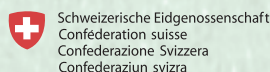


State of Child Rights in Bangladesh 2019



BSAF

Bangladesh Shishu Adhikar Forum (BSAF)





BSAF

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Disclaimer

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Foreword

Children in Bangladesh are vulnerable to being tortured, raped, killed, kidnapped, trafficked, sexually abused; and being deprived and exploited. Those who are abused and exploited are explicitly denied their rights to be safe from these practices under the Convention on the Rights of the Child (CRC).

To establish an abuse, exploitation and discrimination free society is the main mission of Bangladesh Shishu Adhikar Forum (BSAF). In this backdrop, BSAF every year publishes the State of Child Rights in Bangladesh highlighting the vulnerabilities of the children including: child labor, child marriage, child sexual abuse, child pornography, child prostitution, child domestic workers, street children, children with disability and other forms of vulnerabilities.

I am very glad that like previous years Bangladesh Shishu Adhikar Forum (BSAF) is going to publish State of Child Rights in Bangladesh-2019. This publication is an annual document of BSAF which reflects the child rights situation in Bangladesh in the reporting year.

This report analyzes Bangladesh's progress towards fulfilling child rights in 2019. This report reviews current situation of fatalities, child sexual abuses, child trafficking, missing and child marriage in Bangladesh. We hope that, this report will help child rights based national and international organizations, government officials, researchers, academicians and students of social sciences by providing ample data on child rights violation related issues in 2019.

We are very much indebted to Terre des Hommes - Netherlands, Human Rights Programme of the United Nations Development Programme (UNDP) and Global March against Child Labour for their continued support to BSAF and especially to this report. I am grateful to the executive board members of BSAF for their guidance and support.

I deeply recognize the time, energy and contribution rendered by the researcher Qumrunnessa Nazly and Sajjad Ahamed to make this study more esteemed. I am very much happy that the students of Honours 4th year (Social Welfare) from the University of Dhaka: Sharmin Akter, Soheli Tasnim, Chowdhury Sayma Islam Promi, Sujon Mahmud, Md. Imran Hossain, Khalilur Rahman; 4th year Honors students (Social Work) from the Lalmatia College: Taslima Akter, Mehenaj Parvin, Halima Akter, Jainab Akter, Kohinur Akter and Masingaung Marma worked with BSAF as Internees and extended valuable support in monitoring the daily newspapers and preparing the documents. Finally, I must acknowledge the effort of my colleagues in BSAF secretariat to coordinate the preparation and publication of the report.

With sincere thanks to all,

Abdus Shahid Mahmood

Director

Dhaka, February 2020

Executive Summary

Bangladesh Shishu Adhikar Forum (BSAF), the largest national network of Non-Government Organizations (NGOs) with 272 members has been actively advocating for the promotion and protection of the child rights since its inception in 1990. BSAF's mandate is to complement and supplement the government's effort to promote and protect the rights of the children. To this end, it engages in networking and establishing linkage with relevant government organizations, trade unions, media, UN agencies, inter-governmental and other national and international organizations working for promoting and protecting the rights of children.

Monitoring the situation of child rights of Bangladesh is one of the key tasks of Bangladesh Shishu Adhikar Forum (BSAF). It does so by screening daily newspapers and preserving the collected data and information in a systematic way in its own information resource center which functions as the information bank. Using this monitoring mechanism, BSAF has been publishing yearly report titled 'State of Child Rights in Bangladesh' since 1997 providing an overview on the situation of child rights of the country of a particular year.

This report titled as "State of Child Rights in Bangladesh 2019" is the 21st report of its series. As like in the previous years, the present report has been prepared by analyzing the data collected through screening newspapers to illustrate the overall situation of child rights of the year and to make specific recommendations to improve the status of the children's rights in Bangladesh.

The study applied both quantitative and qualitative research methods involving mainly secondary data collected through newspaper screening. However, primary information in the form of observations, opinions and perceptions of the different relevant stakeholders has also been collected by way of key informant interviews with several government and non-government stakeholders. The report also included few case stories to provide a deeper analysis on the trend and the impact of violations/violence against children on the overall development and human rights situation of the country. In addition, relevant national and international policy and legal instruments, published documents of national and international organizations, and news articles have been reviewed to strengthen the analysis and to formulate recommendations.

Situation of child abuse and exploitation, violence against children, incidents of fatalities and injuries of 2019 as captured through newspaper screening have been mainly highlighted in this report. Review of Bangladesh's overall legal and policy framework in light of the obligations of the Convention on the Rights of the Child (CRC) has been done to analyze the actual situation of the child rights of the year. In addition, comparative analysis of the situation of the last five years describing- year wise trend of violence against children, causes and consequences of violations of child rights, socio-economic impact of such violations, gender perspectives of violations/violence against children and the demographic as well as geographic aspects have also been highlighted in this report.

The report presents the data on different forms of violations of child rights as reported in different newspapers in 2019, with analysis in prevailing socio-economic perspectives and in light of national and international state obligations. The report organizes the reported incidents of violations in three different but interrelated categories of rights following the structure of CRC: 1) Survival and development rights; 2) Protection rights; and 3) Participation rights.

BSAF monitoring reveals that in 2019 total 4,381 children experienced different forms of violence and exploitations of whom 2088 children became victims/survivors of fatalities and 1383 children have been subjected to sexual violence. This shows that on an average 365 children have been subjected to different forms violence every month. The BSAF monitoring documented 2088 incidents of fatalities, 1383 incidents of sexual violence, 374 incidents of kidnapping, 219 incidents of physical and other types of violence and 173 incidents of injuries. In addition, it documented 144 incidents of child marriage which includes both the incidents of stopping of the marriage with government efforts and the occurrence of marriage.

The comparative scenario between the two years-2018 and 2019 shows that incidents of sexual violence increased (by 70.32%) alarmingly in 2019, though incidents of fatalities and other forms of violence decreased by varied percentage. However, though percentage wise declining trend has been observed in case of fatalities, kidnapping and other forms of violence, the number of these incidents still stand high.

The monitoring illustrates the scenario of unnatural deaths of the children taking place in 2019 and 2018 respectively which provides a status on violations of right to life, survival and development of the children. The data reveals various types of fatalities that include murder, suicide, death by drowning, road accidents, electrocution, fire, lightning strikes, boat capsizing, death by medical negligence and other accidental deaths. BSAF monitoring system recorded total 448 murder, 158 suicide, 555 death by road accidents, 507 deaths by drowning, 86 deaths by electrocution, 24 deaths due to medical negligence

and 2 deaths due to food poisoning in 2019. It also recorded 42 incidents on finding dead body of unidentified new born baby which is slightly higher than 2018. Notably, it recorded highest number of deaths by road accidents (555) which follows the number of deaths by drowning (507).

However, as compared to the data of 2018, total number of fatalities has been decreased by 11.30%, where incidents of murder and finding dead body of new born babies have been increased by 7.18% and 7.69% respectively in 2019. Incidents of death by fire and by electrocution have also been increased by 33.33% and 43.33% respectively.

Analysis of the data of last five years shows an increasing trend of child murder with the exception of a slightly lower number in 2016. According to BSAF monitoring, 292 incidents of murder were documented in 2015, the number slightly went down in 2016 with 265 incidents of murder. Contrarily, a gradual increasing trend is observed from 2017- total 339 incidents of murder were documented in 2017, and 418 incidents of murder in 2018, where the number reached to 448 in 2019. The analysis reveals that in 2019, on an average 37 child murder took place every month and in most of the cases, the murder took place as a consequence of trivial matters relating to family disputes, conjugal conflict, extramarital affairs and enmity with the family. In some cases, poor working children were beaten to death over trifles or on false allegations of theft. There were also incidents where parent killed his or her child followed by committing suicide of the parents.

As far as geographical location is concerned, the monitoring reveals that Dhaka district including the capital area, Narayanganj, Chattogram, Gazipur and Mymensingh remains at the top of the 64 districts experiencing child murder. Of these five districts, Dhaka remains at the top with 63 incidents of child murder followed by Narayanganj with 23 such incidents.

Committing suicide has been identified as one of the main reasons of child fatalities in last five years. The BSAF monitoring reports disclose that total 158 incidents of suicide took place in 2019, where the highest number of suicide (258) was committed in 2018. But like in other cases, actual numbers are likely to be several times higher than the numbers reported, as many such incidents go unreported.

BSAF monitoring also documented a large number of deaths (507 incidents) by drowning in 2019, though the number is 16.34% lesser than the previous year. However, it recorded total 2279 deaths by drowning in last five years which shows that on an average about 38 children dies by drowning in every month.

BSAF monitoring documents 555 incidents of death of children by road accidents in 2019, though the number decreased by 11.48% as compared to 2018. According to BSAF

documentation, of the total fatalities, 26.58% children died in road crash. As far as the road accidents are concerned, reckless driving, overtaking, engineering faults on roads, movement of unfit vehicles and disobedience to traffic rules and lack of awareness of the parents and the common people about the traffic rules have long been blamed for road accidents, taking toll on people's right to life guaranteed by the constitution.

Incidents of abandoning the dead bodies of unidentified newborn babies and theft of newborn baby are the latest rise as a threat to life and survival of the children in a conducive environment. BSAF monitoring documents an increasing trend of finding dead bodies of newborn babies from 2018 to 2019. In 2019, total 42 such dead bodies were found against 39 dead bodies in 2018.

BSAF monitoring reveals that sexual violence against children increased by 76 per cent in 2019 in comparison to 2018, and the type of violence included rape, attempt to rape, beating by perverts, sexual harassment and victimization by pornography. The data on media reports shows that in 2019, total 1005 incidents of rape, 128 attempts to rape, 203 sexual harassments, and 28 incidents of beating by perverts and 19 incidents of victimizations by pornography took place. The data as illustrated in the report shows a trend of last five years which indicate an alarming trend of increase in incidents of rape, attempt to rape and sexual harassment in 2019 as compared to data of 2018. Sexual violence against children at educational institutions has also become a common phenomenon in recent years, with reports coming in from around Bangladesh, indicating a dangerous upward trend that has become a serious cause for concern¹.

