



Stakeholder Report Universal Periodic Review - 2nd Cycle

National Human Rights Commission, Bangladesh

Gulfeshan Plaza (11th Floor) 8, Sohid Sangbadik Saleena Parvin Sorok, Moghbazar Dhaka - 1217, Bangladesh. Phone +880-2-831492; FAX +880-2-8333219; Email: nhrc.bd@gmail.com.

1. Introduction

1.1 Background

The NHRC is an independent statutory body established by legislationⁱ (NHRC Act). It is B Status institution recognised by the International Coordinating Committee of National Human Rights Institutions and is an Associate Member of the Asia Pacific Forum. The NHRC has undertaken extensive consultation with, and received relevant support from, both relevant Government Ministries and civil society organisations (see Annexure A). During its first UPR, Bangladesh received 42 recommendations to improve human rights protection and promotion. Bangladesh only rejected two recommendations. The Commission has categorised those recommendations into eight themes and made recommendations under each theme as follows (see Annexure B):

<ul style="list-style-type: none">• Institutional Development• Compliance with International Human Rights Law and Procedures• Economic, Social and Cultural Rights• Civil and Political Rights	<ul style="list-style-type: none">• Women’s Rights• Child Rights• Vulnerable Groups• Climate Change
---	--

1.2 Human Rights Context

Bangladesh faces many challenges including a large population in a geographically small country, which is regularly afflicted by extreme weather disasters. The majority of its people are afflicted by poverty, many with limited formal education. The Government of Bangladesh (GoB) has limited sources of revenue. Despite strong democratic foundations, Bangladesh has been blighted since independence by long periods of non-democratic rule which has hindered the development of democracy and human rights. Accordingly, any assessment of the record of the GoB in promoting and protecting human rights must be cognizant of these challenges. Moreover, whilst less than half the population are aware of the term ‘human rights’ significant awareness raising is required.

2. Assessment of progress in implementing UPR Recommendations

2.1 Institutional Development

Bangladesh was recommended to strengthen accountability mechanisms of state including the NHRC and judiciary.

2.1.1 NHRC

The passage of the NHRC Act in 2009 and the appointment of the Commissioners along with the allocation of funding for staff and logistics in 2010 reflect the first step in fulfilling the UPR recommendations. The pluralistic composition of the NHRC is a significant achievement. Since 2009, the number of complaints received by the NHRC has increased by over 300% reflecting significant demand for assistance.ⁱⁱ However, with only 28 staff, the NHRC has limited capacity. The NHRC needs to be strengthened with additional resources and staff. The NHRC Act should be revised to ensure the financial and administrative independence of the NHRC and to allow the NHRC to investigate violations by law enforcement agencies.

2.1.2 Strengthening the Judiciary

Despite the significant challenges inherent in improving access to justice, positive improvements have occurred such as the passage of legislation validating Ordinances which established separation of the judiciary and established the Judicial Service and Judicial Pay Commissions. The GoB is introducing alternative dispute resolution and establishing mandatory time frames for each stage of a lawsuit. Access to legal aid services has increased.ⁱⁱⁱ Nevertheless, the NHRC notes with concern public perceptions that the judiciary has been politicised. The NHRC recommends that the GoB take steps to avoid erosion of public confidence in the judiciary.

2.1.3 Other Institutions

The NHRC recommends operationalising the constitutional provisions for the establishment of an Ombudsman. The NHRC suggests that for parliament to truly fulfil its constitutional responsibilities the government and opposition need to work towards realising a parliament that effectively fulfils its legislative, accountability and representative functions.

