent and eliminate child labour, especially hazardous forms of child labour under the age of 14, but there is no real picture as to the implementation process of these rules and regulations.

A **National Plan of Action (NPA)** has been formulated to implement the National Child labour Elimination Policy 2010. The NPA has focused on nine strategic areas of interventions highlighted in the NCLEP.

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There is a great lacking of implementation any laws and policy for the protection and wellbeing of children. During field level meetings, it is seen that majority of the participants are not aware about contents of a child's rights neither about any actions or programme undertaken by the state. No initiatives by the District Administration to hold any discussion meeting in this regard to familiarize participants about the any Child related Act or policy. Only 1 or 2 participants said that they have heard that the Children Act was being amended but they were not sure about the time period or what the amendments would look like.

1.2 National development strategy and corresponding plans of action for children

Although the state had allocated proper budget for implementation of the 3rd National Plan of Action (NPA) with reviewing and evaluating the progress, there are complaints about the fund allocation and no further steps had been taken in this regard. State strongly reiterates that in all 64 districts some form of action plan is being prepared on the basis of opinion of all children and adults. "will be done", "is being done" – these sort of statements do not provide any specific idea. It has been discovered by talking to various quarters that nobody has any idea what is being incorporated into the national plan of action for children. No one has attended any meeting or workshop in this regard at the district level.

Though there is provision of participation of children in the national plan of action related to implementation of plans, monitoring and evaluation but in reality no children or their representatives were consulted during the preparation phase of the action plan. In some cases there are instances of indirect participation of children in the initial stage of preparation of national plan of action for children. Mostly children are not allowed to express their opinion and decisions are always imposed on them from above.

1.3 Administrative measures, including coordination of implementation

When the UN Child Rights Committee had recommended the necessity of capacity building at national level, division level and district level⁴ of the Ministry of Women and Children's Affairs, the state had accepted those recommendations and had taken immediate decision to implement those recommendations. The state party report enunciated that there is good coordination among various government departments to prepare the National Child Policy for acceptance, implementation of children's rights, observation and preparing documentation or reports. Beside this, the Report concluded that a separate Wing or Directorate cannot be constructed due to lack of fund. Necessary steps have been taken to establish a Directorate or Department which will cater only to the need of female candidates and other infrastructural facilities.

But it was confirmed that none of the participants had known about the decision which was going to be taken regarding the field level and used for training purposes. The field level officials had denied having the knowledge of any such thing going on in their respective Upazilla.

1.4 Budgetary analysis

Beside this, there is no clear-cut allocation of fund in the national budget for children. It is never clear as how much of the budget of Ministry of Women and Children's Affairs is actually being

⁴ Three Administrative Division of Bangladesh

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spent for the welfare of the children. Due to this vagueness of allocation of fund for children welfare, the entire scenario is really hopeless.

The Committee had recommended for allocating adequate resources for children in NPA, PRSP (2008-2011) and on the basis of other national development strategy. The Committee also proposed some yard stick and tracking mechanism so that while preparing the national budget, specific areas may be addressed, for example, provision of allocation of fund for specific children related activities prepare and practice an effective monitoring and evaluation mechanism so that the children do not feel that they are being left out.

1.5 Implementation of essential steps to protect child rights

The Committee had recommended that if there are cases of violation of child rights, those should be immediately investigated and necessary measures should be taken. On the basis of this recommendation, state claimed that they took some urgent measures like increase in manpower to protect child rights and also increase in fund allocation. But in reality it is seen that child rights are always being violated in some form or the other.

1.6 Establishment of independent national child rights institution

On the basis of state Report of 2003 and 2007 submitted by Bangladesh, the Committee had put emphasis on the necessity of appointing an Ombudsman to protect the rights of the children. Accordingly, in the state report of 2012, state has confirmed that the process of recruiting of Ombudsman is on-going and soon an Ombudsman will be appointed for looking after child rights and implementation thereof. Similar statements were written in the two reports prepared by the state during the last 10 years. At least a specific plan should have been incorporated in the latest report of 2012.

1.7 Dissemination of CRC, periodic report and concluding observation

In order to allow every adult person and every child to know all of the provisions of the Convention on the rights of the Child (CRC), the Committee had made certain concrete recommendations, namely-

- A) Translation for non Bengali people:** To translate CRC in non Bengali languages and then arrange for wider circulation of the CRC. State claims that the CRC has been translated in Bangla, Marma, Chakma and Tripura⁵ dialects and distributed among children. But when consulted the ethnic minorities' people told that they have never seen the translated version and they have expressed their doubt and even challenged that no one had ever even seen a translated copy of CRC in their own language.
- B) Lack of necessary measures to dissemination:** To monitor and evaluate the mode of distribution and its impact on the children and also to evaluate the training programmes held for the professional people. State has accepted that no such formal programme was taken by them in this regard.

⁵ Marma, Chakma and Tripura - Three Languages of ethnic groups of people living in Bangladesh

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- C) Cooperation with civil society organizations:** To arrange training programmes for teachers, police, lawyers, judge, health workers, media people, social workers and persons working in various child welfare centres. State claims that many regular meetings, seminars, workshops were held to familiarize and train people of different professions on the rights children, namely, teacher, police, Imam, lawyer, judge, health worker, media worker, social worker, researcher, persons working in various organizations involved in children's welfare, children residing in far flung areas.

But the reality is different. State has not undertaken any specific and regular campaigns for awareness of the rights to the children. Only those who work in child's organizations as a matter of profession are aware about this. Any organized training or workshop or seminar on the strategy adopted by the state should be made available. A Course Completion Report should follow all these training sessions but in reality, nothing was available.

- D) Dissemination by inclusion in the School curriculum:** In response to the recommendation of the committee state party has initiated the process on inclusion of the human rights issues in education curriculums of all classes which deserve appreciation but that is not well thought in all cases . In case of the content included in the syllabus of class v the difference between children's rights and human rights is not clear. Further, in the same curriculum the information has been inserted regarding protection of children from abduction is not only incorrect but also misleading. We know that usually children are kidnapped/ abducted through relative or known persons but in the book it is written otherwise which is misleading. There are many more.

- E) Lack of awareness Campaign:** It is necessary to launch mass awareness campaign by placing more emphasis on the less educated population. But due to absence of such campaign and due to indifferent attitude of the state party on these issues general mass is not becoming aware of the rights of the children.

2. Definition of the Child

2.1 Review of the existing laws and policies in connection with the age of children

According to the "Convention on the Rights of the Child" any person below the age of 18 years has been defined as a child. The Children Act 1974 has been thoroughly reviewed and the new Children Act has been drafted and agreed by Ministers of Government to replace the existing one in order to ensure the rights of the children in alignment with the CRC with special focus on the age of children. The age of child has been defined as any person below the age of 18 years in the draft Children Act. Following the review of the National Children Policy 1994, the new Children Policy 2011 is adopted that defined child as any person under the age of 18 years, which is appreciating.

The committee has recommend that a child to be considered as responsible of crime in 12 years instead of 9 years. No effective measures have been taken in this regard. So there is a gap of policy and implementation.

3. General Principles

3.1 Measures taken to combat gender-based discrimination

The Committee also recommended strongly that in order to ensure proper implementation of the rights of the children, there should be no discrimination between boy and girl children, marginal and dropout children, minority children, refugee children and children belonging to other caste or religion. They should all be treated equally in the family, in the schools and in other places of work. State party must be fully aware of this and take appropriate measures accordingly.

State party had claimed that it has taken several steps in this regard, especially with regard to gender balance. Many believe that discrimination between a boy child and girl child has reduced remarkably.

In many families, inequality prevails among a boy child and a girl. Boys can play in the playground but parents of female children do not permit them because of insecurity. According to some children, a boy child is always given preference over a girl with regard to food, play, study, etc. Everything is always imposed on a girl child. Many parents do not find it necessary for their children (girl) to study and rather opt for child marriage. There is also discrimination in the schools among good student and bad students. Children living in the slums, marginalized and children dropout from the school, minority, and refugee children are facing this discriminatory treatment.

3.2 Rights of children with disabilities and children belonging to minorities

In a case of marginal and dropout children, minority children, refugee children and children belonging to other caste and religion – there is visible discrimination in all aspects of their lives.

Children living in the hills are lacking behind with regard to education, health care facility, etc Due to discriminatory and “not welcoming” tendency, children of ethnic minority groups usually avoid going to doctors in the hospitals rather goes to their “faith healers⁶”. This is mostly seen in hill tracts areas.

3.3 Measures taken to ensure the best interest of children

In the Report submitted by the State to the UNCRC, it has been stated that most of the programmes included in the development budget was discussed and approved after consulting with the representatives of the children and keeping in line with the rights of the children. But in reality it is seen that most of the programmes planned for implementation according to the budget is allocated by the state to sectors other than child development. For example, “Health, Population and Family Welfare , “Social Welfare, Women and Youth Development.” That is, the programmes are combined with the child rights and so the real development of children becomes a matter of secondary importance. Although it is claimed that there is allocation of fund in the budget for children but since there is no specific strategy and guidelines as how those targets will be met, the whole thing is unclear.

3.4 Law, Justice and child harassment & Capital punishment

⁶ faith healers – Local healers without professional knowledge of medical science.

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The committee has recommended to raise the present age (9 years) of accepting a child to be considered as responsible of crime to 12 years. No plausible measures have been taken in this regard.

Even without being involved in crimes, many children are being punished. Many children are becoming part of the punishment due to faults of their parents. According to information from Department of Social Welfare, till May 18, 2011, among 57 children in the different jails of the country, 17 were below 16 years of age while 40 were within the range of 16-18 years of age. No special measures are being taken for these children. Due to long term imprisonment or confinement their natural development process is being halted and they are losing mental balance.

For example a mother was arrested for murdering the father. She was sent to jail without granting of bail along with her two children who are 7 years and 5 years old. This incident occurred in Barguna's Amtali village. Two children are in prison even without committing any criminal offence.

In all the prisons of the country many children are facing imprisonment in similar cases. According to information gathered from one of the participants in a review workshop held in Chittagong, in Chittagong jail, 17 children were living till June, 2012.

3.5 Respect to children's voices

The Committee has asked the state party according to article 12, that all measures must be taken in the family, schools, local institutions and in the society so that children can take part in all discussions relevant to their growth and development at all spheres of life, they must be allowed to express their opinion without any fear and intimidation. State party claims that it has undertaken several programmes in this regards at the districts and national level.