A comparative scenario of sexual violence between 2019 and 2018 reveals that in 2019, incidents of all types of sexual violence including rape, gang rape, attempt to rape, beating by perverts, sexual harassment, and victimization of pornography increased from 2018. The documentation shows that in 2019, total 1005 incidents of rape (76% higher than 2018), 108 incidents of gang rape (15% higher than 2018), 128 incidents of attempt to rate (33% higher than 2018) and 203 incidents of sexual harassment (56% higher than 2018) took place. And, as a whole percentage of sexual violence increased by 67% from 2018.

BSAF monitoring also reveals 27% rise in victimization of the children by pornography, as it documented 15 such incidents in 2018 and 19 incidents in 2019, despite that Bangladesh has specific law titled as the Pornography Control Act, 2012. The law in its

¹ Sexual abuse in educational institutions: A dangerous trend on the rise, 13 April 2019
<https://www.dhakatribune.com/opinion/special/2019/04/13/sexual-abuse-in-educational-institutions-a-dangerous-trend-on-the-rise>

section 8 (1) declares any act capturing video or still pictures of sexual intercourse or behavior exposing sexual sensation, with or without consent of parties, who are in sexual interaction, as punishable with imprisonment of maximum 8 years period and 2 lacs taka fine and section 8(6) of the law defines making porn video with minor as a serious offence having penalty of 10 years of imprisonment and 5 lacs taka fine.

Though in most of the reporting on rape cases, the detailed of the perpetrators are not mentioned, BSAF monitoring discloses that local vagabonds and the neighbors are the main perpetrators of rape, where lovers, teachers, close relatives, transport workers, friends/class fellows friends are also included in the list of the perpetrators of rape. On the other side, age segregated data of the perpetrators reveal that youths and adults (age group of 18-40 years) have mostly been alleged as the perpetrators of rape, where men of middle age group (41-50 years of age) and men above 50 years of age also have been alleged as the suspected perpetrators. Remarkably, 62 children below the 18 years also have also been alleged as the suspected perpetrators.

BSAF monitoring shows that total 374 children were kidnapped or went missing in 2019, of them 187 children were kidnapped and afterwards, 98 of them have been rescued by the law enforcing agencies. And, 29 children were killed after kidnapping. On the other hand, of the total 130 missing children, 37 children have been rescued alive and dead bodies of other 66 missing children have been found.

BSAF documentation reveals a decrease of physical and other forms of violence (36.52%) in 2019 as compared to 2018. However, it discloses that in 2019, total 219 children have been subject to different forms of physical and other forms of violence where 89 children experienced corporal punishment in educational institutions, and 16 domestic child workers were subjected to torture in their workplaces and 12 children have become victims/survivors of acid violence. Besides, 139 children experienced beating of whom 10 children faced brutal physical violence by the parents.

As far as the participation rights are concerned, BSAF monitoring does not provide any such qualitative and quantitative data, but given the importance of the participation of the children in different issues affecting their lives, this report tried to get views of the human rights activists and experts of child rights on this issue through newspaper screening and interviews. Few experts appreciate the government initiatives of formation of Students Council in the primary schools and establishment of National Children's Task Force (NCTF), a nation-wide children's organization hosted by Bangladesh Shishu Academy as the positive efforts of creating platforms to ensure children's participation but poses questions about the effective functioning of the forums. For example, NCTF was functional as long as the project based external support was there and after withdrawal of NGOs' support, NCTF is not functional any more, as

viewed by few experts. On the other hand, numerous initiatives of CSO's are in place to promote child participation in different issues. But again, experts view about the existence of conducive environment to ensure children's effective participation and make their voices to be heard. Children are invited to various relevant forums but given limited space or opportunity to contribute in the discussion.

In the prevailing situation, the report puts forward a set of recommendations for both the state and non-state actors including the parents and the media. The recommendations for the state include ensuring speedy trial of all cases of violence against children including murder and rape with exemplary punishment and ensure speedy execution of the verdicts, ensuring adequate monitoring on the practice of corporal punishment in educational institutions, finalizing the rules of Children Act without any delay and publish the rules through gazette notification, and allocate the appropriate administrative, technical and financial resources to ensure effective implementation of the law, taking necessary steps to finalize the draft structure of the separate directorate for the children to ensure effective inter-ministerial coordination on the issues of child rights and ensure taking necessary initiatives on child centric development, speeding up the process of establishing a Child Rights Commission/Child Ombudsperson with adequate mandate and resources to oversee child specific issues following the commitment of the National Children Policy 2011, and removing the existing inconsistencies between different laws and implementation mechanisms relating to child rights and take necessary initiatives to reform the existing laws by bringing all the child specific legal instruments and implementation mechanisms under a unified comprehensive framework.

The report also recommends the media to ensure adequate follow up reporting on the incidents of violence against children and take explicit stand to ban using children/ girl children as vulnerable and sexual object in broad casting the news/entertainment items/advertisements both in mainstream media as well as in alternative social media as a strategy to protect children from any future violence. At the same time, the report suggests the non-government organizations to emphasize on the awareness activities and embed the issues of child protection in every possible way in all their activities and to strengthen their activism on child rights issues by equipping them with the updated knowledge and skills on the issue and focus on evidence based influencing work with the government, donors, development partners etc. to take appropriate holistic interventions on child rights. Apart from the recommendations to the state, media and to the non-government organizations, the report urges the parents and the family members to become more aware and alert about the sexual violence against children and take proactive initiatives to acquire updated knowledge and skills on positive parenting.

1

Introduction

Children’s rights are not isolated issues of human rights only, but is essentially an issue of sustainable and inclusive development. Realization of human rights of the children is important as they are the future citizenry of the world and the achievement of the goal of establishing a just and discrimination free society mostly depends on how the children of today are groomed with proper education, human values and other opportunities as required to flourishing their full potentials.

Though different international human rights instruments laid the foundation of the human rights of the children including the Universal Declaration of Human Rights (UDHR) 1948 and the United Nations Declaration of the Rights of the Child (1959), the United Nations’ Convention on the Rights of the Child (1989), shortly known as CRC, is the first legally binding international human rights instrument to incorporate the full range of human rights—civil, cultural, economic, political and social rights of the children, based on four core principles- the principle of non-discrimination; the best interests of the child; the right to life, survival and development; and participation of the child in the decisions that affect them, according to their age and maturity.

The 2030 Sustainable Development Agenda embodies the highest aspirations for a bright future for the world’s children, and the Sustainable Development Goals (SDGs) are a crucial opportunity to realize their rights in all countries. An approach to implementing the SDGs in which children’s rights and wellbeing are placed in front and center is not only a human rights imperative, but can catalyse sustainable development by breaking down the transfer of poverty and exclusion from one generation to the next².

The 2030 Agenda for Sustainable Development has a set of 17 inter-related and mutually reinforcing Goals with 169 related targets. For the very first time, the dignity of children and their right to live free from violence and from fear is recognized as a distinct priority on the international development agenda. Achieving the goals, especially those related to education and health; gender equality and violence against women; child labour; poverty eradication; access to justice and accountable and inclusive institutions will help reduce the risk of violence in children’s lives and provide effective responses for child victims. But, failing to reach the targets related to violence against children - especially 16.2 - will compromise efforts in these areas, and hinder social and economic progress

² Children’s rights and the 2030 Sustainable Development Agenda, accessible on <https://www.ohchr.org/EN/Issues/Children/ThematicReports/Pages/2030SDA.aspx>

across the agenda. To reflect the importance and urgency of their protection, children themselves called for the new agenda to explicitly incorporate freedom from violence. They highlighted that violence cut across many goals and targets, but in addition needs to be envisaged as a standalone priority³.

However, in spite of near-universal ratification of the Convention on the Rights of the Child, millions of children around the world continue to be left behind and their rights denied, particularly those who are the most discriminated against or living in precarious situations of vulnerability – such as children on the streets, in institutions or in migration situations. Children also suffer the impacts of poverty, violence, inequality and exclusion disproportionately, due to their sensitive phase of life and development⁴.

Like many other different countries, violation of child rights also remains as an alarming issue for Bangladesh. Despite having a comprehensive policy and legal frameworks on the safeguard of human rights of the children, children across the country are facing various forms of violations of their rights including physical, sexual and psychological violence and abuse including corporal punishment in educational institutions. The gravity of the discrimination and violence are compounded due to intersectional identity of the children, such as status of deprivation of basic human rights for the slum dwelling children, and for the children living in geographically remote areas are worse than the other children. Girls living in slums and of different minority groups (religious minority, indigenous groups) remain more vulnerable to sexual and other types of violence and abuse.

To mention about the legal and policy frameworks of Bangladesh to safeguard rights of the children- in addition to commonly applied constitutional provisions on equality and non-discrimination (article 27& 28), the Constitution of Bangladesh also provides for making special measures for the children. Besides, it has specific policies and laws on the issues of children that includes National Children Policy 2011, the Children Act 2013, the Prevention and Protection of Domestic Violence Act 2013, the Prevention of Repression Against Women and Children Act 2000, Human Trafficking Deterrence and Suppression Act 2012. On the other hand, as the parties to almost all the international core human rights instruments including the CRC, Bangladesh also has international obligations to ensure full enjoyment of universally recognized human rights of the children.

Given the context as described above, Bangladesh Shishu Adhikar Forum (BSAF), the largest national network of Non-Government Organizations (NGOs) with 272 members has been actively advocating for the promotion and protection of the child rights since its inception in 1990. BSAF's mandate is to complement and supplement the government's effort to promote and protect the rights of the child. To this end, it engages in networking and establishing linkage with relevant government organizations, trade unions, media, UN agencies, inter-governmental and other national and international organizations working for promoting and protecting the rights of children.

3. <https://violenceagainstchildren.un.org/content/2030-childrens-rights-agenda>

4 Ibid

Monitoring the situation of child rights of Bangladesh is one of the key tasks of Bangladesh Shishu Adhikar Forum (BSAF). It does so by screening daily newspapers and preserving the collected data and information in a systematic way in its own information resource center which functions as the information bank. Using this monitoring mechanism, BSAF has been publishing yearly report titled 'State of Child Rights in Bangladesh' since 1997 providing an overview on the child rights situation of the country of a particular year.