2.2 Ratification of, or accession to, International Human Rights Treaties

Consistent with the foundation of Bangladesh as a democracy and the constitutional protection of human rights, Bangladesh is a signatory to the majority of core human rights instruments. At the first UPR, Bangladesh was recommended to ratify additional international human rights instruments including OP-ICCPR 1 and OP-ICCPR 2 and OP-CAT.^{iv} Since 2009, Bangladesh has ratified the Rome Statute and ICRMW. The NHRC will work with civil society and GoB to examine the potential to ratify additional human rights instruments. The NHRC also suggests considering withdrawing reservations to CEDAW and CRC. In addition, existing treaty obligations need to be adopted in domestic law.^v

2.3 Economic, Social and Cultural Rights

Economic, Social and Cultural Rights along with the provision of basic services are of particular concern to citizens.^{vi} However, is not possible to enjoy economic, social and cultural rights unless civil and political rights are also respected.

2.3.1 Social Protection

The Government is taking steps to tackle endemic poverty and thus ensure the economic, social and cultural rights of all.^{vii} Whilst the national poverty rate is 31.5% (down from 40%) coverage by Social Safety Net Programmes is only 24.6%.^{viii} The GoB has committed to increase the annual expenditure on such programs from 2.5% to 3% of GDP and is targeting a poverty rate of 15% by 2021.^{ix} It is integral that a rights based approach is followed in the implementation of such schemes and also that such schemes are appropriately and fairly targeted to those in need.

The realisation of the right to food is critical in a country in which millions continue to endure food insecurity and malnutrition. Increases in social safety net protections have increased the number of people with access to basic food stuffs in partial realisation of the right to food. In addition, the GoB passed consumer protection legislation in 2009 to protect people from unsafe and adulterated food stuffs. This legislation is supportive of the realisation of the right to food.

Nevertheless, corruption is a major impediment to development and the realisation of human rights.^x Effective policy and legislative settings are undermined by ineffective and corrupt implementation. Corruption impedes access to government services and therefore can be a significant impediment to the realisation of ESC rights especially where services particularly targeted at vulnerable groups. Tackling corruption would allow proper implementation of birth registration, health care, and education.

2.3.2 Rights to Housing

NHRC welcomes the recognition of the needs of the urban poor in the Sixth Five Year Plan and Vision 2021. The NHRC also welcomes that Draft Urban Sector Policy.^{xi} The NHRC notes that under international law forced evictions are prima facie incompatible with the requirements of ICESCR.^{xii} Accordingly, the NHRC is concerned about instances of forced eviction from slums. Often evictions are undertaken without prior notice as required by law. In addition, resettlement and rehabilitation plans are often not implemented prior to the eviction as required by the High Court.^{xiii}

2.4 Civil and Political Rights

Recommendations highlighted the need to end the culture of impunity of law enforcement officials and to increase their accountability. Over half of all complaints to the NHRC relate to the police and other security forces including the Rapid Action Battalion (RAB).^{xiv} There are also growing number of cases reported to the NHRC involving enforced disappearance. Stamping out these extrajudicial processes is critical for upholding the rule of law. It is not only the individual cases that are worrying. It is also the broader effect such impunity has on the value system of society, and the corresponding undermining of social cohesion. The NHRC also notes with concern, the regularity of reports by NGOs of killings and torture by RAB and the Police. There unfortunately continues to be a lack of accountability for such actions. Also of concern, there also appears to be a growing number of reports about intimidation of journalists.

The NHRC is heartened by the GoB's expressed desire to tackle this issue. The NHRC supports action to bring all officials involved in extra-judicial killing and torture to justice and actions to ensure that all officials are properly trained and supervised to end these practices. This issue needs to be considered in the context of a non-effective criminal justice system. Despite strong laws, a low conviction rate, a high rate of pre-trial detention, ineffective law enforcement and judiciary, undermine the operation of the criminal justice system. This creates impunity and undermines the rule of law. In this respect the NHRC notes with concern increases in mob beatings in response to alleged impropriety.

The NHRC welcomed the establishment of The International Crimes Tribunal Bangladesh (ICTB). The tribunal is important for bringing those responsible for crimes against humanity during the Liberation War of 1971 to justice. It is also important for ending the culture of impunity following those crimes. The NHRC stresses that rule of law and due process shall apply to all citizens.