It is worthwhile mentioning here that opportunity has increased for the children to express their own opinion but their opinions are not always accepted or evaluated properly. For example, during picnic, in many schools teachers ask opinion from the students as to where they would like to go but in the ultimate analysis, it is the teachers themselves who decide the venue and they arrange the whole function. During sports, teacher's purchases prizes. In many cases, students want to buy trophy as prize but the teachers buys plates, glasses and other items as prizes.

Apart from this, teachers prepare the class routines by themselves without asking opinion from the students. In many school committees, students are not represented.

4. Civil Rights and Freedoms

4.1 Birth registration

Registration of every child born within the jurisdiction has to be made mandatory as per recommendation of the committee. This registration must be made free of cost by the state authority immediately after the birth of a child – be it a single mother's child, if the parents are not known, refugee children etc. Accordingly, the state party has reported in the CRC Report (2012) that the state party has started the project to register every child birth (Birth and Death

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registration). State party claims that 98.91% of the total population of the country has by now registered themselves with the different municipalities of the country.

It is true that people are now more conversant about the registration of the birth and death registration but they do not feel its importance. Many of the participants of the review meeting were not registered. Even knowing every child must be registered within 45 days of birth, but in most cases, it is not followed. Many children know that it is mandatory to register their birth for taking admission in schools, to open a bank account or to get a job but they and their parents are not aware about this.

Though birth registration is to be done free of cost. But it is learnt that a few between taka. 20 and 50 is being charged for birth registration and so the poor people are not registering birth of their children. One UP member admitted that this is happening quite openly, while attending the meeting at Chittagong. Also complaints have been lodged that sometimes child marriages are solemnized by raising the age.

After reviewing the report of 2007, the committee strongly recommended that in order to highlight the importance of birth registration, the state party must aware the parents and the society.

These campaigns must be held all over the country and in the places which are not easily accessible, mobile teams must be sent for birth registration activities. Registration of birth must be made electronically or digitally. There has been lot of progress in this respect and a digital system of birth registration is working all over the country.

However due to ignorance of people regarding the Birth Registration Act, the process of birth registration has also slowed down after the registration campaign was over. In the slums, a few unscrupulous middlemen of the city corporation are filling up forms in English for the dwellers and taking Taka. 300 per person or more. In Barisal, an organization related to protection of children's rights has mentioned charging a fee against birth registration without giving any receipt.

Till now the progress in registering births not being maintained in the marginalized areas. The poor farmers and fishermen living in haor areas of Kishorgonj are still not aware of birth registration. In the haor⁷ areas of Kishorgonj, the registration process has slowed down. 50% children have not been registered even now in these areas. Faulty procedure, lack of transportation and communication, lack of awareness about the importance of birth registration is forcing the pace of birth registration to slow down.

4.2 Right to seek, receive and impart information

State party must ensure the right of children to receive information according to age and maturity, especially those children who are poor, lives in inaccessible areas and in the village. But reality is that children of these areas did not get any information. Most of the children have no any idea about the child rights regarding Shishu Academy, Birth Registration and so on.

⁷ Haor – Small lake

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4.3 Protection of privacy and protection of the image

State party takes immediate measures to protect children from harmful information, materials and commercial mentality which are likely to be disrespectful to children. State party has referred to various laws which are being formulated in this regards. In reality, there is no example of steps actually being taken in this regard. Children are being as models in various advertisements indiscriminately. Also much wrong information is being communicated among children through advertisement. Many cases have been reported where children being allured by advertisement, have taken food mixed with harmful chemicals and fallen sick. Child pornography is increasing in an unabated manner.

Children are falling into traps and being forced to participate in immoral activities. By alluring these soft hearted girls that they will be given chance in films and television programmes, they are being sexually harassed. Also they are forced to pose for obscene videos and then these are made into CDs and sold in video shops. Although there is provision of non-screening of obscene and pornographic materials in website or electronic media under the Information Technology and Communication Act, 2006 (amended in 2009), it is not being implemented properly and victim child get not the protection of privacy and image.

A 15 year old girl committed suicide when her pornography pictures were released on the internet and when two journalists threatened to make a report on her. The incident took place in Bagerhat on May 24, 2012. A few of her class friends took objectionable pictures of the girl and released those in the internet and through blue tooth. The girl stopped going out of her house. Two journalists wanted to go to her house to discuss about the incident and interview her. When her father refused to talk to them, the journalists threatened him that these pictures will be telecast in television as well as published in the newspapers. The girl then took the decision to commit suicide.

4.4 Torture and inhuman treatment, including corporal punishment

State party has taken steps to establish safe schools for children where children will not receive any sort of physical or mental punishment and where they will be treated with dignity and honor. This has been strongly recommended by the committee. Act has been passed to ban all sorts of punishment in the primary and secondary level schools.

Since physical punishment is being considered as a punishable offence, the number of incidents has come down. But now it is taking different forms. Children are being punished in various new ways. Instead of using bamboo sticks, teacher are beating children with hands, they are throwing scale, chinks and dusters at them which are hurting student, teachers are pulling their hair and beating them, makes them put their head under the table, threatens them, shows them that they will be slapped, insults girls in front of boys and boys in front of the girls. They also torture them mentally. Abusing them , making bad postures, speaking abusive things about parents, making them stand on bench, calling junior students to pull the ears of senior students, making children walk around the school with holding the ears, making children kneel down outside the class , etc. These are the various forms of torturing the children in the schools at present. Even in some cases the children are being forced to commit suicide due to torture.

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When out of poverty, one boy started to sell chicken in the market in Mymensing , his head master started calling him “ chicken trader” in the class. For this reason, the boy committed suicide out of shame and insult.

In the family level scenario, parents are not beating children physically, but if they commit the simplest mistake, parents rebuked them and threaten them . If children do not want to study, the boys are threatened to be sent to work outside while girls are threatened that they will be sent to the garments to work or even forced to marry.

The committee also asked state party to ensure that all sorts of reported incidents of punishment must be investigated in a proper manner and the perpetrators must be punished. In this regard, state party has reported that this is being done , but in reality , no one knows what steps have been taken or no one even seen anybody being punished as such.

4.5 Physical and psychological recovery and social reintegration of child victims

State party report stated that, it has been implementing Multi-Sectoral Program to protect children from any violence. But practically there has been an increase in the rate of repression to children in any form and the child victims do not get support for Physical and psychological recovery and social reintegration.

For example, On December 6, 2012 a 14 year old school student was raped in Modhupur in Tangail. Her friend called her saying they would go to a wedding ceremony and then took her to a house. She was raped severally for four days and on December 10 she was left on the railway track by the rapists in an unconscious condition. Though the girl was rescued, she was not accepted by her family members and villagers. However, after 22 days of negligence, finally her treatment started at the One Stop Crisis Centre (OCC) of Dhaka Medical College Hospital.

Girl Children are being subjected to humiliation when they try to report cases of sexual abuse.

5. Family Environment and Alternative Care

5.1 Family environment and parental guidance, Capacity and responsibility of parents

Family has a key responsibility to ensure children’s fundamental rights. Children need support of their family not only for their physical development, but also their socio emotional and cognitive development. Parents provide the most immediate and important environment where children can develop to their full potentials in these domains. However, many parents in Bangladesh do not have the adequate knowledge and capacity to provide appropriate support for the development of their children.

Children are not secured in Family. Information gathered from a voluntary organization involved in children’s rights shows that in Dhaka city, 107 children were subject to repression within the family during the last 5 years. 67 of them were murdered while 40 had committed suicide. There are also some instances where mother or father has committed suicide after killing their own children, in Dhaka and in other places. Lacking of necessary steps proves that Stat party has no anxiety about this crime.

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5.2 Children separated from parents

State party has said that they have imparted some activities for child living in street, cyclone affected child and other child living separated from parents. But in reality, it is seen that the implementation is quite inadequate. State has no any special steps for children in emergency situation

There is dearth of adequate steps by the govt. to protection rights of children living in street as well as their rehabilitation. Even if some sort of training is arranged for them, they are bound to go back to the street as there is no programme for their rehabilitation. Due to lack of responsible and proper steps of the government increase in repression of these children, increase in drug trafficking by using these children is going on at an alarming rate.

For earning livelihood, some parents are working day long even for a month or more by leaving their child with their parents which can disrupt childhood development. There is a lack of taking and implementing adequate policy to improve the situation.

5.3 Children deprived of family environment

The Committee recommended to the state party to establish child care institution in a manner conducive to the children's mental and physical development, improvement in the living condition, improvement in providing health facilities, imparting training to the staff working there, making provision so that children can register their complaints. State party has said that they have imparted a few training in this regards. But unfortunately no improvement can be seen. Rather complaints have been lodged against mismanagement in the child care institution, supply of low quality food, misappropriation of fund, lack of proper machineries and equipment for normal living, misappropriation of grants etc. If the children complaints against such misappropriation and corruption, they are being tortured, expelled and even imprisoned.

According to government statistics, there are 13,104 children who are residing in various children homes after they are somehow detached from their parents for various reasons. It is learnt that instead of behaving nicely to these children, they are being treated in a very repressed manner.

It is worthwhile mentioning here that 14 children were driven away from the Panchagarh Government Orphanage (Children Family) run by Department of Social Welfare. They were punished and driven away by the officials of the organization because they had been protesting against the alleged torturing by the officials, about the low quality of food supplied to them and the inhuman condition of their lodging.

On March 04, 2012, children of Natore Orphanage took to the streets and lay there to protest maltreatment by the officials of the Centre. As a result of this, the concerned officials of the Centre were merely transferred to other place of posting without being punished. The authority instead punished the children as being unruly and indiscipline.

Seven students were arrested and taken to prison and later on expelled on May 7, 2012 when they protested maladministration of the officials in Raigonj Orphanage (Sirajgonj). These students were HSC examinee, SSC examinee and students of Class IX and X. These students were expelled even before submission of the final Report of the Enquiry Committee constituted by the Deputy

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Commissioner. This is a gross violation of human rights. In addition, the Deputy Commissioner himself became the oppressor and acted in a manner which is totally contrary to the principles of natural justice. Bangladesh being a signatory to the universal mandate, his behavior is totally unacceptable, punishable and tantamount to disrespect of law. The regulation no. 13.3 of the Children's Family Implementation Rules is being utterly misused as it states expulsion of children at any time. Expelling these students half-way during their studies is an example of gross violation of children's rights and human rights.