This report titled as "State of Child Rights in Bangladesh 2019" is the 21st report of its series. As like in the previous years, the present report has been prepared by analyzing the data collected through screening newspapers to illustrate the overall situation of child rights of the year and to make specific recommendations to improve the status of the children's rights in Bangladesh.

2

Objectives

The specific objectives of the report include—

- i. To collect current data/statistics on different forms of child abuse and exploitations in Bangladesh;
- ii. To visualize the overall situation and make comparative analysis of child rights situation of Bangladesh of the year;
- iii. To make the civil society as well as the government particularly the concerned ministries more aware and responsive about child rights in Bangladesh;
- iv. To identify the gaps between policy and practice, and other relevant challenges and constraints in improving the situation of child rights in Bangladesh; and
- v. To make specific recommendations to the government and the civil society to strengthen the mechanisms for the protection and promotion of the rights of the children in Bangladesh.

Methodology

This report preparation process applied both quantitative and qualitative research methods involving mainly secondary data collected through newspaper screening. However, primary information in the form of observations, opinions and perceptions of the different relevant stakeholders has also been collected by way of key informant interviews with several government and non-government stakeholders. The report also included few case stories to provide a deeper analysis on the trend and the impact of violations/violence against children on the overall development and human rights situation of the country. In addition, relevant national and international policy and legal instruments, published documents of national and international organizations, and news articles have been reviewed to strengthen the analysis and to formulate recommendations.

Quantitative data has been collected by screening total fifteen newspapers of Bangladesh which include: **The Daily Prothom Alo, the Daily Kaler Kantho, Jugantar, Somokal, The Daily Ittefaq, The Songbad, The Daily Manobjomin, The Daily Nayadiganta, The Daily Bangladesh Protidin, The Daily Amader Shomoy, The Daily Star, Dhaka Tribune, New Age, the Independent and the Daily Sun.**

Analytical framework of the report preparation

The data collected following the sources as mentioned above has been analyzed using the guiding principles of CRC- non-discrimination, the best interests of the child, right to life, survival and development and right for children's views to be given due weight. Besides, internationally recognized obligations of state and non-state actors (to respect, to protect and fulfill) and existing national and international legal and policy obligations of the country have also been used as integrated features of analysis.

Situation of child abuse and exploitation, violence against children, incidents of fatalities and injuries of 2019 as captured through newspaper screening have been mainly highlighted in this report. Review of Bangladesh's overall legal and policy framework in light of the obligations of the CRC has been done to analyze the actual situation of the child rights of the year. In addition, comparative analysis of the situation of the last five years describing- year wise trend of violence against children, causes and consequences of violations of child rights, socio-economic impact of such violations, gender perspectives of violations/violence against children and the demographic as well as geographic aspects have also been highlighted in this report.

Overview of policy and legal framework on children's rights of Bangladesh

Bangladesh has numerous laws, policies and implementation mechanisms on children's rights. The Constitution of the People's Republic of Bangladesh, being the supreme law of the land guarantees the fundamental rights of the citizens which includes the children as well. Besides, few articles of the constitution are very specific to the children, as they clearly mention about the emancipation of the people from all forms of exploitation (Article 14), extending free and compulsory education to all children (Article 17), raising of the level of nutrition and the improvement of public health and increase the morality (Article 18) and promote positive activities for children and equality of opportunity for all citizens (Article 29). Rights relevant to protection of children can be summarized as below:

- ▶ Article 27, guaranteeing equality before the law and equal protection of law for all citizens,
- ▶ Article 28(1), prohibiting discrimination on grounds of sex, race, religion, caste or place of birth,
- ▶ Article 28(4), enabling the State to make special provision in favour of women or children or for the advancement of any backward section of citizens, and
- ▶ Article 31, guaranteeing right to protection of the law.
- ▶ Article 32, protecting the right to life and personal liberty of a person,
- ▶ Article 33, requiring that no person under arrest shall be denied the right to consult and be defended by a legal practitioner of his choice, and
- ▶ Article 35, providing for protections in respect of speedy trial and punishment, and expressly prohibiting torture and cruel, degrading, inhuman treatment or punishment⁵.

The vision of the Seventh Five-year plan 2016-2020, one of the most important long-term planning documents of the country is that all children in Bangladesh, irrespective of gender and socio-economic background, should be ensured access to essential services, including social security, health care, nutrition and education, and enjoy protection from

⁵ A review of laws and policies to prevent and remedy violence against children in police and pretrial detention in Bangladesh, Penal Reform International & Bangladesh Legal Aid and Services Trust (BLAST) 2013

all forms of violence, abuse and exploitation, to be able to reach their full potential and realize their rights. Child specific goals of this planning document include:

- ▶ Protecting children from all forms of abuse, exploitation and violence;
- ▶ Ensuring support of duty bearer, parents and other care givers on whom children have to depend; and
- ▶ Ensuring widespread public support for survival and development of children.

The document emphasizes on the need of harmonization and enforcement of the laws affecting children, and for widespread social awareness campaign and community mobilization on protection issues to foster positive attitudes towards children, particularly girls, and bolster the positive attitude of parents and decision-makers on the need to protect children regardless of the socio-economic environment.

Apart from the long term planning document, child specific policy and planning documents of the country includes National Children Policy 2011, National Women Development Policy 2011 and National Action Plan for the Implementation of the National Women Development Policy 2011, National Action Plan to Prevent Violence Against Women and Children (2018-2030), National Education Policy 2010, National Health Policy 2011, and National Strategy for Adolescent Health 2017-2030, National Child Labour Elimination Policy 2010 and Comprehensive Early Childhood Care and Development Policy 2013 etc.

In addition to the policy instruments as mentioned above, the legal framework on child rights includes the Children Act 2013, the Birth and Death Registration (Amendment) Act 2013, the Child Marriage Restraint Act 2017, the Dowry Prohibition Act 2017, the Prevention of Repression Against Women and Children Act 2000, the Pornography Control Act, 2012, the Prevention and Suppression of Human Trafficking Act 2012, The Bangladesh Labour Act, 2006 (amended in 2018), Bangladesh Labour Welfare Foundation Law 2006, Rights and Protection of Persons with Disabilities Act 2013, Domestic Violence (Prevention and Protection) Act, in 2010, and the Law on the Marketing of Breast-Milk Substitutes 2013.

Key study findings and analysis

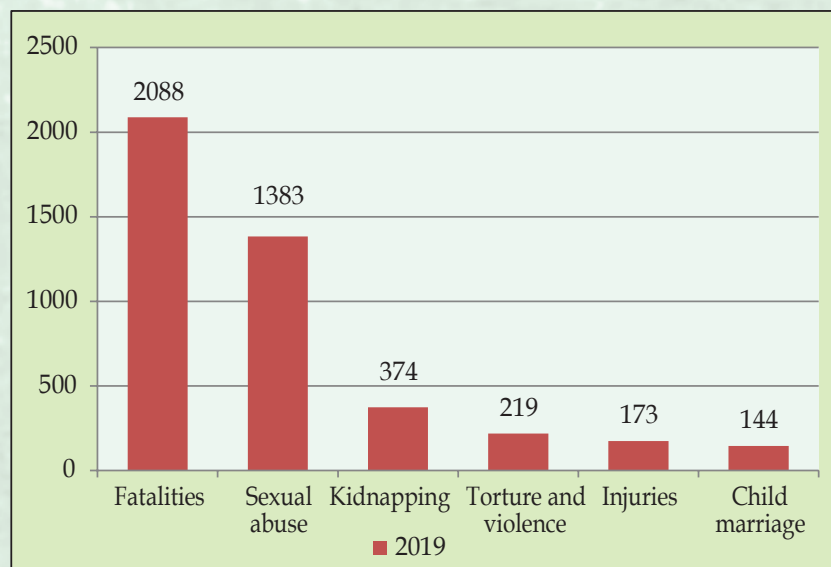
This section presents the data on different forms violations of child rights as reported in different newspapers in 2019, with analysis in prevailing socio-economic perspectives and in light of national and international state obligations. The report organizes the reported incidents of violations in three different but interrelated categories of rights following the structure of CRC: 1) Survival and development rights; 2) Protection rights; and 3) Participation rights.

BSAF monitoring reveals that in 2019, total 4,381 children experienced different forms of violence and exploitations, of whom 2088 children became victims/survivors of fatalities and 1383 children have been subjected to sexual violence. This shows that on an average 365 children have been subjected to different forms violence every month.

This is to be mentioned that BSAF documented 62 types of incidents which presents a grave scenario of violation of various rights of the children that includes the right to life, survival and development and the right to be protected, Of 62 types of incidents, 32 types of incidents fall under broad category of right to life, survival and development, though these issues are also related to the protection and participation rights.

However, for the sake of easy understanding, these incidents have been categorized in 6 broad categories that includes **fatalities, sexual violence, kidnapping and missing, torture and other types of violence, injury and child marriage.**

Various Types of Violence against Children in 2019



As illustrated in the above pie chart, the BSAF monitoring documented 2088 incidents of fatalities, 1383 incidents of sexual violence, 374 incidents of kidnapping, 219 incidents of physical and other types of violence and 173 incidents of injuries. In addition, it documented 144 incidents of child marriage which includes both the incidents of stopping the marriage with government efforts and the occurrence of marriages.

Comparative scenario of situation on child rights-2019 & 2018

Types of violations of child rights	2019	2018	% (+/-)
Fatalities	2088	2354	-11.30%
Sexual violence	1383	812	70.32%
Kidnapping	374	435	-14.02%
Physical and other forms of violence	219	345	-36.52%
Injuries	173	412	-58.01%
Child marriage	144	208	-30.77%
Total	4381	4566	-4.05%

The comparative scenario between the two years-2018 and 2019 shows that incidents of sexual violence increased (by 70.32%) alarmingly in 2019, though incidents of fatalities and other forms of violence decreased by varied percentage. However, though percentage wise declining trend has been observed in case of fatalities, kidnapping and other forms of violence, the number of these incidents still stand high.