The NHRC also suggests that the GoB should strongly take up the issue of killings near the Bangladesh border with India by Indian Border Security Forces.

2.5 Women's Rights

Much progress has been made in Bangladesh in respect of developing laws and policies.^{xv} Nevertheless, significant challenges remain and women continue to face discrimination in both the public sphere and their family life. The NHRC notes that domestic violence, sexual violence and dowry continue despite being illegal. The second most common complaint to the NHRC relates to domestic violence. Social and cultural change is required in order to realise the rights of women and greater focus is needed on awareness raising and education. The NHRC recommends the establishment of an appropriate mechanism to ensure the rights of women. Moreover, the GoB needs to work diligently for implementing laws and policies to protect the rights of women.

2.6 Child Rights

2.6.1 Children Act

For expediting the protection and promotion of child rights in Bangladesh, the NHRC established a Child Rights Committee, comprising key stakeholders. The Committee has been effective in working with Government in advocating for legal compliance with the CRC and Constitution. The NHRC has actively participated in consultations on the draft of the proposed Children Act 2012 and made several recommendations. The NHRC suggests that the new legislation may be an important development provided that it defines a child as a person under 18 years of age in conformity with the CRC and the minimum age of criminal responsibility is raised from 9 to 12 years. The NHRC also recommends that the legislation improves the juvenile justice system by providing diversion programmes to reduce the number of children in detention and otherwise focuses on their rehabilitation. In conformity with the National Child Development Policy 2011, the Office of the Child Ombudsman should be established.

2.6.2 Human Trafficking and Child Labour

The NHRC welcomes the enactment of legislation to tackle human trafficking and child pornography in compliance with the international legal framework.^{xvi} The NHRC urges the GoB to ensure the necessary resources and trainings for officials are provided to implement the legislation.

The NHRC highlights the need to end the endemic practice of child labour. The vast majority of child workers are engaged in informal employment where occupational health and safety protections, wages and legal and social protection are either absent or inadequate. Over 2.5million or 7% of 5-14 year old children in Bangladesh are engaged in employment and are not attending school.^{xvii} The NHRC welcomes the National Child Labour Elimination Policy 2010 and proposed National Action Plan.^{xviii} Recognising the particular situation of many extremely poor and vulnerable families who rely on child labour to survive, the NHRC urges the GoB to establish safety nets programme to provide the required financial and social benefits to those in need.

2.6.3 Education

The National Education Policy in 2010 provides that primary education will be free for all and compulsory up to class VIII whereas previously it was class V. In addition, gender parity has been achieved in primary and secondary education enrolments realising government commitments. The NHRC recommends that students at risk of non-attendance should be supported with stipends programme to ensure their attendance at school. The NHRC urges the GoB to adopt an action plan to end corporal punishment and child marriage. The NHRC calls also for necessary budgetary allocation for the realisation of child rights.

2.7 Minority and Vulnerable Groups

2.7.1 Persons with Disability

Bangladesh was one of the pioneering countries to ratify the Convention on the Rights of Persons with Disabilities (CRPD) and is bound to implement the treaty and ensure the rights of people with a disability in the country. Studies suggest that the rate of disability prevalence is approximately between 5% to 12% in Bangladesh.^{xix} Accordingly, the drafting of *The rights of persons with disabilities Act 2011 (Draft)* is a positive development in ensuring the rights of people with a disability. The NHRC also lauds the initiatives of the GoB in support of those with Autism Spectrum Disorders and Developmental Disabilities. Effective implementation of the draft law must be ensured. There is significant community misperception about the abilities and consequently value of people with a disability. Such misperceptions must be addressed.

2.7.2 Ethnic Minority Rights

Ethnic minorities continue to be amongst the poorest in Bangladesh. Moreover, they are more likely to suffer breaches of their human rights, particularly in the realisation of the social, economic and cultural rights. Some progress on the *implementation* of the Chittagong Hill Tracts (CHT) Accord (1997) has occurred in the reporting period. Bangladesh adopted the Small Ethnic Cultural Institutions Act 2010 which seeks to preserve and promote cultures of 27 ethnic minorities. The National Education Policy (2010) also includes provisions of primary education in own mother tongue. Nevertheless, the overall slow pace of the CHT Accord implementation remains a significant concern.