The children of Rajshahi Orphanage became very much agitated on December 28, 2012, against repression which was going on there for the last 5 to 6 months. When the children used to protest supply of stale and low quality food and delay in giving food, they were tortured severely. Being totally fed up, 106 children lit fire to protest and for removal of Asst. Supervisor of the Centre. Children also die in the orphanages due to negligence. A 10 year old child died in Muslim Nagar Govt. Child Care Centre and Orphanage. The child was not treated medically even after one month of suffering from fever. When his condition deteriorated, the authorities took the boy to the hospital but the boy died after he was admitted there. This is an example of gross negligence.

Children of Jessore Child Care Centre were forced to sleep on the bare floors of the Centre. This came in to limelight when representatives from donor agencies visited the Centre and found this anomaly. Another young boy died due to lack of supervision of the concerned authority in another Child Care Centre.

6. Disability, Basic Health and Welfare

6.1 Dignity, self-reliance and active participation of children with disabilities

People have become more accepting and accommodating towards the children with disabilities both within and outside the family but their fundamental human rights are neglected. On the basis of recommendation of the committee, state party claims that it is undertaking and implementing various measures. But in reality, it is seen that the status implementation is quite inadequate. These include protecting the children from physical and mental torture. The process of identifying a child with disability is disgraceful and those involved in the process are not aware of how to identify or categorize a child with disability, they even do not have proper training to identify children with disabilities. There are also various hindrances in health care service provided to the children with disabilities. All children with disabilities were supposed to be listed by the state party and they would be given separate identification card- this is also not known to the normal public – the status of implementation is also not known. In many families, children with disability do not visit the doctors during illness in fear of losing prestige.

Children with disability are going to schools but very few in numbers. Discrimination is continuing to be an important factor. The measures taken by government are very minimal. For example, the only school for children with disabilities in Borguna district has only 10 seats while only 5 students and 1 teacher is running the show.

Although the committee recommended that the state party will provide reliable and correct information regarding how a child has become disabled or additional facts. These have been no constructive answer by the state party.

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It is worthwhile mentioning here that the preparation of the implementation process of children with disabilities Ordinance started in 2009 but till now this has not been promulgated as an Act.

6.2 Child Malnutrition

The state partly has taken various steps to provide nutrition to children and to ensure good health to children and their mother. But proper steps are absent regarding implementation of these steps. For examples for the last few year s, in the Vitamin A Capsule Campaign, low quality capsules produced by little known companies are being given to children. As a result, thousands of children have fallen sick and even some have died. Also state party does not control the advertisements of fast food which easily attracts the children.

According to Nutrition specialist of United Nations Children’s Fund, malnutrition is one of the major reasons for death of 50,000 children annually. A child may die from diarrhoea of pneumonia but the root cause is malnutrition. If proper measures are not taken immediately, about 9,45,425 children are going to die by 2021 due to severe malnutrition.

According to a report of Bangladesh Health Services (2011), 41% children in Bangladesh are less in height than they should normally be; 16% children are dumpy compared to their height and 36% children are underweight compared to their age.

Children are subject to malnutrition due to lack of adequate food and nutrition. Children who suffer from malnutrition are lack of resistance power and easily affected by diarrhoea, weight loss, pneumonia, etc. Again due to early marriage, many mothers give birth to ill-nourished children. A nation must ensure the right of a child to take nutrition and balanced food so that s/he can grow properly but there is hardly any step taken by govt. in this regard.

6.3 Health and health services

Adequate child health care is not available in the district, Upazilla and village level due to lack of physician, medical equipment and medicine. For example, caesarian operation has been discontinued in Gournadi Mother and Child Care Centre as there is no Doctor. So, suffering of the pregnant women is increasing and also children die at child birth.

Although the national Budget emphasizes on increasing expenditure related to child health activities, it is absent in reality because the state is not taking necessary steps. In many health complexes, there is no specialized health care for the children.

For example, there is no separate children ward in any of the Upazilla Health Complexes under Habiganj District. There is also no separate children ward in the Kaptai Upazilla Hospital in Rangamati. There is no special or separate food for children. Also, in some cases sick children are admitted in the hospital but due to lack of enough space, they have to stay either on the hospital floor or passage. Many children die under such unfavorable conditions. Records from Kurigram Sadar Hospital shows, 19 children had died from cold wave in December, 2012 in Kurigram alone. Of these, 17 were new born children.

6.4 Child death due to faulty treatment or due to negligence of the physicians

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Many children die because of unawareness, negligence and irresponsible behavior of a few individuals. No example of taking necessary measures by state against these types of complaint.

In Sobujpara of Rangpur town and Gouripur town a 10 year old child fell in a roadside pond on August 3, 2012. She was rescued immediately and taken to Rangpur Medical College Hospital where the Doctor declared her dead. When she was taken to her house, the body started to move. She was again rushed to the hospital and she finally died within sometime of being treated. It is assumed that the girl had died due to negligence of the attending physician and also due to lack of oxygen.

On August 12, 2012, a 2 day old child was killed when he was being treated by a 'Kabiraj'⁸ as 'being possessed by a witch'. The child died due to exploding of fire crackers in Machhuakanda Mohallah of Gouripur Pourashava in Mymensingh district.

In Kishoreganj a child was killed as injection was pushed in her body by a Sweeper of the Sadar Hospital on January 25, 2013. The child died due to side effects while the injection was being pushed into her body.

6.5 Mental and reproductive health

The Committee has recommended that research works must be undertaken and policy guidelines must be formulated to solve any type of mental and reproductive health related problems and to take plausible measures to enforce health related rights of children and women. State party has no comments on this.

There has been recommendation to establish children friendly environment to discuss confidential problems of children in the schools and the clinics but there has not been significant improvement in this regard. In the old 19 districts there is record of presence of School Health Clinics but nobody knows their location or about their functions.

In Rangpur School Health Clinics, 4 Doctors are in the official pay roll but the School Health Clinic is totally non-functional. It is learnt that these Doctors have been shown in records just to confirm that they are posted in town. This is the same story in Rajshahi, Khulna, Chittagong and Barisal.

The Committee has also recommended for construction and provision of separate and healthy toilets for girls and boys in the schools. As a response, state party claims that this is being ensured in all newly constructed schools. Due to mismanagement, most of the toilets in the schools are dirty and not useable.

Although there are separate toilets for boys and girls(students) but those are dirty and unfit for use. Students cannot use the toilets properly. There is risk of infection from these unhealthy toilets. Also number of toilets is not proportionate to the number of children studying in a school. In some schools, there is no separate toilet for the students.

⁸ Kabiraj – local healer treat with herbal medicine

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For example, in a school run by “Child Rights Focused” organization there is only one toilet for 16 teachers and only one toilet for 650 students. In some schools, there is no toilet at all. According to statistics provided by Tahirpur Upazilla Education Office in Sunamganj, there are 130 primary schools located in 249 villages of 7 unions. 60 schools do not have any tube well and 50 schools do not have any toilet.

State party has failed to take proper steps in this regard.

6.6 Child Marriage

The state party claims that it has taken various measures to stop child marriage and marriage by force. The Committee has recommended that both these problems must be strongly looked into by the state party so that the local elites, family and general people become aware of such issues.

The number of child marriage has reduced but not as expected. Even now many child marriages are being held. In some cases, child marriages are being stopped by local administration or local people, but still then child marriages are being solemnized between the families secretly.

According to a report published by the UNICEF, 66% girls and 5% boys are being given in marriage before attaining 18 years of age. The main reasons are poverty, insecurity of children, ignorance of the guardians, lack of awareness, pressure from the society, and negative attitude towards girl child. These are forcing many child marriages to take place and most of these cases occur in the villages and in the slums in the cities.

In most cases, the main reason has been insecurity of girl child. Due to this insecurity, parents are finding no other alternative than to go for child marriage or giving their daughter in marriage forcibly. But it is necessary to look at the cause of rise of number of child marriages from other perspectives as well so that this vice can be restricted from spreading further.

7 Education, Leisure and Cultural Activities

7.1 Education, including vocational training and dropout from School

The State party has taken many steps and these are having positive results. Number of students taking admission in schools has increased and the dropout rate has been reduced too.

However many students are not completing their schooling. According to data received from Directorate of Primary Education that in the Annual Examination of Primary Education and Ibtedai⁹ Examination held in November, 2011, 1,75,029 students did not appear at the examinations which was more than the number of absentee students during the previous two years. The students who enrolled in the schools in 2008 took the examinations in 2012. 42,00,000 students took admission in Class-I in 2008 while only 26,41,903 appeared at the Annual examinations. That is, the rate of dropout children had been 16 lac in 5 years.

Various reasons may be attributed for this trend. Some children are forced to engage themselves in jobs due to poverty. Other reasons include increase in cost of education, child marriage, lack of awareness, etc.

⁹ Ibtedai – education system based on Islamic Curriculum

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Though the educational expenses is less in the primary level it is free until primary level, but overall educational expenditure is increasing as students attend coaching centers and house tutors. Although some books are given free by the state party cost of other educational equipments are increasing rapidly. If coaching is not stopped now, in many schools coaching has become compulsory against fixed cost by avoiding the rules and regulations of the school. An acceptable solution should be found to ameliorate the situation.

According to some children, in the poor families it is held that since the elder brothers or sisters could not study, it is also fine for the younger's not to go to schools. In some cases, children cannot go to schools because they have to look after their brother or sister who may be retarded.

The Committee recommended that education should be made easily available to the minority children and those living in the tribal areas or to the dropout children. Multi-lingual education should also be promoted to stop the trend of dropout school children. But no concrete measures are visible. Even now many children belonging to retarded child, tribal children, Dalit, Harijan¹⁰ children, children living in haor and hilly areas- are not getting the opportunity to go to schools.

For examples, sources from office of the Directorate of Primary Education (DPE), Srimongal has been quoted as saying that there are 42,189 children who are eligible to go to schools. But among these, 6,253 did not take admission of which 5,352 resides in the tea gardens. The main reasons for this dropout are: social discrimination, poverty, high cost of education, problem of language, lack of transportation facilities, distance from the residence, etc. The tribal children do not find interest in schools because they have to study in Bangla and not in their local language. This is how children dropout from the schools.