6.1 Survival and development Rights

Article 6, 23, 24 and 27 of CRC stipulates about the survival and development rights of the children and states parties to the CRC are required to ensure to the maximum extent possible the survival and development of the child. These articles sets out the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services, education, leisure and recreation, cultural activities and the right to a standard of living that is adequate for the child's physical, mental, spiritual, moral and social development.

While interpreting 'the right to life', the Human Rights Committee in its General Comments on Article 6 of the International Covenant on Civil and Political Rights (1966) noted that the right to life cannot properly be understood in a restrictive manner, and that the protection of this right requires that States adopt positive measures, including all possible measures to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics.

Article 6 of CRC stipulates that children have the right to live and governments should ensure that children survive and develop healthily. Rights on survival and development as stated in different articles of CRC includes the rights to parental guidance, right to a

legally registered name, nationality and care, right to preservation of identity, right to live with parents and reunification with the family, freedom of thought, conscience and religion, right to special care who are deprived of family environment, right to special care and support for children with disabilities, the right to good quality health care, right to social security for the poor children, the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities and the rights of minority or indigenous children to learn about and practice their own culture, language and religion.

Child Fatalities (2015-2019)



Comparative scenario on fatalities- 2019 and 2018

Type of fatalities	2019	2018	% (+/-)- increase/decrease
Murder	448	418	7.18%
Committing suicide	158	298	-46.98%
Finding dead body of identity less new born baby	42	39	7.69%
Death due to road accident	555	627	-11.48%
Death by fire	60	45	33.33%
Death by electrocution	86	60	43.33%
Death by drowning	507	606	-16.34%
Death by lightning strikes	51	80	-36.25%
Death by cocktail bomb blast	0	2	-100.00%
Death due to political violence	1	3	-66.67%
Death due to ill treatment	18	13	38.46%
Death due to medical negligence	24	33	-27.27%
Death by water vessel accidents/ boat capsizing	16	7	128.57%
Death due to other different accidents	120	160	-25.00%
Death due to food poisoning	2	2	0.00%
Total	2088	2354	-11.30%

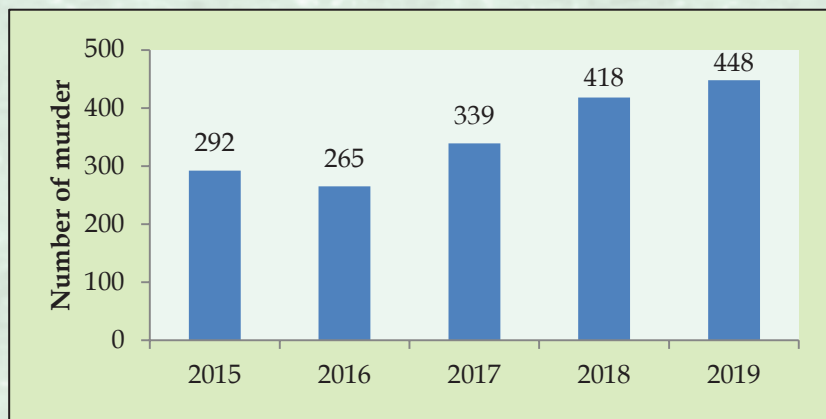
The above-mentioned table illustrates the scenario of unnatural deaths of the children taking place in 2019 and 2018 respectively which provides a status on violations of right to life, survival and development of the children. The data reveals various types of fatalities that include murder, suicide, death by drowning, road accidents, electrocution, fire, lightning strikes, boat capsizing, death by medical negligence and other accidental deaths. BSAF monitoring system recorded total 448 murder, 158 suicide, 555 death by road accidents, 507 deaths by drowning, 86 deaths by electrocution, 24 deaths due to medical negligence and 2 deaths due to food poisoning in 2019. It also recorded 42 incidents on finding dead body of unidentified new born baby which is slightly higher than 2018. Notably, it recorded highest number of deaths by road accidents (555) which follows the number of deaths by drowning (507).

However, as compared to the data of 2018, total number of fatalities has been decreased by 11.30%, where incidents of murder and finding dead body of new born babies have been increased by 7.18% and 7.69% respectively in 2019. Incidents of death by fire and by electrocution have also been increased by 33.33% and 43.33% respectively as shown in the above table.

Child Murder

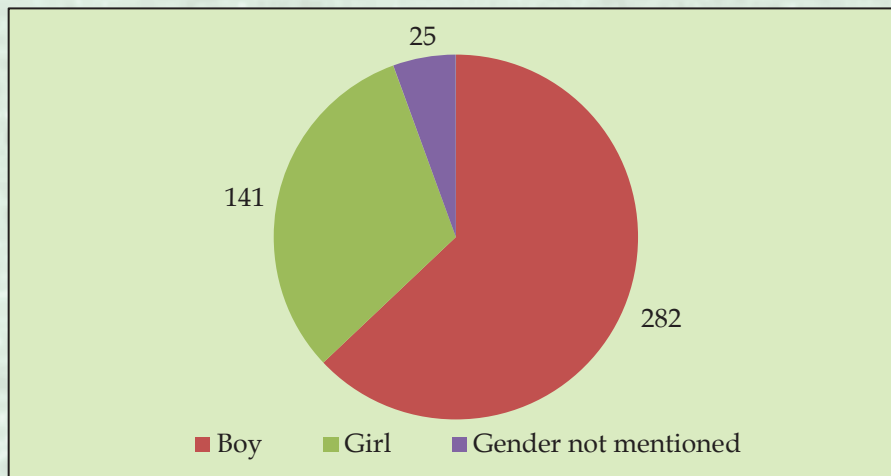
Analysis of the data of last five years shows an increasing trend of child murder with the exception of a slightly lower number in 2016. As shown in the following bar chart, 292 incidents of murder were documented in 2015, the number slightly went down in 2016 with 265 incidents of murder. Contrarily, a gradually increasing trend is observed in the following three years- total 339 incidents of murder were documented in 2017, and 418 incidents of murder in 2018, where the number reached to 448 in 2019. The analysis reveals that in 2019, on an average 37 child murder took place every month and in most of the cases, the murder took place as a consequence of trivial matters relating to family disputes, conjugal conflict, extramarital affairs and enmity with the family. In some cases, poor working children were beaten to death over trifles or on false allegations of theft. There were also incidents where parent killed his or her child followed by committed suicide of the parent/s.

Number of Child Murder (2015-2019)



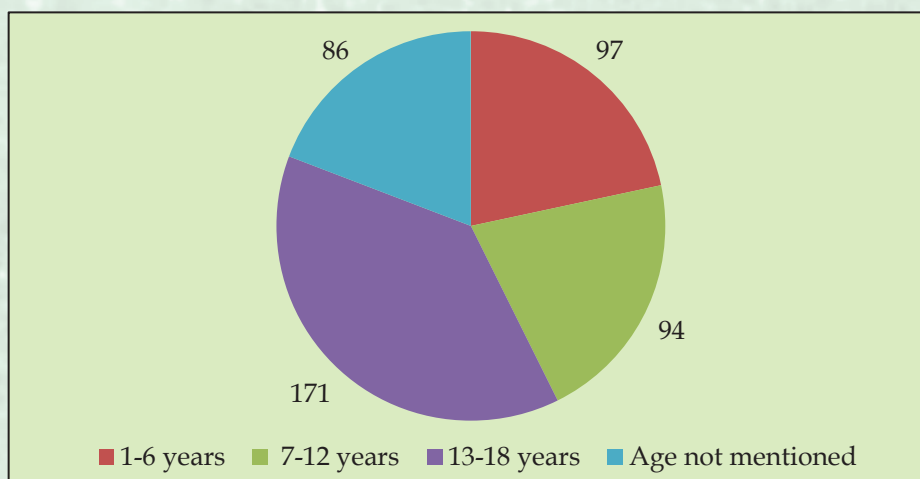
The BSAF monitoring also presents a comparative analysis on child murder in three following categories: child murder by gender identity, age group and by educational status.

Gender Distribution of Child Murder in 2019



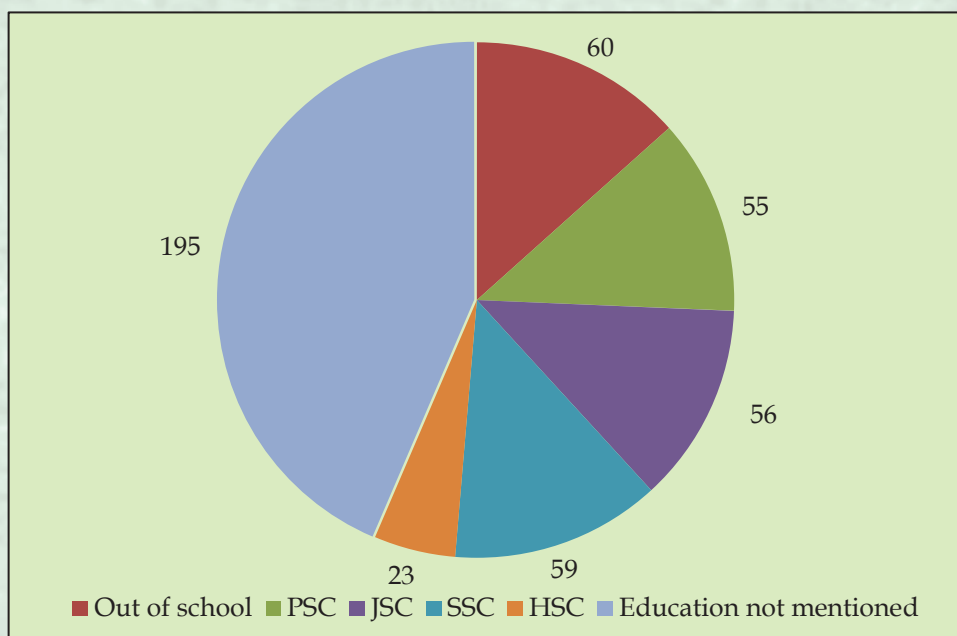
The chart above reflects that total 282 boys (63% of the total murder) and 141 girls (32% of the total murder) have become victims of child murder in 2019, where news reporting did not mention gender identity in 25 cases (5%). This gender segregated data indicates that number of boys are higher as victims of child murder, and if this data is correlated with the data segregated by age group (as shown in the chart below) which shows that majority of the victims of child murder belongs to 13-18 years of age, linkage can be drawn with the varied degree of mobility of boys and girls which exposes boys to more risk of being killed than the girls. As has also been published in different news sources where working boys/adolescent boys have been seen to be blamed of theft and got murdered after being beaten cruelly in public.