The GoB recently passed a constitutional amendment which refers to “tribes, minor races, ethnic sects and communities.”^{xx} The measure recognises Bangladesh’s diversity and protects the rights of minority groups. Nevertheless, civil society groups and international human rights bodies are concerned that the provision does not use the word ‘indigenous’ and argues that such groups ought be recognised as the ‘indigenous peoples’ of Bangladesh. In the NHRC’s opinion, contention over definitions should not derail focused efforts to improve their rights particularly in areas such as education, health and land rights. The NHRC considers that the full implementation of the CHT Accord including land rights could contribute to the establishment of peace and the respect of human rights in the CHT. In addition, noting low levels of awareness across the community, the NHRC recommends that GoB in partnership with civil society should develop and implement awareness campaigns to enhance understanding of their rights.

Since the 2009 UPR, the government has included consideration of ratification of ILO Convention No.169 on Indigenous and Tribal Peoples in the Sixth Five Year Plan (2011-2016) adopted in 2011. The Government has expressed great commitment to securing the rights and protections enshrined in the Convention. The GoB needs to undertake visible steps to implement these commitments.

2.7.3 Refugees

Deprivation of nationality and persecution in Myanmar have compelled hundreds of thousands of Rohingyas to seek sanctuary in Bangladesh for decades. Bangladesh has shown great hospitality to over 200,000 refugees from Myanmar including providing services such as shelter, food and housing. Today an estimated 30,000 registered refugees still reside in two official camps, where protection and assistance is provided by the Government, UNHCR, WFP, and NGOs. In addition, following suspension of registration in 1992, there has been a growing number of unregistered Rohingyas who

are in Bangladesh without any legal status. Some receive minimal humanitarian assistance; all are at risk of arrest and prolonged detention. Women and girls are particularly vulnerable to sexual violence and trafficking. The economic and social situation of both the registered and unregistered Rohingyas are poor. Rohingyas are prohibited from employment and their education level is low. The NHRC suggests that accession to the 1951 Refugee Convention could facilitate the mobilisation of international support, so as to alleviate the burden and responsibility that has been primarily shouldered by Bangladesh in hosting refugees from Myanmar.

2.7.4 Religious Minorities

In respect of religious minorities, the GoB is to be congratulated for going beyond the UPR recommendations by adopting constitutional protections rather than legislative measures to protect religious freedoms. The GoB passed the 15th Amendment of the Constitution and restored article 12. This article provides for a secular state and protects freedom of religion. The NHRC considers that article 8 on state religion also should be revisited.

2.7.5 Other Minorities

Excluded groups (including dalits and transgender) remain some of the poorest people in Bangladesh and face marginalisation and discrimination. In addition, the NHRC notes that the GoB did not accept recommendations with respect to sexual minorities. The NHRC understands the need for the law to be in harmony with the cultural and social mores of the people. Nevertheless, the NHRC believes that it is now time to ensure that all groups, including those who are transgender, intersex or a sexual minority, are protected from discrimination.

2.8 Climate Change

Bangladesh is a world leader in climate change mitigation and adaptation especially amongst other LDCs. Climate change poses an almost overwhelming challenge for Bangladesh. The maintenance of human rights standards in adaptive strategies will be a key challenge. Bangladesh has developed a Climate Change Strategy and Action Plan (2009) which sets out six priority areas for tackling climate change mitigation and adaptation including food security, coastal asset protection and low carbon development. The GoB has mobilised significant funds to implement the Action Plan, nevertheless a global response to climate change is required.^{xxi}

3. Other Human Rights Issues

NHRC has developed a Strategic Plan and prioritised human rights concerns. A **National Human Rights Action Plan** could be developed to plan and monitor implementation of human rights across the country.