State claims that in order to reduce the rate of dropout children, it has taken steps to combine vocational education and training together to attract children to learn different trades so that they can easily get employment opportunities. The committee recommended for this combining criterion. But there is no instance that a child has gone back to school after s/he has left the school. Many students are working simultaneously with their studies. But they are not sure how long they will be able to continue in this way. Students are not allowed to get re-admission in school during the middle of the year or immediately after the first month of any session. These re-admitted students are not given free books. So, they are told to wait for the next session. Most children do not like to wait for 6 or 9 months and so they start to go back to jobs where they will be paid instead.

7.2 Quality of education

Although the committee has recommended removing disparity between standards of education and availability of opportunity to schools for children, there is no instance of such a balance. In Bangladesh, the standard of education in the towns is much higher than those of the villages. Again, standard varies between government and non-government educational institutions. Beside these, there are Bengali Medium schools, English medium. The standard among these types of

¹⁰ Dalit, Harijan – Caste groups of Bangladesh

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education is also significantly different. This disparity is also creating superiority-inferiority complex among the students.

Overall, the standard of education has also gone down significantly. Eminent educationist Abdullah Abu Sayeed says, "During earlier days schools were 'kancha' but education was 'pucca' but now school buildings are 'pucca' while education is 'kancha'."

7.3 Children's education hindered due to risky infrastructure of the Schools

Many children are studying in risky rooms in their schools or under risky conditions. There are no adequate measures taken to develop or reconstruct the school buildings and also there is no money allocated for such renovation works.

The school building of Tepura Government Primary School under Amtali Upazilla of Borguna district was declared to be abandoned about 1 and half years ago but till now no measure has been taken for repair or renovation works. 1,500 students are attending classes in a dilapidated structure at Khepupara Secondary School. They are always at risk of the building collapsed in Malapara Municipality under Patuakhali. Almost every day, cement plasters, portion of bricks fall over the children's head. The first floor was constructed in 1960-61 but no repair works has been taken till now. So, there is continuous risk of the collapse of the roof.

The rooms of Kamargaon Government Primary School in Fulpur Upazilla under Mymensingh district is very old land and is in a risky condition. Plasters of the roof fall down from there. Three students were injured when some construction materials fell down from the roof. Till now, no measure has been taken to ameliorate the situation. Students are attending classes under such risky conditions.

50 schools out of 62 govt. primary schools in Fulbari Upazilla of Dinajpur are in precarious condition - doors and windows are broken, there is also inadequate number of chairs and tables. Even after these, there is always the risk of collapse of the building. Government action is yet to come.

There is also neglect in timely supply of educational materials. Through a circular of Ministry of Education (ME), It was said that new books will be made available to the students from January 1, 2013. But in reality, Education Officers from 64 districts have written letter to the DG of Secondary and School Certificate that they still need 53,00,000 books.

7.4 Rest, play, leisure, recreation and cultural and artistic activities

The state party must take proper steps to ensure recreational facilities to children including games and sports, cultural programmes and opportunities of entertainment during school vacation or other holidays. In addition, the committee also recommended that adequate fund must be allocated for this purpose. In response, the state party has extended the scope of Bangladesh Sishu Academy all over the country.

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However, till now, general children do not get any chance to participate in different programmes undertaken by Bangladesh Sishu Academy (BSAF). Only a few under privileged children belonging to non-government organization sponsored programmes get the chance to participate in different functions of Sishu Academy. Most of the general children even do not know what Sishu Academy is – the question of participating in its functions does not arise at all.

Many schools lack of facilities such as playground or games equipments. Even if some schools have equipments, those are locked in safe places and not used at all. Only when the Inspector of Schools Visits any school, those equipments are shown to him and again placed under lock and key as soon as he leaves.

In some schools in Dhaka, swings were placed. But those were removed with the thought that children may get hurt by falling down from the swings. In one of schools in old Dhaka, swings have been removed and the area has been transformed into a hall room or so-called community centre by adding a few more area. This is being rented out and the money is being given to the local influential persons of the society. Many locally influential persons have grabbed school playgrounds and built such places for holding social functions. So, the playgrounds for students have vanished and smell of rotten and stale overnight foods is polluting the environment. Authority is non-chalet in this regard.

Due to insecurity, children are not allowed to go out of the homes by their parents. They have no other options rather than to play on computers and watch television programmes which are detrimental to their natural growth and development.

8. Special Protection Measures

8.1 Refugee children, asylum-seeking children, displaced children and migrant children

Having signed UNCRC (Clause no. 22), Bangladesh has committed to provide shelter, assistance and protection of refugee children. But the way the Rohingya Children are being treated is totally contrary. Also state party has warned the organizations involved with working for the Rohingya children to restrict their scope of work.

8.2 Malice to children

On the basis of recommendation to stop all sort of malice to children steps have been taken including passing of the Women and Children Repression Prevention Act 2000 (WCRPA). However steps have to be taken to ensure proper implementation of the Act. Murder and kidnapping of children are going on along with repression of children.

Cases of rape have also increased. Even 3-4 years old children are becoming victims of rape. Laws are not being implemented properly and so criminals are easily being freed on bail.

For example, Rais, who was already on bail for allegedly trying to rape a girl in Gopalpur of Rajbari, finally raped and killed the same 5 year old girl on January 13, 2013.

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Firstly, it is stated in the law that a convicted person will not be granted bail if there is a likelihood that he is going to do the same crime again. Rais was granted bail and immediately killed the young child.

Secondly, Rais had earlier confessed to his guilt. With a view to show him to be a child, his date of birth was manipulated in the original birth registration. Rais was registered in the birth register (June 14, SL no 012033) of Union Parishad (UP) of Upazilla Mulghar. The corrupt officials tried to manipulate the date as 1998 instead of the original year 1992 to make Rais a child. This is how the repression against women and children Act is being implemented in Bangladesh.

A work plan is to be prepared to stop all sorts of physical, mental and sexual repression to children by taking opinions from the children and by adopting the civil society. It is not known whether the state party has taken any steps in this regard, which is yet another recommendation of the committee.

8.3 Child labour and minimum age for employment

The committee recommends that the state party will promulgate Ordinance to totally ban employment of children below 18 years of age in risky jobs. The state party claims that it has already started to prepare a list of risky jobs for children and also some pertinent guidelines are being prepared. However it has not stated when these preparations will be completed and necessary laws will be promulgated accordingly.

Children are being employed in risky jobs and the state party has not launched any programmes to stop such works. Due to poverty, children are engaging themselves in other professions and not going to schools. According to BSAF, children in Bangladesh are engaged in 430 types of work. Some of these are- welding works in the automobiles workshops, helper in public transports, working in battery manufacturing factories, working in cigarette and tobacco manufacturing factories, working in glass factories, collecting waste from houses, working in tanneries, in 'bhangari'¹¹, working in boats as helpers, working as labourers and carrying goods of passengers. These types of work always pose to be risky and full of health hazards. Many girl children are engaged as maids in the households. While working in the households, these children are facing various types of physical, mental and sexual harassment. Many children (14-15 years old) working in the garments factories are hurt in several types of accidents including fire incidents. It is urgent that state party takes the matter seriously and promulgates law to ban employment of children in risky jobs.

According to a statistics published by Bangladesh Bureau of Statistics (BBS), 74,32,000 children are involved in with jobs related to financial programmes. This includes 54,80,000 male and 19,52,000 female workers. Beside this, 31,79,000 children (24,61,000 male and 7,18,000 female) are directly engaged in various forms of child labour.

According to data of a survey conducted by UNICEF and ILO, child labours in Bangladesh are engaged in nearly 400 different types of sector of occupation including ship breaking industry. Children are working in shoe factories, in factories where the glue for shoe is made, in ship

¹¹ Bhangari - Collecting of broken things like bottle, metallic container etc.

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breaking yards, in battery manufacturing factories, in lathe industry, glass manufacturing factory, in stone collection, helper in transports and various other risky jobs. As a result, they are falling sick very easily and also fall into accidents. Statistics show that of the 2,50,000 children working as servant in Dhaka city alone, 90% belong to the age between 9 and 16 years. These children have come to work in the households due to poverty and want and work at a very minimum cost, that is, they are paid very low as salary.

8.4 Children in the illicit activities, including production and trafficking of narcotic drugs

The Committee has strongly recommended that state party must take appropriate and effective measures to stop use of drugs by children. State party has said that even if at any time a child is used for drug trafficking and caught, s/he will not be treated as a drug trader. State party is also taking strict measures to stop selling of drugs. But in reality it is seen that children are being imprisoned as a drug trafficking.

In February, 2012, a 12 year old boy was arrested by Police in Swamibag in Dhaka with Yaba tablets. Now he is imprisoned as a drug trader and miscreant.

Children sometimes come in contact with drugs while they work in cigarette and 'bidi'¹² manufacturing factories. Again, the number of street children is rising who are easily allured into taking and Smuggling of drugs. In a workshop in Dhaka, one of the participants reported that some organizations are providing money for rehabilitating street children. But due to lack of proper and adequate monitoring, the children receiving this money is instead using it is to purchase drugs. Due to lack of monitoring by the state party mechanism, children are gradually becoming involved with drugs every day. State party is avoiding its responsibility by merely stating- "doing", "will do".

8.5 Sexual harassment, eve teasing and abuse

The committee has recommended for taking appropriate legal measures to stop sexual harassment against children; punishment of the persons responsible for such heinous acts, imparting training to all relevant quarters to be sensitive towards the sexually harassed children and to maintain confidentiality regarding such occurrences. The measures taken by the state party is not at all adequate or appropriate. Incidents of sexual abuse are rising at an alarming rate.

There is a rise in incidents like raping and killing of innocent children. But there is no capital punishment against such acts. Many families are withdrawing their complaints in fear of repercussion. The victim is being scolded by the parents. Many children are committing suicide as the case filing and investigation process is not very victim- sensitive or friendly. In many cases children commit suicide due to the intimidating remarks of relevant quarters. Beside this, many cases are not reported due to social pressure and to avoid complications in the name of medical examination. Information gathered by a non-government organization state that in 2012, there has been 190 cases of rape committed on children and 50 children committed suicide as a result of sexual harassment.