Age Distribution of Child Murder in 2019



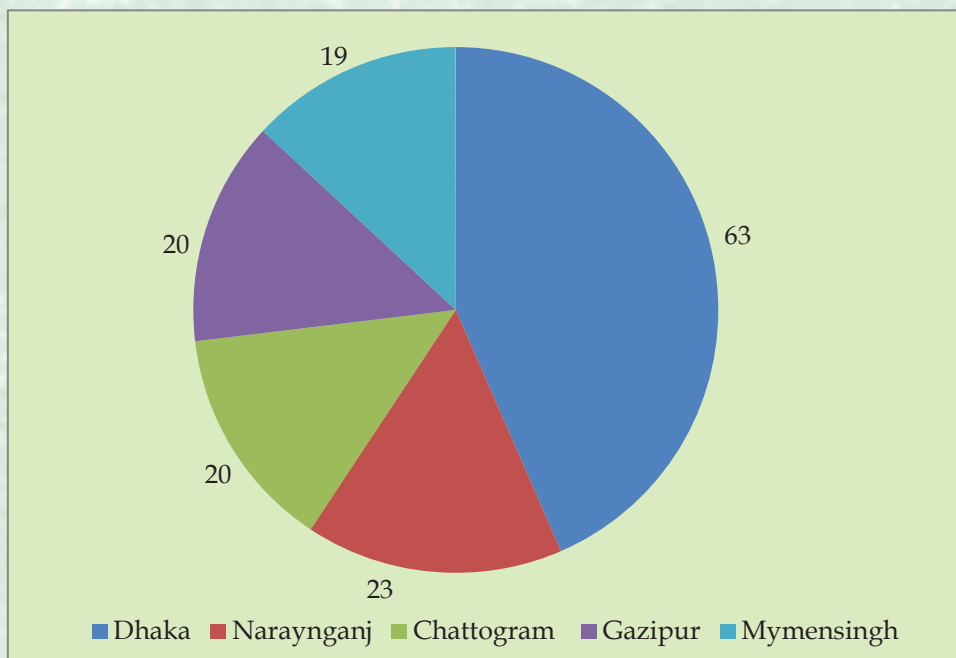
The monitoring reveals that majority of the victims (38%) of child murder belongs to age groups of 13-18 years followed by the age groups (1-6 years) which constitute 22% of total victims of child murder.

Education Distribution of Child Murder in 2019



The monitoring reveals that in majority of the cases, age of the victims have not been mentioned and 60 victims belonged to out of school status.

Area Wise Distribution of Child Murder in 2019



As far as geographical location is concerned, the monitoring reveals that Dhaka district including the capital area, Naraynganj, Chattogram, Gazipur and Mymensingh remains at the top of the 64 districts experiencing child murder. Of these five districts Dhaka remains at the top with 63 incidents of child murder followed by Naraynganj with 23 such incidents.

Brutal killing of five-year-old Tuhin stirs the entire country

Amongst the hundreds of news on child murder, killing of a five-year-old boy Tuhin by his father and other relatives stirred the entire country with deep concern and frustration. His father, uncle and neighbor allegedly killed him on 14 October, 2019 only to implicate their rivals in a court case. According to newspaper sources, Tuhin's mutilated body was found hanging in a tree near the house of the family.

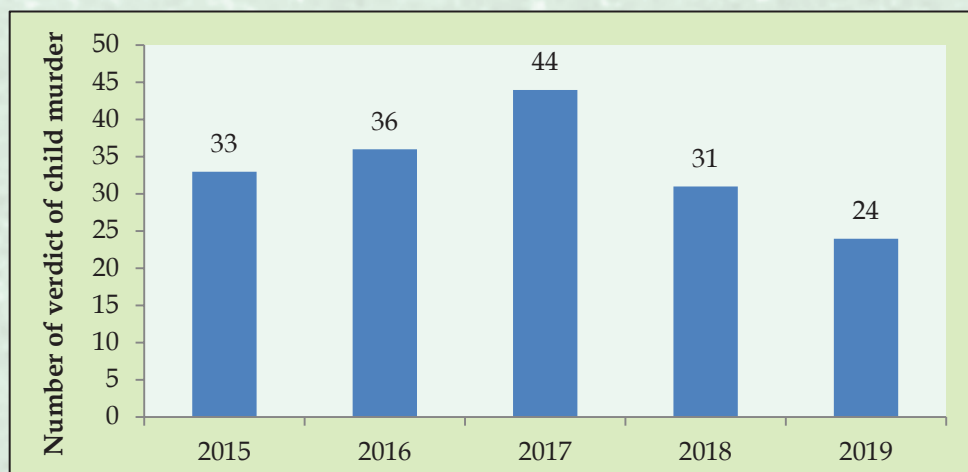
The murderers left the child's body hanging in a tree near the family's house, after stabbing him, slitting his throat, and cutting off his ears and genitals. The killers also left two knives they used to kill him jammed in his abdomen. This heinous incident took place in Derai upazila of Sunamganj district. The news of the murder and photos of Tuhin's dead body soon went viral on social media, drawing condemnation from the netizens. Many also questioned the sanity and humanity of those who killed the five-year-old, and demanded immediate arrest and the maximum punishment for them.

As the police claimed following primary investigation that his father Abdul Basir, a framer killed Tuhin in association with few other accomplices. His mother Monira Begum filed a murder case accusing 10 people and the police detained seven people suspecting their involvements in the killing that include Tuhin's father Basir, uncle Abdul Mosabbir among others.