4. Conclusions

In conclusion, Bangladesh has taken important steps to implement the recommendations made as part of the UPR process in 2009. Not least of which was the establishment of an independent human rights commission. Policies have been developed to enhance the protection of women and children. Legislation to combat domestic violence and human trafficking has been enacted. New legislation to protect the rights of people with a disability has been drafted and consulted upon. Freedom of religion has been restored in the constitution. Importantly, the culture of impunity that surrounded heinous crimes during the liberation war is being addressed through the ICTB.

Nevertheless, significant challenges remain. Extrajudicial killing, disappearances and torture continue to be practiced allegedly by law enforcement officials with impunity. Child labour continues to be pervasive particularly in the informal sector. Vulnerable Groups continue to suffer loss of land. The CHT Peace Accord needs to be fully implemented in a fixed time. These require focused and diligent attention to be effectively addressed by all stakeholders.

Annexure A Consultation Process

The National Human Rights Commission (NHRC), Bangladesh, has undertaken a series of consultations and meetings to ensure wide stakeholder input into this Stakeholder Report and to ensure the credibility and reliability of the report. NHRC developed a UPR Action Plan and prepared a road map for analysing and consulting on progress on UPR implementation.

Policy Dialogue with Secretaries of different Ministries

On 25 February, 2011, NHRC organized a policy dialogue with the Secretaries of different Ministries to discuss UPR implementation and the activities in this regard of the respective Ministries. In total, twenty-four senior representatives from the Ministries (Senior Secretary, Secretary, and Joint Secretary) participated the dialogue. The NHRC has sought to act as a bridge between the Government and civil society. The policy dialogue was successful with each government ministry appointing a senior official to act as a focal point for the NHRC and human rights more broadly.

Stakeholders' consultations and workshops

In light of the large number of recommendations, the NHRC organised them by theme (see Annexure B). The NHRC then organized a consultation workshop on each thematic area with the relevant Government agencies and subsequently with the CBOs, NGOs and other stakeholders. Consultations were held throughout the country. Human rights activists, development partners, key actors from GOs and NGOs attended those programs. The objective of the workshops was to ascertain perspectives on the progress made since February, 2009 in implementing the accepted recommendations. In addition, the workshops provided a forum for participants to provide guidance and suggestions for the effective implementation of recommendations. Further to the consultation meetings with key government actors, the following broader workshops were organised in order to assess the progress made in the implementation of the recommendations and define the way forward.

<ul style="list-style-type: none"> ➤ Institutional Development: 26 July, 2012 ➤ Ratification on Human Rights Instruments, 28 July, 2012 ➤ Refugees, Persons with Disability, Indigenous people, 4 August, 2012 ➤ Women Rights and Compliance with CEDAW, 4 August, 2012 	<ul style="list-style-type: none"> ➤ Civil & Political Rights, 7 August, 2012 ➤ Economic, Social & Cultural Rights, 7 August, 2012 ➤ Climate change & Disaster Management, 13 August, 2012 ➤ Child labour & Trafficking, 29 August, 2012
---	--

National Seminar on Universal Periodic Review: "Preparation for the 2nd Cycle Review Facilitated by the Human Rights Council"

Building on these consultations, and in order to bring all stakeholders together, the NHRC, organized a two day National Seminar on titled "Preparation for the 2nd Cycle Review Facilitated by the Human Rights Council" on 18-19 September 2012. The Seminar provided an opportunity for the NHRC to share its draft stakeholder report and to gain feedback from concerned stakeholders including concerned Government Ministries, NGOs and civil society. Delegates from around the country attended. Feedback was incorporated into the final report and the NHRC Recommendations in Annexure B.