Children are feeling insecure while such criminal activities are continuing to haunt them.

The committee has recommended that awareness programmes must be undertaken in the schools and the society to stop the menace of eve teasing, that is, sexual harassment, making

¹² Bidi – types of locally made cigarette.

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absence remarks and gestures especially with girl students while they are going to schools and returning from schools. At present these types of eve teasing has increased. It is a matter of hope that people are now-a-days reaching against such menace. Although those who are opposing eve teasing are facing many troublesome situations and they are also being harassed otherwise, but still it is seen that many people are now protesting against these eve teasers strongly.

8.6 children living in street and their rehabilitation

The committee has recommended that state party should take appropriate measures for ensuring financial and social protection to children living in street, who are continuously living there and also to take measures so that they can go back to their families. As a reply to this, the state party has referred to various measures it has taken when it submitted its Report in 2012. But the number of children living in street is on the rise. In this respect, state party should take proactive measures and not reactive measures but there is absence of state party measures in this regard too.

There is dearth of adequate steps by the govt. to protect rights of these children living in street as well as their rehabilitation. Even if some sort of training is arranged for them, they are bound to go back to the street as there is no programme for their rehabilitation. Due to lack of responsible and proper steps of the government increase in repression of these children, increase in drug trafficking by using these children is going on at an alarming rate.

8.7 Trafficking of children

The state party has taken measures to stop trafficking and selling of children as per recommendation of the Committee. Although the number of incidents of child trafficking has decreased, it is still going on at an alarming rate. There is significant gap between recovering a victim of trafficking and rehabilitating the victim. For examples, children who were victim of trafficking to the Middle East as jockies of camels have been brought back to Bangladesh. Till now, they have not been accepted by their families and they are living in a secluded manner. Society has not get accepted them fully like any other normal children.

8.8 Children in emergency situations

The state party claim that they have taken essential steps to protect vulnerable children in an emergency situation like disaster. But reality is that state takes some proactive measures like relief distribution where the children have no right to get relief as an affected person. For relief distribution children have not any sorts of priority even not for essential and healthy food. The policies of the GoB on emergency situations involve care for children by giving powder milk, only when they are infant. The MoSW is working for the adoption of policies that incorporate broader child protection coverage for children affected by natural disasters and other emergencies. But no one knows when it will be implemented.

The status of education of children often hampered due to natural calamities, if immediate steps are not taken to restore the school facilities. Several students are not able to continue their regular schooling because of shifting of school due to river erosion or due to natural calamities like recurring floods in Fulchhari of Gaibandha. 72 of total 103 primary schools of Gaibandha district are situated in the char areas.

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Child education is also facing obstacle due to lack of proper and adequate infrastructural facilities. For example, the case of Uktiargaon Govt. Primary School of Tahirpur Upazilla in Sunamganj, when it was ravaged during the cyclone of 2004. Later, in 2009, with the help and assistance of the guardians, a tin shed house was constructed where only 50 out of total 160 students could sit together. This is how the school is running and there is no assistance from the government machinery.

8.9 The administration of juvenile justice and minimum age of criminal responsibility

The committee has recommended to raise the present age (9 years) of accepting a child to be considered as a "Criminal" to 12 years. No plausible measures have been taken in this regard. In various prisons of Bangladesh, many children are being confined for his own fault or for parents fault. No special measures are being taken for these children also. Due to long term imprisonment or confinement within the prison their natural development is being halted and they are losing mental balance.

Also child law is not being properly followed while juvenile cases are tried in the courts. The normal law stipulates that no case is supposed to be dealt with seriously if a child is less than 18 years old. But when it comes to the hands of the police, it is not adhered to. To arrest boys, police increases the age of the boys above 18 and convicts them in the charge sheets.

A 12 year old boy was arrested in a case of stealing a mobile phone on June 15, 2011 in Karimganj Upazilla of Kishoregonj district. While registering the case his age was shown as 16 years and while issuing arrest warrant his age was shown as 20 years.

8.10 Embarrassment in the name of Justice to child abusers

Girl Children are being subjected to humiliation when they try to report cases of sexual abuse.

A 15 year old girl committed suicide in Horikesh Kanipara in Kurigram town on September 16, 2012. Some miscreants abducted her when she was going to attend coaching. She was rescued in a serious condition after 5 days. When a village 'court' was arranged, it rebuked the girl instead and said that if dowry money of Taka. 25,000 was paid, then she may be given in marriage with the concerned boy. As the poor parents stated their inability to pay the dowry money, the 'court' concluded without any concrete decision or verdict. The girl committed suicide as a result of this judgment.

Many such cases are being publicly tried but due to long time taken in administering justice to such criminals, it can be deciphered that government is not aware of or is not so much concerned about taking action against such public offences meted out to children.

8.11 Child murder out of political rivalry

Political rivalry leads to the death of innocent children. No remarkable measures by State are being taken for these children.

Rabbi was killed during shooting between rival student factions in Bangladesh Agricultural University, Mymensingh on January 19, 2013. Negative impact is being created in the minds of children out of political turmoil, violence, strikes, etc.

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8.12 Children in political violence and turmoil

The year 2013 was a panicky and disastrous to many children in Bangladesh. Political turmoil continued throughout the year and across the country. Usually political activities and vandalism took place in the cities and big towns in the past. But in the year 2013, situation was changed drastically. It was the last year of the term of the then regime. Therefore the period was politically little scorching in the country by its nature and political culture in Bangladesh.

Children were used in political activities by different political parties. In most of the cases the opposition political parties used children in their rally, procession, human chain and *hartal* which was the most vulnerable to the children. However, it was also true that, children spontaneously participated in many cases. It is needless to say that, all those children belong to disadvantaged segment like street children, slum dwellers, garbage pickers, porter, automobile helper etc.

According to the newspaper reporting (six national dailies published from Dhaka) nine children were killed only in December 2013 because of political vandalism across the country. Highest number seven children were badly injured by bomb blast only in the month of November 2013. A total of eleven children were killed and seventeen children were severely injured because of political turmoil in 2013 across the country. All these are only reported cases which were published in six national dailies. The actual number of incident might be more. The children, who were killed or injured mostly because of bullet, rubber bullet, lead shot, burn, bomb blast, cocktail blast etc. These were used either by police or the picketers. In some cases police opened fire to disperse the picketers or angry mob. And in some cases, picketers thrown cocktail to the police or any vehicle. And those incident leads to children's death or injury. The children who were survived, a number of them became handicap and traumatized. The year 2013 was really a nightmare for many children in Bangladesh.

However, media played an important role in highlighting the reports on violation of children's rights. Civil society organizations continued making their efforts to address various demands of the children. Society as a whole became more aware on child rights issues. Therefore, we have still hopes to bring meaningful changes in the lives of Bangladeshi children. All we need to do is reiterating our commitment towards the rights of the children and act together to achieve our common goal.

8.13 Toll-free number for Children

The Committee recommends allocating a toll-free number accessible daily for 24 hours to all division and districts of Bangladesh and state party declared that toll free number is allocated. But only eight thana of Dhaka cities not all division and districts have included under these actions, and only telephone call not mobile, is allowed to communicate with this toll-free number. Maximum people have not any idea about these activities.

Part II

Issues not mention in the State Party Report

With a view to protecting and safeguarding the rights of children of Bangladesh, the United Nations Children's Rights Convention Committee has recommended several important steps from

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the very beginning. These recommendations include a few clear cut evaluation, philosophy, establishment of organization, preparation of guidelines and formulation of strategy to realize rights of the children. These recommendations are very important to safeguard and protect children's rights from exploitation but like other times, this time also the state party has made no comments on these important issues and concerns.

1. Reservation

Religious independence: The state party has reported its reservation as to the definition of "religious independence" as enunciated in the CRC.

Law of Adaptation

In the UNCRC it is stated that the state party will give recognition and endorsement to adoption long considering the maximum interest of a child. But as per Bangladeshi Law, there is no provision of adoption-giving or taking. However, adoption is recognized in the Guardian and Wards Act. In Bangladesh, in Hindu Laws, there is provision of adoption of male children only. In the Muslim Law, adoption is not legalized but only orphans or neglected children may be taken by somebody for rearing up. It is worthwhile mentioning here that such children cannot become heir legally according to the prevalent law of inheritance. Even the child so reared up may even be thrown away by other family members once the original guardian dies. Mostly such children are awarded on the basis of contract or Agreement between the interested parties but there is no legal basis of such contract or Agreement. This is treated as a matter of selling and purchasing of children. Poor parents enter into such contract or Agreement due to their financial condition. The major condition in such Contract or Agreement is that they will never claim the child as parents and will never ask for any favour as guardians. The child is losing his/her parents on the one side while his/her future is uncertain. All participants expressed legalization of the law on adoption.

2. Proposed Assessment & Evaluation, Mechanism, Policy, Institutions

Proposed Assessment & Evaluation

- The Committee encourages the state party to carry out an impact assessment of how new laws affect children.
- Carry out evaluations of its dissemination activities as well as training of relevant professionals to assess outcomes and impact.
- Assess the impact of government actions and decisions, as well as actions and decisions by civil society partners, based on the best interest of the child.
- Undertake a study to assess the situation of different categories of children placed in institutions and adopt measures to improve their living conditions and the services provided.
- Undertake comprehensive assessments of the social safety net programmes for children, identifying incidences of inequality and discrimination and propose appropriate remedies.
- The Committee reiterates its previous recommendations to the State Party to undertake a study to assess the scope, nature and causes of sexual abuse in order to develop an effective comprehensive strategy and recommends it to be state party.
- Undertake an in-depth study on the trafficking of children in order to assess its scope and root causes and enable effective monitoring and adoption of measures to prevent, combat and eliminate it.

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Mechanism

- The Committee recommends that it be implemented with the necessary monitoring and evaluation mechanisms to regularly assess progress achieved and identify possible deficiencies for corrective action.
- The Committee reiterates its recommendation that the state party strengthen its efforts to develop a comprehensive and coordinated system of data collection and matters related to the implementation of the convention from the national, divisional and district levels.
- Use these recommendations as a tool for action, in partnership with civil society and in particular with the involvement of children, to ensure that every child is protected from all forms of physical, sexual and psychological violence and to gain momentum for concrete and where appropriate, time-bound actions to prevent and respond to such violence and abuse.
- Set clear standards for existing institutions and ensure comprehensive mechanisms of periodic review and monitoring of placement, in the light of article 25 of the Convention and the recommendations adopted by the committee in 2005 after the day of general discussion on children without parental care.