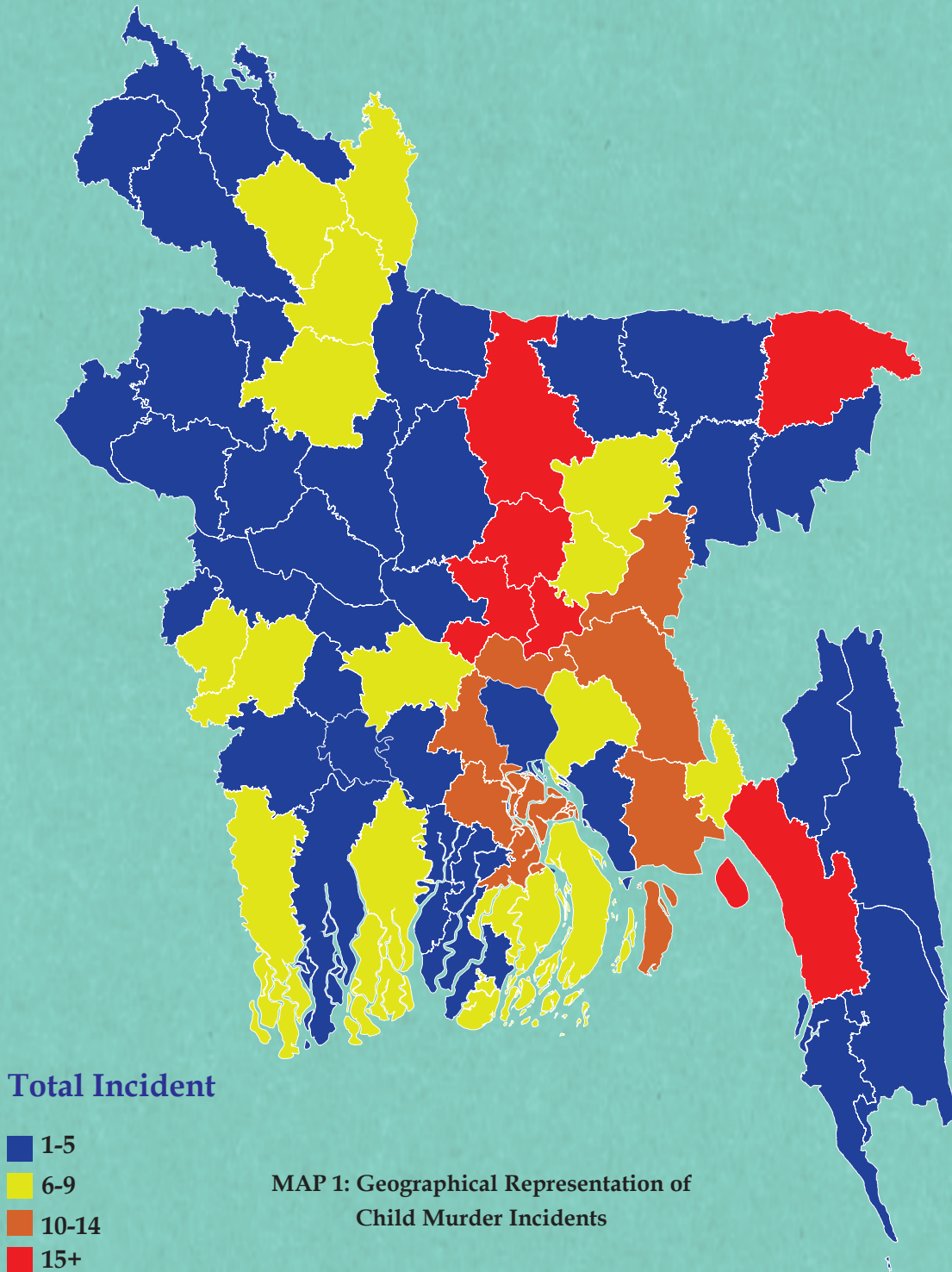
Source: www.dhakatribune.com

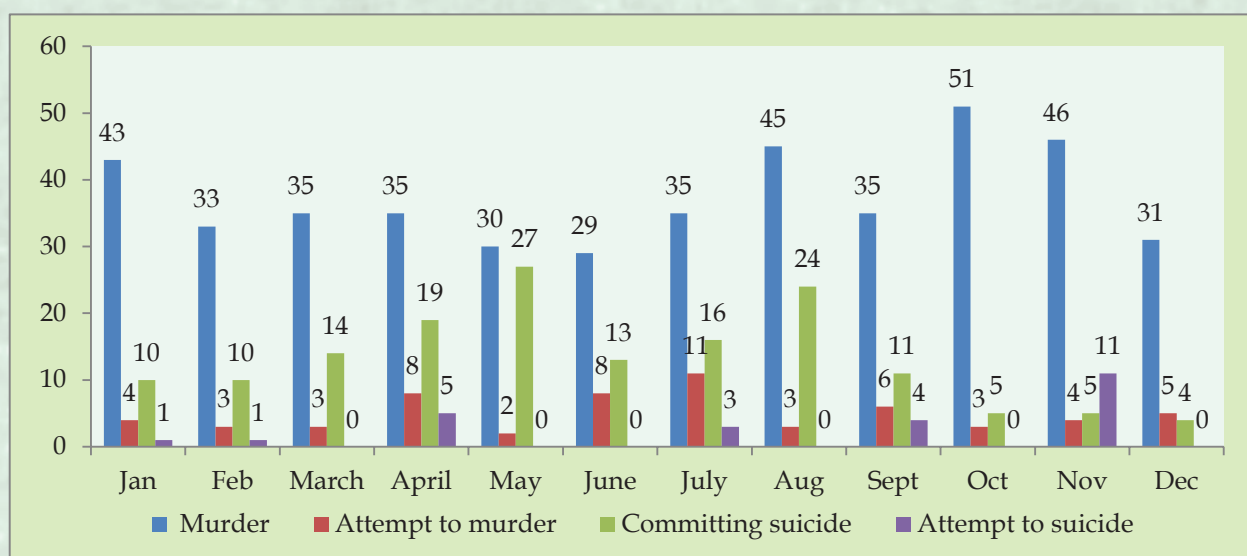
Contrary to the increasing trend of child murder, the below mentioned bar chart shows the slow pace in ensuring justice in the child murder cases, as it discloses total 168 news on verdict of child murder cases in last five years (2015-2019) against the total 1762 incidents taking place during this period.

Year Wise Data on Verdict of Child Murder : 2015-2019



Child Murder





The above data shows the month-wise statistics on the four categories of issues: murder, attempt to murder, committing suicide and attempt to suicide as the most life-threatening issues and the chart shows that most of the murder took place in October and November followed by January and August of the year. And, most of the incidents of suicide occurred in May and August 2019.

In addition to murder, BSAF monitoring identified four other main causes of child fatalities which includes death by drowning, death by road accident, suicide, and others during the period of last five years starting from 2015-2019. The table below presents the year wise data on child fatalities segregated by the causes.

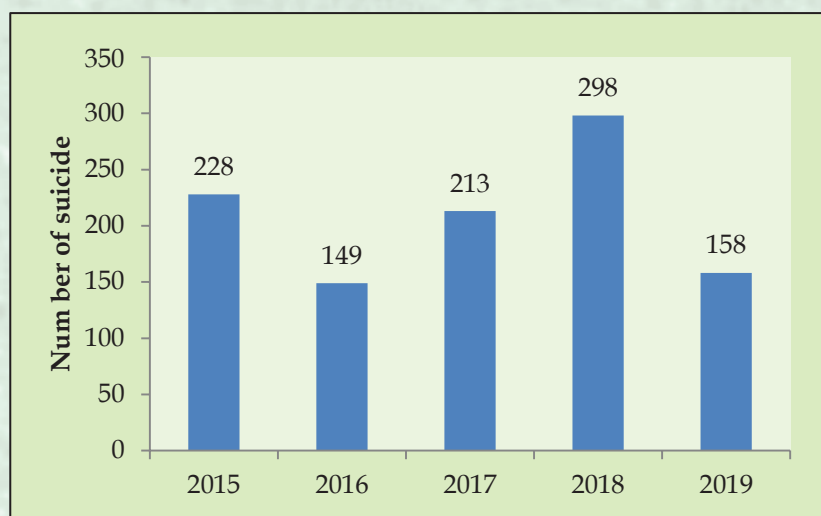
Five main causes of child fatalities during last five years (2015-2019)

Causes	Number
Death by drowning	2279
Death by road accident	2271
Murder	1762
Suicide	1046
Others	804

Committing Suicide

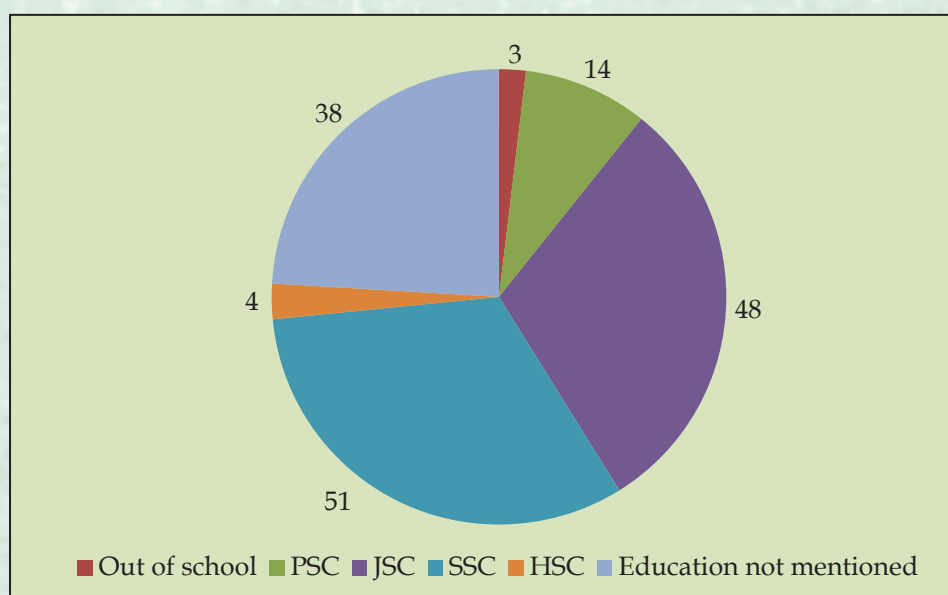
Committing suicide has been identified as one of the main reasons of child fatalities in last five years. The BSAF monitoring reports disclose that total 158 incidents of suicide took place in 2019, where the highest number of suicide (258) was committed in 2018. But like in other cases, actual numbers are likely to be several times higher than the numbers reported, as many such incidents go unreported.

Year Wise Data on Suicide: 2015-2019

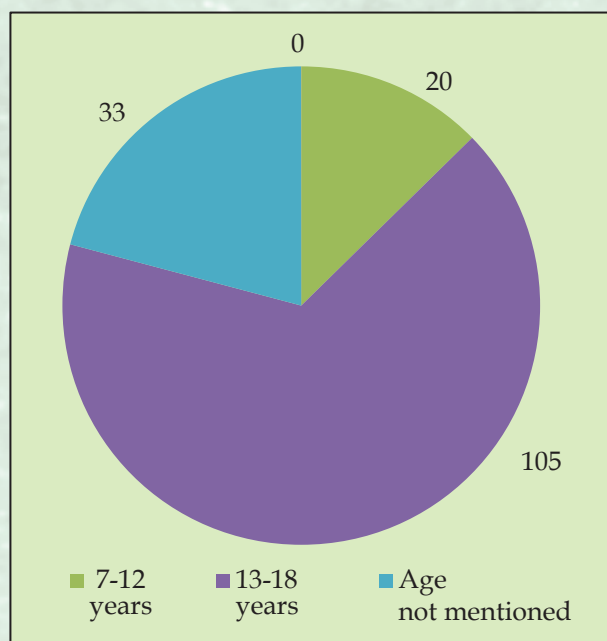


The segregated data by age, education and gender as shown below reveals that majority of the suicide was committed by the students of SSC rank belonging to the age group of 13-18 years which might be linked with the frustration of not achieving expected results in the SSC examination which becomes more clear when correlated with the month wise data on suicide as provided above which reflects the highest number of suicide occurring in May when the SSC result got published. Though not surprising, gender disaggregated data discloses that girls committed highest number of suicide than the boys having linkage with different gender-based violence including the child marriage. Geographically, Dhaka, Narayanganj, Narsingdi, Gazipur and Barishal districts occupies the top five ranks as the places of committing suicide.

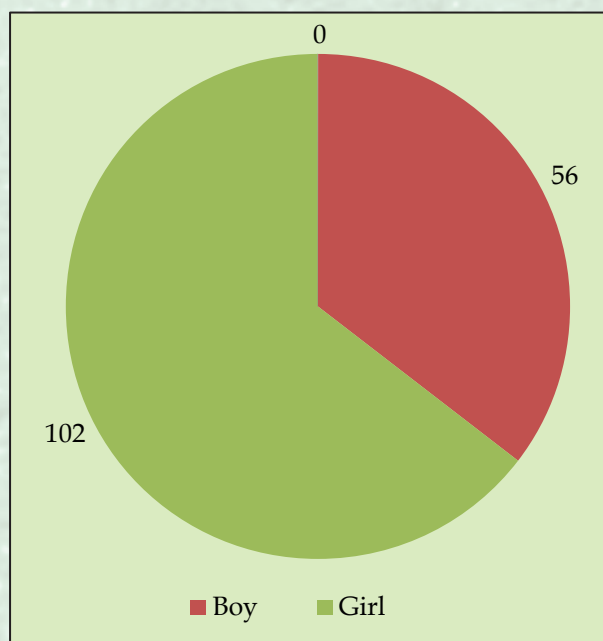
Education Distribution of Child Suicide in 2019