Annexure B

NHRC Recommendations by Thematic Grouping

NHRC Thematic Grouping	2009 UPR Recommendation Numbers	Summary of the 2009 UPR Recommendations	NHRC Recommendations for 2 nd Cycle Period Review (with link to 2009 UPR Recommendation)
Institutional Development	6, 7, 11, 24, 25, 26, 27, 28, and 39.	Take measure to develop the work and capacity of NHRC, Anti-corruption Commission, Law Enforcement Agencies, Judiciary and to protect human rights defenders and journalists.	<ol style="list-style-type: none"> 1. <i>Restructuring for strengthening the NHRC to enable it to be truly effective (Rec 6,7).</i> 2. <i>Continue efforts to strengthen the independence and effectiveness of the judiciary with particular focus on access to justice for poor and disadvantaged individual (Rec 25).</i> 3. <i>Operationalise the Office of Ombudsman and improve the functioning of the parliament.</i>
Child Rights	8, 13, 16, 21, .22, and 23.	Ensure the full and effective implementation of existing laws and policies relating to the rights children and amend the existing laws in light of CRC especially in case of Juvenile Justice System, child labour, child trafficking..	<ol style="list-style-type: none"> 4. <i>Expedite the passage of the Children Act 2012 to establish an effective system of juvenile justice (Rec 16).</i> 5. <i>Train officials to combat human trafficking (Rec 23).</i> 6. <i>Implement the National Child Labour Elimination Policy 2010 (Rec 22).</i> 7. <i>Implement measures to ensure educational quality and maximise school attendance targeted at particularly vulnerable groups.</i> 8. <i>Prohibit child marriage.</i> 9. <i>Establish an independent Office of the Child Ombudsman, and a separate Division for Children within the Ministry and provide necessary budget allocation to realise child rights.</i> 10. <i>Withdraw reservations to CRC and ratification of OP3-CRC.</i>
Women's Rights	3, 8, 13, 14, 15, 21, 37.	Take measures to ensure women's rights are protected through implementing existing laws and policies, withdrawing reservations of CEDAW, and pursue positive efforts for the protection and promotion of the rights of women.	<ol style="list-style-type: none"> 11. <i>Consider establishing an appropriate mechanism for ensuring women's rights.</i> 12. <i>Withdraw reservations to CEDAW (articles 2 and 16 1 (c)) (Rec 3).</i> 13. <i>Operationalize the DV Act through the promulgation of statutory rules and the provision of necessary resources to ensure the statutory intent of the legislation is realised.</i> 14. <i>Implement a mass education campaign to tackle societal attitudes that perpetuate violence against women and undermines women's full economic participation.</i> 15. <i>Reinforce the High Court banning of Fatwa through legislation.</i> 16. <i>Explore options in line with the Constitution to ensure women's rights to inheritance.</i>