Policy Needed

- Review the policy for People with Disabilities (PWD) under consideration for approval and update the measures and actions needed for implementing a comprehensive policy for children with disabilities.
- Develop a separate comprehensive policy on the critical issues affecting the rights of adolescents, including mental health and reproductive health services.
- Consider approval of the National Child Labour Policy, 2008.

Establishment of Institutions

- Separate wings or directorate need to establish.
- Take necessary measures to establish Ombudsman for the children to specifically deal with complaints of violations of the rights of children and to provide remedies for such cases of violation.
- Establish an independent body for monitoring of detention conditions and receiving and processing complaints by children in detention.

Part III New Phenomena

In many instances, steps taken by Bangladesh in safeguarding and protecting rights of the children are praise worthy in comparison to previous years. The first birth right of a child is breastfeeding and Bangladesh has made significant advancement in this regard. In a review made by World

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Breastfeeding Trends Initiatives (WBTI) it is revealed that Bangladesh is steadily moving from “yellow” status to “blue” status and is moving surely towards “green” status.

Beside this, various measures taken by government is creating a better environment for the children. These include the activities of Child Rights Monitoring Committee of the government, Students Council in primary schools, issuing of various government circulars against repression of children, verdict and guidelines of the High Court to stop sexual abuse. Improvement can also be seen with regard to development of girl child, stopping of child marriage, reduction of eve teasing and in reduction of rate of child death. Some examples of implementation of child security law and justice are:

On July 19, 2012, in Lakshmi Mondop village of Kahalu Upazilla in Bogra, a mobile court sentenced the bride's (a student of Class IV) father and the Moulvi to one month's non-rigorous imprisonment for forcibly solemnizing a child marriage. Mobile court pronounced imprisonment to two “eve-teasers” on July 11, 2012 in Kapasia when they were accused of disturbing a girl.

In an incident which took place on September 18, 2011 when a 13 year old girl was kidnapped and raped in Atoari Upazilla Sadar of Panchagarh, the accused was sentenced to 44 years imprisonment under two sections and he was to be convicted for total 44 years on separate counts.

Measures taken by the state to reduce the percentage of drop-out children from schools is worth mentioning.

For the first time, in the primary schools of 3 unions of Trishal and Bhaluka Upazillas of Mymensingh, lunch is being served to the students. This is a pilot project undertaken by the government and funded by a few non-government organizations. This model is likely to be expanded in the future to other schools too. This has reduced the dropout rate of children from schools.

In spite of these positive issues, the following aspects also require immediate attention:

1. Suicidal tendency has increased among the children

The tendency to commit suicide among the children has risen. When a child is being harassed or tortured and s/he finds no other alternatives, then s/he is committing suicide. Some of the causes include, social pressure, lack of support from the family, shyness, fear and farce in the name of justice.

On March 3, 2012, a girl student of Class V committed suicide by taking poison in Jhinaigati Upazilla of Sherpur district due to continues eve teasing by local hoodlums. When she told her mother, she slapped the girl and then the girl committed suicide finding no other recourse.

2. Increase in death of children by drowning

Every year, many people die by drowning in water. However, about 72% children die who are less than 10 years old and 13% die who are teenagers. Of this, 60% drown in ‘safe ponds’ near the house. According to a report published by UNICEF in May 2012, 40% drowning cases occurred within 20 meters of the children’s homes.

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Another point to note is that schools and colleges remain closed during different religious festival and summer vacation. During these times, children go to their villages on vacation. Statistics reveal that most accidents occur during these times. The number of deaths caused by drowning is on the rise. In 2011, number of deaths by drowning was 119, while in 2012 it rose to 245 (Source: Disaster Forum). However, this statistics collected from five national dailies which only published the reported cases.

3. No guarantee of safe food

Adulterated food in the country poses to be a major threat to child health. Beside the risky food sold in packets and cold drinks, child health is also under risk when they eat chemically treated vegetable, fish, egg, milk, etc. On February 19, National Food Safety Laboratory of the Institute of Public Health (IPH), published a research finding stating that the daily food intake of the country's population, namely, fish, meat, milk, fruits, rice, pulse, oil, spices, salt, includes 40 to 54% adulterated contents. These food items contain bacteria of and rine, DDT, heptachlor, methoxyclore, ethion, lead, arsenic and staphylococcus and these are all poisonous pesticides.

Renowned nutritionist Dr. S.K. Roy¹³ has told media that children are at risk. Egg is an ideal food for children but in some cases, poisonous waste materials from the tanneries are being fed to the chicken and so the egg contains traces of chromium which is likely to cause cancer in the children.

There is widespread use of calcium carbide and ethefen to ripen fruits and formalin is used to preserve these fruits. Physicians and Nutrition experts say that these are likely to cause liver infection, malfunction of liver and kidney, disruption of blood flow through vessels and blindness among children. Research finding by Institute of Food and Nutrition Science shows that the nutrition value of fruits is reduced up to 20-30% due to the use of ethefen and it is reduced by 40% due to the use of calcium carbide.

While testing 5,759 food samples, adulteration was found in 2,990 numbers during a survey conducted by IPH in 2010. A similar survey conducted by IPH in 2013, found traces of adulteration in 187 out of 377 samples (Prothom Alo, February 27, 2013 a widely circulated national daily newspaper). Beside adulterated food, children are becoming habituated to taking fast food or junk food.

4. Even Vitamin 'A' Capsule is also not safe

The incident of death after taking Vitamin A capsule and unearthing of a fake company has given rise to the question of quality of Vitamin A capsule.

In November, 2012, many fake medicine producing company were discovered and many are yet to be found where fake Vitamin A capsule, multivitamin tablets, appetizer tablets are being manufactured. In November 2010, law enforcing agencies found a company which was manufacturing fake medicine but using the label "imported and distributed medicines from Cirio Pharma of P.R China". Their main function was to produce multivitamin tablets for children and

¹³ S. K. Roy worked for ICDDR, B and member of foundation for breast feeding

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pregnant woman. The proprietor of the company challenged that there are about 100 such companies in the country which are manufacturing fake medicines.

Due to the uncertainty about the actual standard of Vitamin A capsules relevant Ministry is also not certain about the measures to be taken in this regard. On June 2, 2012, Ministry of Health administrated Vitamin A capsule to 2,06,00,000 children under 5 years of age. As a follow up, the next campaign was scheduled to be held on January 5, 2013. But World Bank raised objection due to news reports and demanded that sample of Vitamin A capsule must be tested by World Bank specified laboratory only. Even after the samples were tested, questions were raised that international standard was not adhered to and the validity of the capsules were not tested. So, again there was demand for re-examination of Vitamin A capsule samples. Samples were tested in two laboratories and on the basis of the result, Ministry of Health announced that Vitamin A campaign will be held on March 12, 2013 all over the country.

It was targeted that nearly 2,10,00,000 children will be administered with Vitamin A capsule through 1,20,000 fixed vaccination centers and 20,000 mobile vaccination centers. But it is learnt that many children fell ill and were admitted in hospitals after taking Vitamin A capsules. Because the efficacy of the capsules were lost due to delay in administering and also due to the panic spread after learning of illness of children, many children did not go to the centers and so remained outside the preview of the campaign. This may create lot of problems of child health. The way this important aspect is being neglected shows how neglected the children are to the national machinery.

Reports showed that incidences of children with 'rickets' are increasing. In a research conducted nationwide under guidance of Dr. S.K. Roy of ICDDR'B in 2010, it was revealed that nearly 5,00,000 children between 1 and 15 years of age is suffering from rickets the main cause of which is malnutrition. The other causes of rickets are: problem with child immunization programmes, use of fake medicines during vaccination, use of fake Vitamin A capsule, non-adherence to the right cycle of immunization. As a result, children are not growing resistance and are easily being attacked by rickets.

5. Children infected by Arsenic Contamination

Due to absence of arsenic free drinking water at home or in the schools, children have to take arsenic contaminated water regularly. In 62 out of 64 districts in the country, water is contaminated with arsenic poisoning. Every year 69,000 children are becoming blind by drinking arsenic contaminated water (Disaster Forum) Tests conducted in several schools in 2011 showed the presence of arsenic in drinking water supplied in the schools. Symptoms of arsenic contamination are preventing children from going to schools. Even if such a student goes to school, s/he is treated in a discriminatory manner.

6. Negative Impact of Electronic Media

Use of electronic media is deterrent to the natural growth of children. Excessive uses of electronic gadgets are creating obstacles in the natural development of children. They are also losing the interest in games and sports activities. Children are being shown images of impractical world and they are subjected to wrong cultural orientation and wrong values. Children are becoming

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attracted to negative characters. There is dearth of educational games or plays, children are watching programmes made for elderly people and lot of complications are growing in their minds.

7. Internet Pornography

About 1 crore children of 12 countries (including Bangladesh) are in the grip of dangerous trap like internet pornography. It is assumed that the number of affected children is likely to go up to 1,75,00,000 by 2017. Children are easily becoming allured to see such obscene films even under disguise of playing games. The research was conducted by Telenor, one of the largest mobile phone operators in the world, in 12 countries of the world where they are operating. Children are easily playing with high tech electronic devices like smart phone, tab, laptop, desktop, etc. They are also becoming easily habituated with pornographic materials including educational and entertainment materials.

In a research conducted by Manusher Jonno Foundation entitled "Child Pornography, an exploratory study at Dhaka" revealed that 77% children involved in child pornography are merely observers or spectators. Children going to schools or not going to schools become part of the pornography viewers with the help of friends, near relatives, video rental shop owners, etc.

Use of mobile phones and internet connections deteriorates a child's mental faculty. Media crime has increased. Mobile phones given to a child itself is creating adverse situation for child. They are falling into traps of different unscrupulous gangs. Illicit relationship is on the increase due to its use. Many young girls are even being trapped and sold into the brothels.