Age Distribution of Child Suicide in 2019



Gender Distribution of Child Suicide in 2019

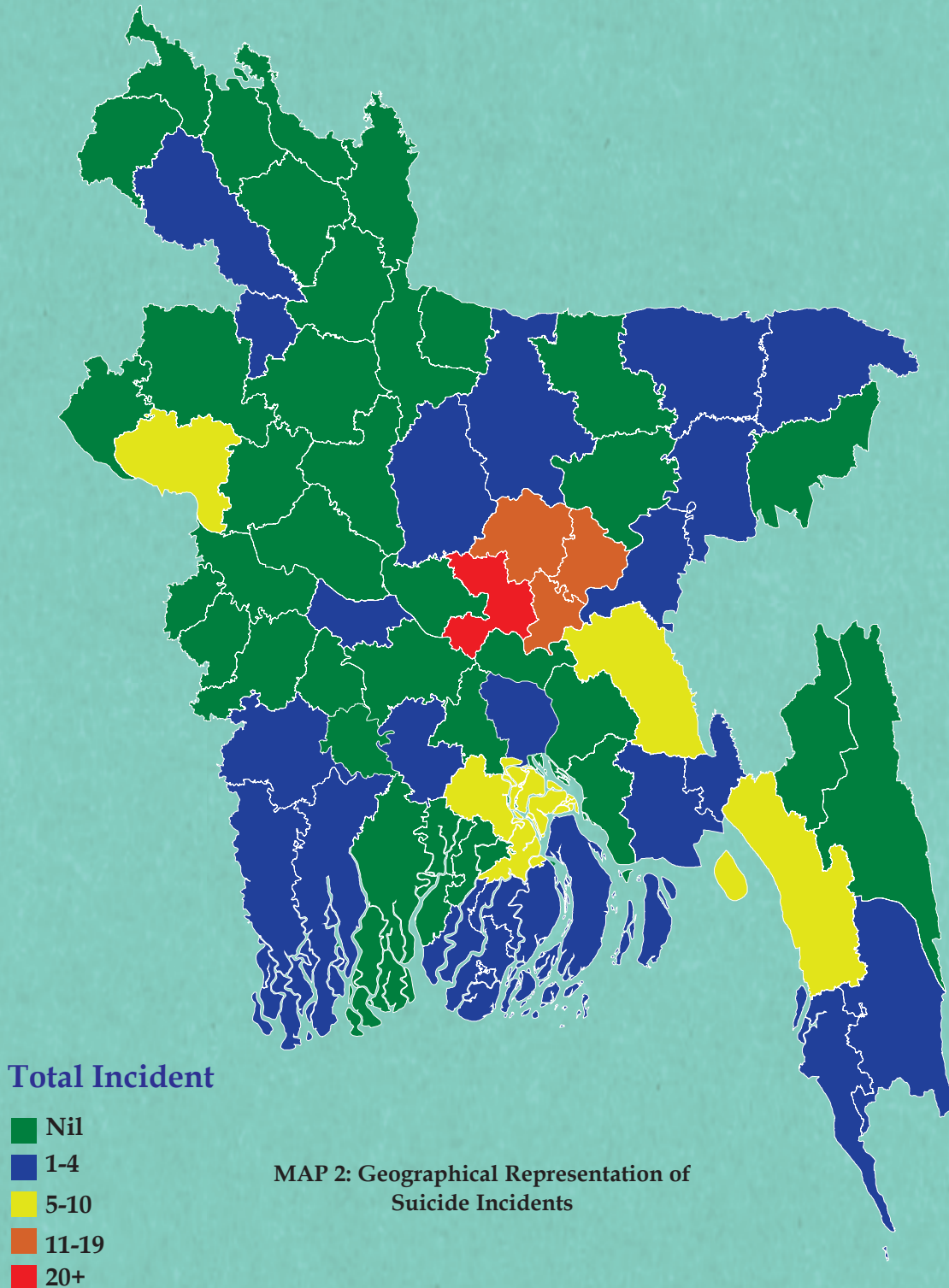


This rising trend of suicides among the children signals an alarming situation as an issue of public health with wide ranging impact on the socio economic and emotional wellbeing of the children and their families and on the national development. To quote Dr Nehal Karim, chairperson of the sociology department of Dhaka University, ‘suicides and suicide attempts have a ripple effect that impacts on families, friends, colleagues, communities and societies’⁶

As experts viewed in different times, multiple reasons, such as depression, impulsivity – hopelessness among youths, bipolar disorders, anxiety disorders, alcohol and other substance abuse, schizophrenia and other psychoses, personality disorders, aggression, heredity, childhood trauma, past attempts, and ideation drive to suicide/suicidal attempts. Parental separation, cyber bullying, sexual harassment, victimization of pornography, drug addiction, break up or failure in having romantic relationships, turbulent personal relationships, failure to pass exams, child marriage, egoism, the rise in digital technology and their adverse effects etc. are some of the interrelated causes for suicide/suicidal attempts by the children.

⁶ High suicide rate among young people causes concern, 10 September, 2019, accessible on <http://www.theindependentbd.com/post/214865>

Child Suicide



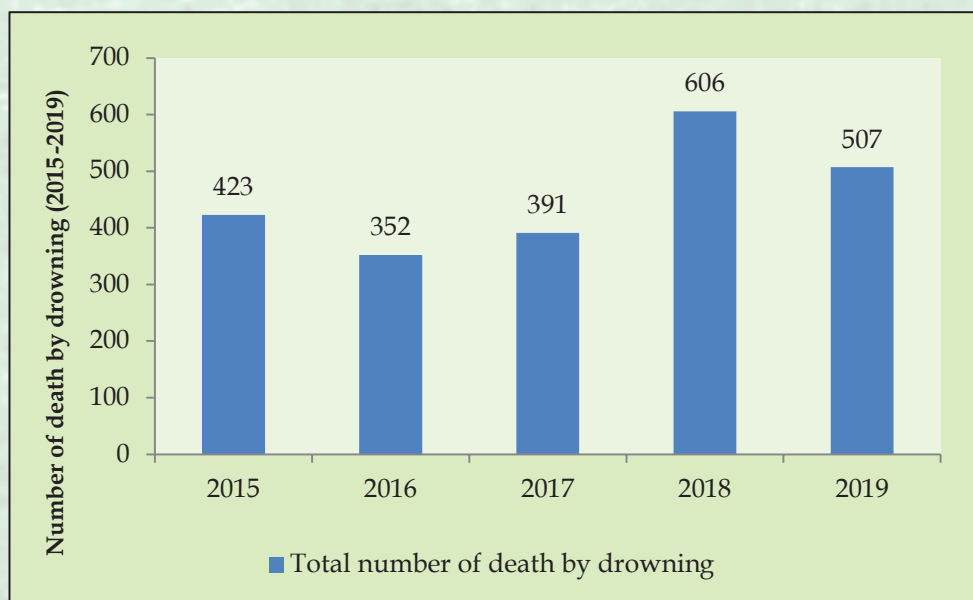
Deaths by Drowning

Drowning is one of the leading causes of death for children under five in Bangladesh. A recently released study⁷ jointly carried out by Bloomberg Philanthropies, Johns Hopkins International Injury Research Unit, the Centre for Injury Prevention and Research or CIPRB, and the International Centre for Diarrheal Disease Research, Bangladesh (ICDDR,B) reveals that nearly 40 percent of drowning deaths occurs among children aged less than 15 years and among those aged below five years are at greatest risk. According to the study, thirty children drown every day or 12,000 children drown annually in Bangladesh.

The study unveils that about 75 percent of the children drowned within 20 metres of their houses and the deaths occur between 10am and 1pm when women in rural areas usually remain busy with the household chores and unawareness of the families has been registered as the biggest reason for the deaths of children by drowning.

Similarly, BSAF monitoring also documented a large number of deaths (507 incidents) by drowning in 2019, though the number is 16.34% lesser than the previous year. However, it recorded total 2279 deaths by drowning in last five years which shows that on an average about 38 children dies by drowning in every month.

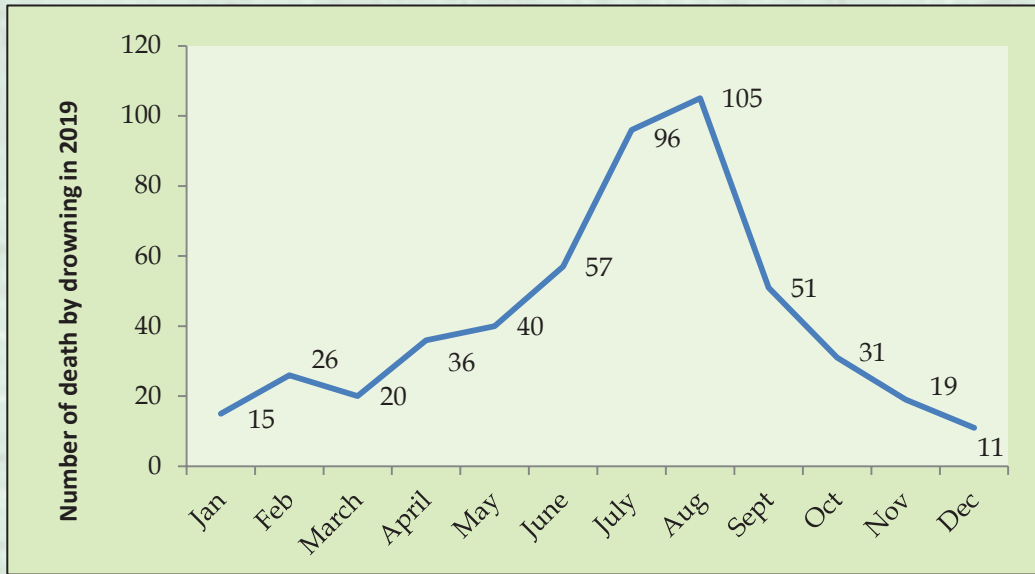
Year Wise Data on Child Drowning: 2015-2019



The BSAF analysis reveals that incidents of death by drowning increases at a high rate during the monsoon. The 2019 data shows that total 252 children died by drowning during June-August period which is about half of the total deaths by drowning of the year as illustrated in the graph below.