Vulnerable Groups	2, 18, 8, 2, 34, 18.	Take steps to address discrimination against vulnerable groups and to take measures to ensure the effective protection of the refugees, enhancing protection of religious freedom by adopting legislative measures, implement the CHT Peace Accord and protect the rights of the disabled.	<p>17. <i>Enact the Disability Peoples Rights Law 2011.</i></p> <p>18. <i>Implement a mass awareness campaign to tackle endemic discrimination against people with a disability and raise awareness of the skills and abilities of those with a disability.</i></p> <p>19. <i>Bangladesh to work together with the international community in searching for feasible and effective solutions to the increasing numbers of Rohingya in need of protection from persecution, including working with Myanmar to address the causes of displacement and pursuing resettlement to third countries where appropriate.</i></p> <p>20. <i>Fully implement the CHT Accord in a fixed time (Rec 34).</i></p> <p>21. <i>Fulfil the rights prescribed by article 23A of the Constitution through the establishment of a dedicated Commission.</i></p> <p>22. <i>Fully functionalise the Land Commission to resolve land disputes in the CHT.</i></p> <p>23. <i>Implement human rights training for police and military officers working in the CHT.</i></p> <p>24. <i>Ensure the prosecution of security personnel who abuse or violate rights.</i></p> <p>25. <i>Develop and implement awareness campaigns to enhance understanding of the rights of ethnic minorities.</i></p> <p>26. <i>Raise awareness through education to ensure the effective implementation of the right to religious freedom and to ensure non-discrimination and equality for religious minorities.</i></p> <p>27. <i>Ensure that the Vested Properties Return Act 2011 is diligently operationalised and implemented.</i></p> <p>28. <i>Take steps to protect excluded groups (including dalits, transgender, and sexual minority groups) from discrimination.</i></p> <p>29. <i>Explore the possibility of ratify the 1951 Refugee Convention and ILO Convention No.169.</i></p>
Civil and political rights	1, 9, 10, 19, 20, 26, 17, 29, and 38.	Address the problems of extrajudicial killings, torture and degrading treatment by security forces and improve prison situations. Fight impunity and hold all officers and persons acting on their behalf accountable for acts of torture and harassment of civilians	<p>30. <i>Urgently continue initiatives to end the culture of impunity (Rec 10, 20, and 26).</i></p> <p>31. <i>Implement a public awareness campaign to raise citizens awareness of the rights of people who are arrested and/or detained and the right of all citizens to a fair trial.</i></p> <p>32. <i>Implement Human Rights Training for Law Enforcement Officials across the country.</i></p> <p>33. <i>Urgently initiate steps to ensure the proper accountability of all public officials and the application of the rule of law.</i></p> <p>34. <i>Work with India to end border killings.</i></p> <p>35. <i>Engage with civil society through robust consultation in respect of new laws to regulate the operation and funding of NGOs.</i></p>
Economic, Social and Cultural Rights	30, 31, 32, 33, 35, 36 and 42.	Continue efforts to eliminate social and economic disparities in order to reduce poverty, ensure the right to food, education, health, clothing, shelter, and improvement of the living standards of its people.	<p>36. <i>Expediently and effectively implement social protection strategies (including the Draft Urban Sector Policy) to protect the poor and realise the objective of reducing poverty to 15% by 2021. (Rec 36)</i></p> <p>37. <i>Ensure the Draft Urban Sector Policy includes concrete actions and timetable for implementation.</i></p> <p>38. <i>Work with local officials and civil society to ensure that people have genuine access to social protection schemes and government services to which they are entitled.</i></p> <p>39. <i>Take initiative to reduce corruption by improving the accountability of those entrusted with important service delivery.</i></p> <p>40. <i>Implement the recommendations from the UN Independent Expert (IE) on extreme poverty (mission in 2009).</i></p> <p>41. <i>Draft and implement a comprehensive human rights-based housing law for both urban and rural areas, (including a prohibition on forced eviction).</i></p> <p>42. <i>Adopt concrete time-bound indicators to evaluate the state's efforts towards addressing the urban and rural housing shortage.</i></p> <p>43. <i>Implement the UN Guiding Principles on Internal Displacement and the UN Basic Principles and Guidelines on Development-based Evictions and Displacement, and adopt them in national and state laws and policies.</i></p> <p>44. <i>Implement the recommendations from the IE on water and sanitation (mission in 2009)</i></p>
Compliance with	1, 2, 3, 12, 40 and 42.	Consider ratifying OP-ICCPR 1, OP-ICCPR 2, OP-CAT, ICRMW, CED,	45. <i>Ratify all international human rights instruments agreed at the 1st UPR and ensure their effective implementation in domestic laws and policies.</i>

International Human Rights Law and Procedures.		Refugee Convention and ILO Convention No.169, and other core international treaties and optional protocols to which it is not a party. Withdraw reservations to human rights instruments, improve reporting to treaty bodies and cooperation with special procedures.	<p>46. Pass legislation to incorporate international human rights treaties into domestic law.</p> <p>47. Submit pending reports to UN human rights treaty bodies without delay (Rec 40).</p> <p>48. Adopt concrete monitoring mechanisms to ensure that the recommendations of treaty bodies and special procedures are properly implemented.</p> <p>49. Review all legislation for compliance with constitutional obligations and international human rights law.</p> <p>50. Ensure regular visits of Special Rapporteurs (SR) to Bangladesh (Rec 12).</p>
Climate Change disaster management and Human Rights	41.	Continue its efforts to mitigate the negative impact of climate change as well as disaster management programmes.	<p>51. Continue global negotiations for a new international agreement to assist developing countries to finance and implement effective climate change adaption strategies.</p> <p>52. Industrialised countries provide financial support to developing countries, such as Bangladesh, to implement effective mitigation and adaptive strategies that respect the fundamental rights and dignity of the Bangladesh people.</p>