8. Child marriage

Child marriage is rising in Bangladesh due to insecurity of children, unawareness, poverty, disturbance by eve-teasers, social pressure, dowry, etc. Child marriage is solemnized by producing false birth certificates. In some cases children are committing suicide when they are forcibly married to a man. Many children are subjected to torture as they refuse to stay with the husband.

A survey conducted by Sha-Unnayan, Soaloz, and Rajshahi Sachetan Nagorik Committee revealed that between November, 2010 and November 2011, in 3 Upazillas of Rajshahi, there had been 612 child marriages. These included 100 nos. in Charghat, 483 nos. in Puthia and 29 nos. in Bagha.

On January 16, 2013 a Madrasah student hang herself from the branches of a tree in Mundumala area of Tanor Upazilla of Rajshahi. Although she was very much interested to complete higher education, she was forcibly given in marriage. As a result, she committed suicide

Many students face torture if they refuse to start a family life after being forcibly married at a very young age.

Such an incident took place in Kalibari of Madaripur town. A 11 year old girl studying in Class V was forcibly married and as she refused to go to her husband's house to start a family life, she was chained and subjected to torture by her own family members.

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Several children who have been forcibly married are being tortured for dowry. A 16 year old girl committed suicide due to the pressure of dowry in Islampur village of Pabna Sadar Upazilla. When her in-laws started to put pressure on her to bring dowry, she got fed up of life and resorted to suicide, within a few months of marriage.

Many educated government officials are also marrying children of tender age. On July 13, 2012, a PIO married a 15 years old student of Class IX despite resistance by the Police in Bauphal of Patuakhali district.

Children face great physical risk due to childhood marriage. Pain becomes frequent in head, knees, spine, burning sensation starts in hands and feet, giving birth to malnourished children, malnutrition and anemia also causes death in certain instances.

9. Family level repression and killing of Children

The rate of child death due to family level repression has increased in an alarming manner. Family quarrels and want is forcing the death of innocent children. The number of occurrence is on the rise. These types of incidents are being avoided as being “a personal matter”. Even officials of the law enforcing agencies consider these types of accidents as family feud and do not take these incidents seriously. But children are being brutally murdered due to such family feuds.

Many incidents were reported in the media and newspapers. On April 7, 2012, a mother had committed suicide after murdering her 7 years old son and 4 years old daughter in Bongram of Pangsha upazila in Rajbari.

Two children and their mother were murdered by a person as a result of family quarrel in Ghatchek Sonaichhari Boruapara under Rangunia Pourashava of Chittagong on May 5, 2012.

On June 3, 2012, a woman slaughtered her 7 months old child with sharp ‘boti¹⁴’ and then committed suicide as her husband would not let her go to her father’s house.

A lady committed suicide after administering poison to her two sons, aged 10 and 5. The incident occurred in North Ibrahimpur of Kafrul in Dhaka.

The above incidents show that children are even not safe in their own house where they live with their parents. No serious measure is being taken by the state to stop such occurrence.

10. Increase indicants of Rape and Murder

Although it is being spread that ‘eve-teasers are no longer disturbing the girl child’, but the case is totally different in reality. Report of girl students committing suicide due to eve teasing shows that in many cases either a girl student is accepting those as she cannot protest or there are likely to be more cases of suicide resulting from eve-teasing. Many such children are even not getting proper cooperation from own family members.

On July 13, 2012, when a boy tried to sexually harassed a girl and was reported to his family members in Kashba of Brahminbaria district. Boy then attacked and murdered the 15 year old girl.

A 14 year old girl committed suicide in Gournadi Upazilla by being fed up of sexual harassment. Some spoilt boys kidnapped the girl and raped her by confining her to a house. Later on, the girl was rescued by local

¹⁴ Boti- A sharp kitchen item use for cutting fish and vegetable.

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people. Out of shame, she tried to commit suicide on August 11, 2012 by hanging and finally died on August 12 while under treatment.

These spoilt boys not only harass the girls, they are also throwing acids at the girls. A student of Class IX in Rangpur town became victim of acid burn when she refused the proposal of an eve teaser.

On July 30, 2012, a six year old girl was raped in Moragola village of Mushuli Union of Nandail Upazilla. On January 4, 2013, a 4.5 years old child was raped in Madaripur. A 10 year old girl was raped and then strangled to death in a slum of near Shah Ali Thana in Dhaka on January 5, 2013.

Child rape is becoming a regular feature. Even after promulgation of law, this is on the increase. Children are not safe in the schools and even in their own residence.

According to data provided by a human rights organization named Kapang Foundation, 10 tribal women and children were raped in 3 hill districts till November 2012. Information gathered from Government's Home Ministry (Repression on tribal women and children) states that during the period from January 01, 2010 to December 31, 2011, 22 cases were lodged with Bandarban P.S, 17 each in Khagrachhari and Rangamati districts. Of these, charge sheets were prepared in 14 cases of Bandarban and Rangamati and 12 cases in Khagrachhari district but no further action was undertaken.

Due to these incidents, women and children are passing their days amidst fear and threat, along with their family members. Feeling of insecurity is hampering their natural growth and development, their creativity is being narrowed down and they are becoming timid and are being forced to live in confinement.

11. Repression of child working in a household

According to report of a survey conducted by BBM and UNICEF, out of 7.4 million persons engaged in non-productive sector, 4 million falls within the bracket of 6 to 17 years and of this, 80% work in the households as maid servant. These maid servants are subjected to physical and mental torture, sexual harassment, oppressed and forced to abuse..

Usually they work on all seven days in a week and 90% resides and sleeps in the same household. They are totally dependent on the master of the house hold and their movements are strictly regulated. In many cases they are not able to say anything about their repression due to fear of losing the job. They also do not get proper justice and as a result their repression is increasing day by day.

On August 12, 2012, a 13 year old maid servant was brutally murdered by a housewife in Pallabi, Mirpur, as she delayed in preparing 'Iftar' for the inmates. She was beaten mercilessly with stick, then she was given cigarette burns and finally she was killed when 'Khunti' was heated and used "Ballon" on her body severally.

A tortured child was rescued from a house in Sector 3, Uttara, on June 18, 2012. The housewife used to torture her by heating rod and "Khunti" and placing those against her body. On January 30, 2013, a 9 year old maid servant was raped and killed by the house owner in Uttara.

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12. Child Repression and Murder as a Result of Family Rivalry

Many children are being tortured as result of family rivalry. Child oppression is taking different shape.

In Doyal Nagar village of Mizanpur Union of Rajbari Sadar district, a 10 year old child was killed due to family rivalry.

A child was locked in chains because his father could not repay loan taken from the rice mill owner. The owner was to get Tk. 11,000 from the poor labour working in his mill. Since he could not pay the money, his child was locked in chains by the mill owner.

A 3 year old child's body was found in front of his house after being kidnapped on June 2, 2012, as a result of family feud. These are some instances of how children are being murdered indiscriminately.

13. Child death at workplace

Many children are working under inhuman conditions only for survival. Many children are harassed or even killed at their workplace for petty reasons while they work in risky jobs.

A hotel owner killed a boy when he ate sweets worth Taka 5 only without his permission. The owner hit the child in his belly with a sharp weapon. This happened in Kaliadanga on August 10, 2012. Another child was killed when he was carrying stones in the Madhypara Hardrock Project in Dinajpur on July 25, 2012. He was buried under the stones kept in the mine.

Even the workplace of parents is not safe for the kids. A 9 year old child was missing since January 14. On January 14, her mutilated body was discovered by police from the toilet of Tropical Tower situated at Purana Paltan in Dhaka. Her mother used to supply lunch to the officials in the third floor of Tropical Tower. The child went to collect the tiffin boxes from the third floor on January 14 evening. At that time some employees raped the child and then killed her and hid her body in one of the toilets.

On January 25, 2013, a student of Class III was brutally molested and killed by miscreants in Daulatpur, Kushtia. As her mother used to work in the brickfield, the girl would to come often to the brickfield to meet her.

Many children are dying in garments factories during fire accidents. Beside this, many children also die while they stay in the child care centres.

From the website of Tajrin Fashion Factory it is learnt that there was a child care centre (Prothom Alo, 27 November, 2012). Survivors said that many women labourers used to bring their children to the child care centre situated in the first floor whereas the godown was just below and was the main source of fire. Everything was burnt down in the first floor and there is no proper statistics as to how many children were actually there when the fire broke out and whether they remained alive or not.

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14. Kidnapping of Children

Many cases of kidnapping of children are also being reported in the daily newspapers. Many children are kidnapped due to family strife, for trafficking or to get ransom. If such heinous acts are not seriously considered and ransom money is not paid, the kidnapped children are being murdered.

3 children were kidnapped for ransom – on August 6, 2012, in Kanaighat of Faridpur, on August 23 in Chatmohor, Pabna and on July 9, in Chaugachha of Jessore districts. As ransom money was not paid, the child kidnapped from Chaugachha was killed.

A student of Class VIII was kidnapped on January 12, 2013 in Gournadi of Barisal district. His dead body was found after 6 days. When the kidnapper was questioned after being arrested, he confessed that the kidnapping was done with the aim of trafficking the child but when the matter became known they killed the boy.

Although state has enacted law against repression of children in educational institutions, still children are subjected to various new forms of repression. If a student cannot answer correctly to a question, s/he is hit by hand by the teacher, s/he throws duster, scale, chalk, uses abusive language, insults in many ways, makes a student stand on the bench, junior students pull the ears of senior students, etc. That is, instead of beating directly, teachers give physical and mental punishment to students.

On March 3, 2013, a female student was seriously injured when a teacher threw a duster at her in Chandpur Secondary School in Mehendiganj Upazilla of Barisal. Child repression in various forms is going on all over the country. A seven years old boy was chained in his legs in old Darul Quran Hafizia Madrasah in Silpara under Barami Union of Sreepur. This punishment was given to him as he did not want to go to the Madrasah. His mother put chains in the boy's legs and handed him over to a Madrasah teacher and the teacher continued to keep him in chains.

A 10 year old boy student of Class V was tied to a pole in the school premises and beaten by a teacher on the basis of complaint made by a neighbour of the boy. The incident occurred in Patharghata of Borguna District.

In Sokhipur, Tangail, the Headmistress of a school tortured two female students aged 9 and 7 when they refused to work as maid servants in her house. A female teacher tortured those students both physically and mentally, mainly due to this reason.

Children are tortured in the educational institutions not only because they do not study or cannot provide answers in the class but also because of various other reasons.

15. Repression to child with disability

Mentally retarded children are subject to various forms of repression due to their physical disability. None of their rights are protected or guaranteed. Rather they are regularly being neglected both at the family level as well as the society level. From the very inception, a retarded child is being repressed by different quarters. The identification process of disabled children is inhuman and disgraceful. Even people working in the organizations dealing with retarded children are not fully aware of how best to identify whether a child is actually retarded or not. Beside this, sexual harassment is also meted out to retarded children.

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On July 9, 2012, a retarded child (11 years old) was raped in West Chatol Bagber Village of Mumurdia Union of Katiadi Upazilla in Kishoreganj district. A retarded child was raped on August 01, 2012 in Loauhajang of Munshiganj.

16. Children are drop out from educational institutions

Drop out cases is still a big problem for the students. Though government records show that 99.47% students get admitted in to schools but in reality many children are not admitted in various schools.

In a report published on the basis of United Nations Universal Review and sent to UN Human Rights High Commission revealed that nearly 26 lac (7%) student aged between 5-14 years do not go to schools. These children are working in different jobs. On the other hand, these child workers are under serious threat. According to Bangladesh Primary Education Annual Sector Performance Report (ASPR), 2012, at present 26 lac children between age of 6 and 10 years do not attend schools.

Children are drifting away from their studies due to poverty, relocation, natural calamity, lack of adequate number of school, child marriage, child labour, discrimination, lack of transport, etc. These include students belonging to the tribal region, retarded children, dalit, mahajan, slum dwellers, haor areas and those living in the hills or mountains. Also many children are forced to join professional job and so they drop out from studies. While only 65% students living in the slums join the primary school, the rate is higher at 84% in other areas.

This was stated in Bangladesh Multiple Indicator Cluster Survey 2009 (published in 2010). There is no primary school in 47 villages in Tarail Upazilla of Kishoreganj District. So children living in these villages do not go to schools and are deprived of their right to education. Source at Upazilla Primary Education office said that there are primary schools in only 67 villages out of total 114 villages. 46 of these are govt. primary schools. There are 20 schools registered with non-government authority, 1 community primary school and 1 honorary registered primary school. There are about 25,000 students in total. Students belonging to 47 villages who go to adjacent villages face several obstacles when they go or return. As a result, their educational career is blocked.

As one of the signatories to the UN Children Rights Mandate, govt. is trying very hard to adhere to the UN Charter, to provide universal education. Although the children belonging to the sex workers are our own children, they are not allowed to join schools and so are deprived of their right to education.

17. Illegal occupation of School and Commercialization

Khuda Buksh Government Primary School, situated in Kaptan Bazar in Dhaka is now a history. The school has been shut down and houses butchery and a market for goat trading. In the capital itself, lands belonging to 15 government primary schools are under illegal possession. In those lands, shops, buildings and even slums have been constructed illegally and being rented out. This is also substantiated in the "School Safety Plan Review, 2012" conducted by Action Aid. The government and non-government schools in old parts of Dhaka are being used as Community Center for marriage ceremonies or social programmes.

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Some of the noted schools in Dhaka are which being used commercially either fully or partially for holding of social gatherings are – F.K.M Primary School, Shahin Government Primary School, Nazira Bazar Girls' School, M. A. Alim Primary School, Brahmanchiron Government Primary School, Kamrangichar Government Primary School, Gandaria MohilaSamity Primary School, Sher-e-Bangla Primary School, Kazi Farid Government Primary School, Bangla Bazar Government Primary School, Shuritola Government Primary School, Samajik Shikhha Kendra Government Primary School, Kachkrira Government Primary School, Haji Yusuf Ali Government Primary School.

It has been told by concerned officials that necessary steps have been taken to recover these lands. There is no body to see how far progress has been made in this regard and the person responsible to recover these illegally occupied lands.

18. Children living in the street

Insecurity of lives of the street children is increasing day by day. They are being used differently by different groups in the society. Begging is one of the common forms. These children are also becoming involved in drug trafficking. Although the state is supposed to register all children living in street, no steps have been taken to register these children. Also, selling of street children can be seen. The number of street children is increasing every day. In the Report entitled "Our Story (Amader Galpo)", 4th Issue, statesources have been quoted as saying that at present the number of street children is 10,00,000. The Report was sponsored by Save the Children, Manusher Jonno Foundation and Plan Bangladesh. These children are taking to the street even without a shelter above their head and are becoming engaged in various anti-social activities. They are becoming addicted. Some are seen beggingby risking their lives.

19. Urbanization and Child Development

At present family is facing lot of complications due to continuous urbanization. Often rural parents move to urban areas for job leaving child or children to relatives and these creates impact on 'early childhood development' of the children.

20. Sale of Children/ absence of law of adoption

In the absence of law of adoption, purchasing and selling of children has become rampant. As a result, children are being tortured as well as trafficked.

According to information gathered from Gynecology Department of Dhaka Medical College, nearly 10% parents cannot produce child and also cannot adopt children due to absence of proper law on adoption. So, they buy children illegally and also sell them out of poverty.

A father sold his two children at only Tk, 9,000 in Maizpara village in Patiya of Chittagong district just to arrange money to purchase drugs.

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Annex- A:

Profile of Bangladesh Shishu Adhikar Forum (BSAF)

Bangladesh Shishu Adhikar Forum (BSAF) is a national network of NGOs actively engaged in the child rights activities. BSAF stands for protecting and promoting the rights of the child. It was formed in 1991 in the backdrop of the UNCRC, World Summit Declaration and subsequent SAARC commitments in order to develop and facilitate access of the disadvantaged children to the basic human rights and services.

BSAF advocates for a Child-Friendly world. It works as a networking entity and brings together and assists child rights organizations to pursue common goals. It helps synthesize the viewpoints of member organizations and works to mobilize material and human resources for promoting child rights programs.

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It provides collective leadership in program matters to member organizations. It works with lawmakers and decision-makers to bring positive changes in national laws and policies relating to children. It runs a vigorous campaign at macro level to make the civil society and policy makers aware of the provisions of CRC and plays a proactive role in promoting and upholding these rights. It also provides guidelines and assistance to member organizations to carry out advocacies for promoting child rights and influencing the policies of the Government.

BSAF's mandate is to complement and supplement the government's effort to promote and protect the rights of the child. It has been engaged in networking and establishing linkage with relevant government organizations, trade unions, media, UN agencies, inter-governmental and other national and international organizations for promoting and protecting the rights of children. Its representative and national status gives it a greater reach to draw attention to issues concerning the rights and well-being of children at national, regional and international levels.

Aim : The primary Aim of BSAF, is the substantive enforcement of the CRC with the view to enhance children's overall development.

Vision :To Establish healthy, Child Rights, enriched society free of abuse, exploitation and discrimination for the disadvantaged children of Bangladesh, irrespective of race, religion caste or class etc.

Goal :To fully implement and put into effect the UN Convention on the Rights of the child (CRC), to establish a society fit for children.

Objective :

- To play an effective role for the purpose of implementing the CRC
- To create mass awareness on children rights
- To assist in the formulation of a legal framework for protection of children rights
- To increase the access to fundamental rights
- To Protect children from worst forms of child labor
- To protect children from HIV/AIDS
- To implement child policy

BSAF's key activities

BSAF's key activities include raising awareness, advocacy on child rights, capacity building of member NGOs, research into key areas, represent and lobbying the interest of the organization to related agencies/institutions/ individuals by providing necessary information and develop resource-base.

Structure and Governance

As of December 2012 there are 263 NGOs in its general membership, while membership induction is a continuous process. This should meet at least once a year to plan and review the activities of BSAF. An Eleven-Member Executive Board is elected in the Annual General Meeting for a period of two years. The Director of BSAF is the Ex-officio Member Secretary of the Executive Board (EB). The EB formulates its policies, approves action plans, mobilizes resources and reviews the overall activities of BSAF. The EB is accountable to the general body. BSAF regularly coordinates and works in collaboration with the relevant government agencies, UN and bilateral agencies, and international NGOs working in the area of child rights. BSAF operates with a small secretariat under the leadership of the Director. It focuses on i) advocacy ii) information/documentation iii) training/research and iv) program policy/monitoring.

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Major Achievements

- A strong countrywide network of NGOs on child rights
- Assisted in placing child rights issues on national agenda
- Assisted Government of Bangladesh in preparation of National Plan of Action for Children 1997-2002 and 2004-2009
- Assisted in formulation and approval of National Child Policy 2010
- Advocated and assisted the Government of Bangladesh ratifying the ILO Convention-182 on the Elimination of the Worst Forms of Child Labor
- Assisted in formulation and approval of National Child Labor Elimination Policy 2010
- Assisted in formulating and approval of the Children Act 2013
- Institutionalized the countrywide child rights week (29 September-05 October) in every year
- Institutionalized Girl Child Day in September every year

BSAF's involvement with government bodies

- Member of the Inter Ministerial Committee on CRC.
- Member of the National Steering Committee of Child Labour
- Joint Child Labour Working Group (JCLWG)
- Inter Agency Working Committee of MoLE
- Committee for the establishment of Independent Children Commission.
- Committee on Dustho Mohila O Shishu Kallayan Fund
- Member of the National Steering Committee of Ministry of Women and Children Affairs (MoWCA).
- Member of the NPA (National Action Plan) including Sub Committees MoWCA).
- Member of the Independent Children Commission.
- Member of the Optional Protocol of Sexual Exploitation and Abuse.
- Member of the Joint Child Labour Working Group (JCLWG)
- Member of Task Force for Children in Jail.
- Member of the Juvenile Child Justice (JCN)

International Involvement

As a corporate body BSAF has greater reach and therefore draws attention to issues, nationally, regionally and internationally. It maintains links and Network among different NGOs, networks and other organizations to share experiences, coordinate joint actions and to mobilize resources. The forum has involvement with different international networks and institutions. BSAF is being involved with:

- Member of the UNNGO Committee in Geneva
- Member of the CRIN-UK
- Member of the Global March against Child Labor
- Member of the Child Worker in Asia, Thailand.
- Member of the Street Children Consortium, UK

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Now children are not asking for a “better future” all they are asking for a “secured present” and even after promising state is failing to provide this security to the children.

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