Annexure C References

-
- ⁱ National Human Rights Commission Act (2009)
- ⁱⁱ National Human Rights Commission, Bangladesh, *Annual Report 2011*.
- ⁱⁱⁱ UNDP, *Justice Sector Strategy Development Project Completion Report, 2012*.
- ^{iv} Recommendation 1: Bangladesh to consider ratifying or acceding to: The optional protocols 1& 2 to the Convention for Civil and Political Rights (OP-ICCPR 1 and OP-ICCPR 2); The optional Protocol to Convention against Torture (OP-CAT); The Convention on Enforced Disappearance (CED); and International Convention on Rights of Migrant Workers (ICRMW).
- ^v In Bangladesh legislation passed by parliament is required to give effect to international legal obligations in domestic law.
- ^{vi} National Human Rights Commission, Bangladesh, *Perceptions, Attitudes and Understanding. A baseline survey on human rights in Bangladesh (2011)*.
- ^{vii} General Economics Division, Planning Commission, Government of the People's Republic of Bangladesh, *Sixth 5 Year Plan (2011-2015) Accelerating Growth and Reducing Poverty*.
- ^{viii} Bangladesh Bureau of Statistics(BBS), *Household Income & Expenditure Survey 2010 (2011)*.
- ^{ix} General Economics Division, Planning Commission, *Outline Perspective Plan Of Bangladesh 2010-2021 Making Vision 2021 A Reality (June 2010)*
- ^x General Economics Division, Planning Commission, Government of the People's Republic of Bangladesh, *Sixth 5 Year Plan (2011-2015) Accelerating Growth and Reducing Poverty*.
- ^{xi} Government of the People's Republic of Bangladesh Ministry of Local Government, Rural Development and Cooperatives Local Government Division, Committee on Urban Local Governments (CULG) *National Urban Sector Policy (Draft) 2010*.
- ^{xii} Office of the High Commission for Human Rights, *The right to adequate housing (Art.11.1): forced evictions: CESCR General Comment 7. (20/05/97)*
- ^{xiii} Judgment of Writ No 5915 of 2005 (*BLAST vs. Bangladesh*)
- ^{xiv} National Human Rights Commission, Bangladesh, *Annual Report 2011*.
- ^{xv} The NHRC commends the adoption of **National Women's Development Policy (2011)**, Enactment of the **Domestic Violence (Prevention and Protection) Act 2010 (DV Act)**, the publication by 20 Government Ministries of **Gender Budget Reports in Financial Year 2011-12** which is designed to support the implementation of the National Women's Development Policy, the passage of the **Citizenship (Amendment) Act (2009)**, which enables a Bangladeshi woman to transmit citizenship to her children and the inclusion of **Specific gender goals and targets in the Sixth 5 Year Plan**.
- ^{xvi} *Human Trafficking Deterrence and Suppression Act 2012, Pornography Control Act 2012*.
- ^{xvii} UN Committee on the Rights of the Child Bangladesh 2009 Report.
- ^{xviii} The Policy recommends that children not be engaged in work that exceeds five hours a day and work that exerts undue pressure on their physical and psychological wellbeing and development.
- ^{xix} Asian-Pacific Human Rights information Center, 2009.
- ^{xx} Bangladesh Constitution s23A.
- ^{xxi} The GOB has committed \$US350 since 2009 to its own trust fund the Bangladesh Climate Change Trust Fund (BCCTF). The Bangladesh Climate Change Resilience Fund (BCCRF), which is administered by the WB is also assisting in the financing and implementation of resilience programs.