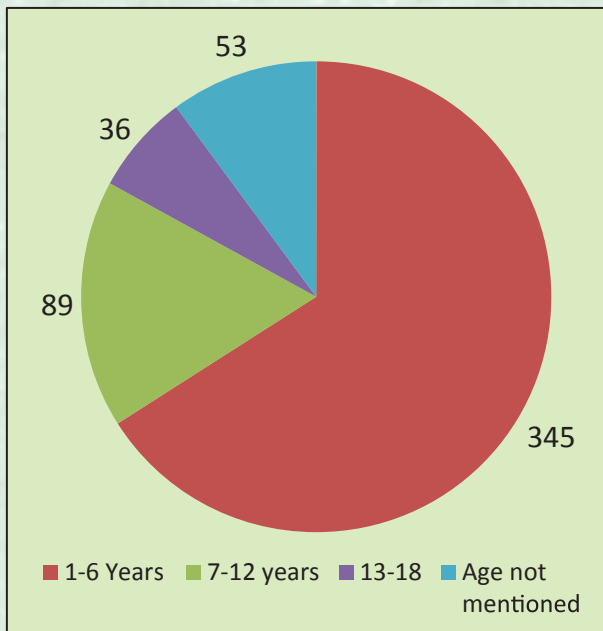
⁷ 30 children drown every day in Bangladesh: Study, 11 Apr 2019, Bdnews24.com

Monthly Data on Child Drowning in 2019

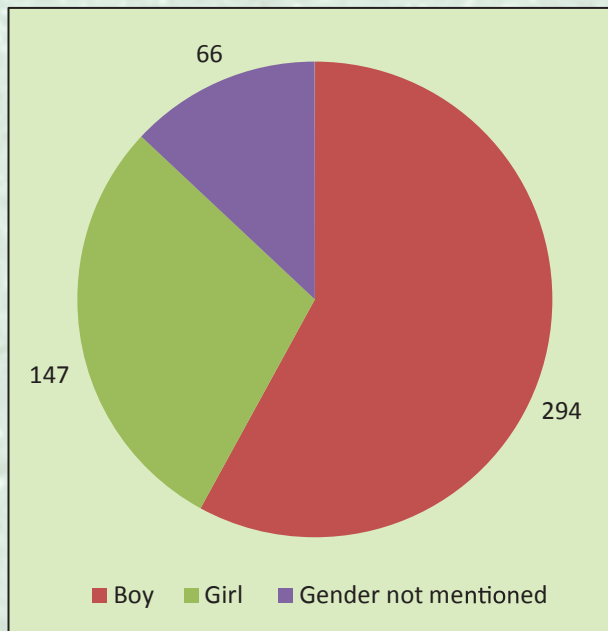


Age wise data as shown in the below chart on death by drowning shows that 68% of the children died by drowning belonged to 1-6 years of age group, where 18% of the children belonged to 7-12 years, and 7% belonged to 13-18 years of age group. The BSAF review indicates that apart from awareness of the parents and other family members, lack of skills of the children on swimming is a notable reason behind the deaths by drowning. The top five districts as places of occurrence of deaths of children by drowning include Dhaka (greater Dhaka), Gazipur, Chattogram, Sunamgonj and Kishoregonj respectively.

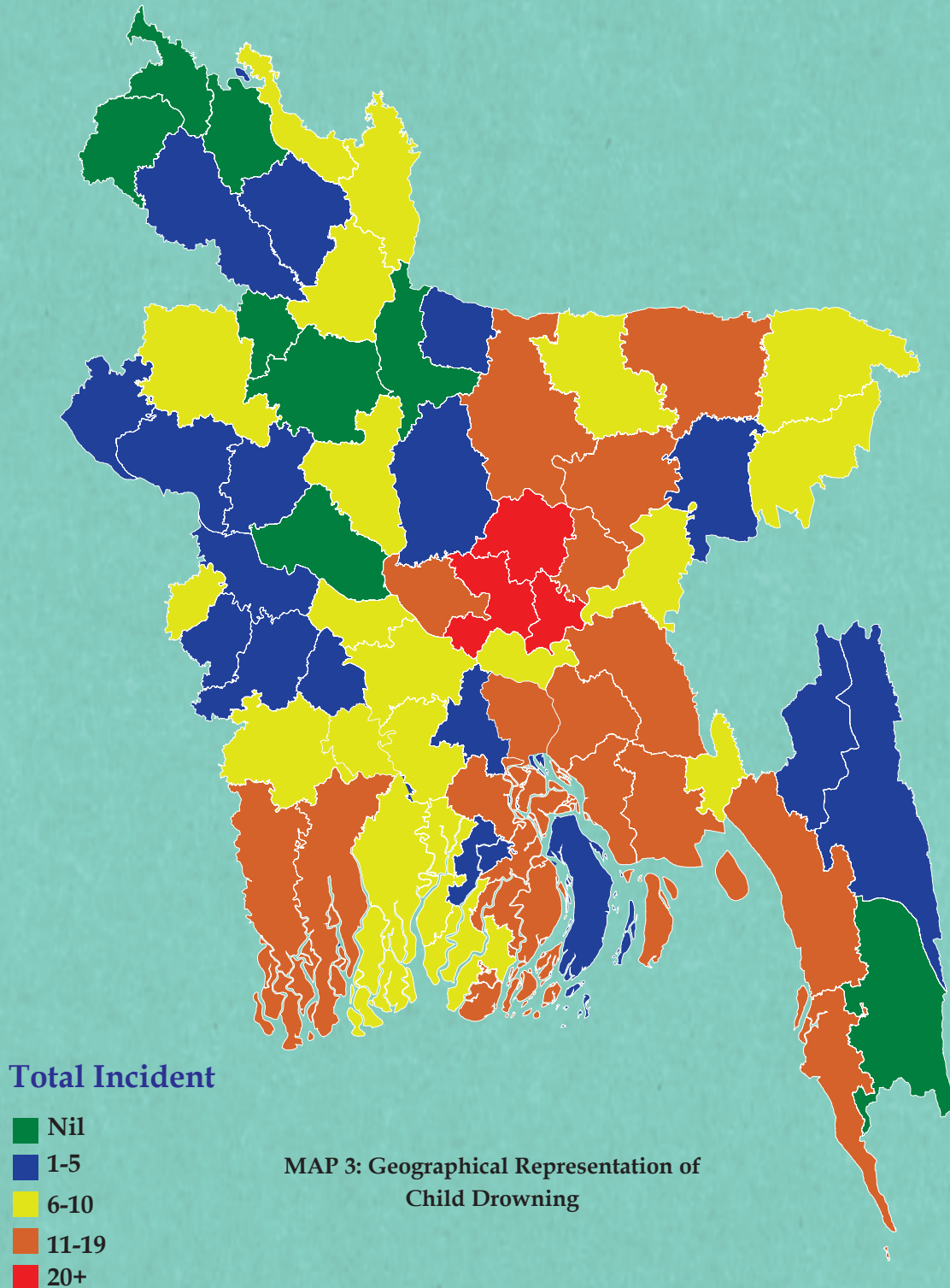
Age Distribution of Child Drowning in 2019



Gender Distribution of Child Drowning in 2019



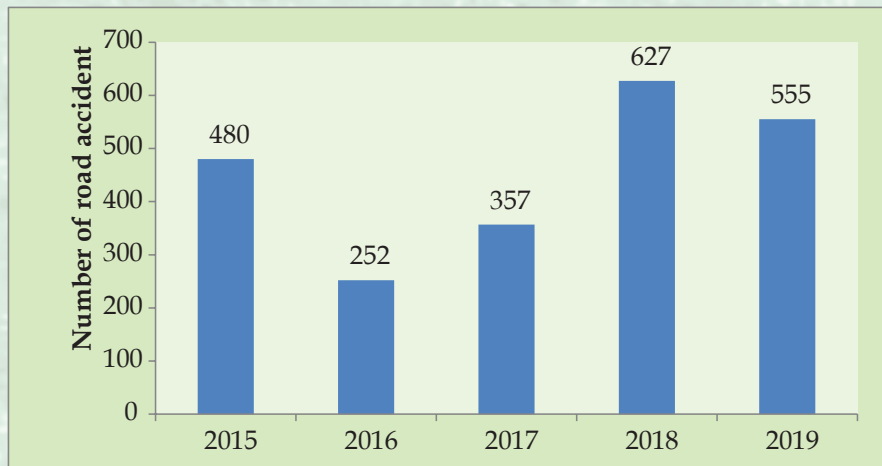
Child Drowning



Deaths by Road Accidents

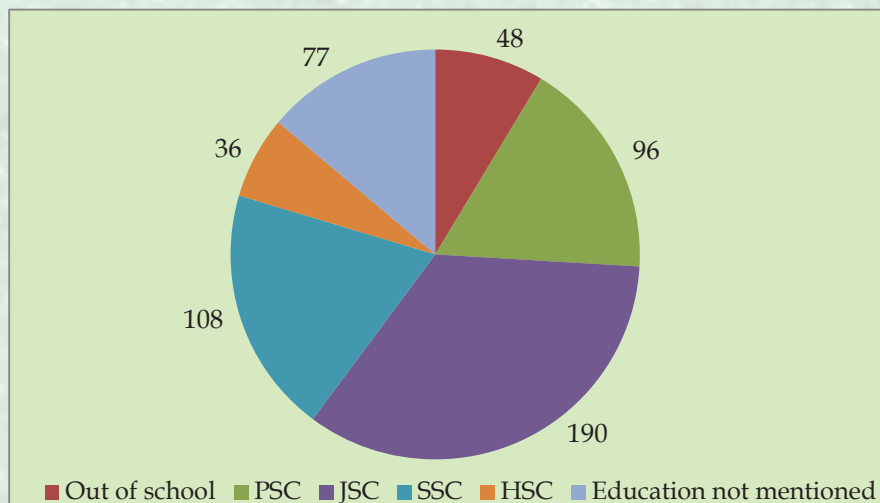
BSAF monitoring documents 555 incidents of death of children by road accidents in 2019, though the number decreased by 11.48% as compared to 2018. According to BSAF documentation, of the total fatalities 26.58% of the children died in road crash. As far as the road accidents are concerned, reckless driving, overtaking, engineering faults on roads, movement of unfit vehicles and disobedience to traffic rules and lack of awareness of the parents and the common people have long been blamed for road accidents, taking toll on people's right to life guaranteed by the constitution.

Year Wise Data on Child Death from Road Accident : 2015-2019

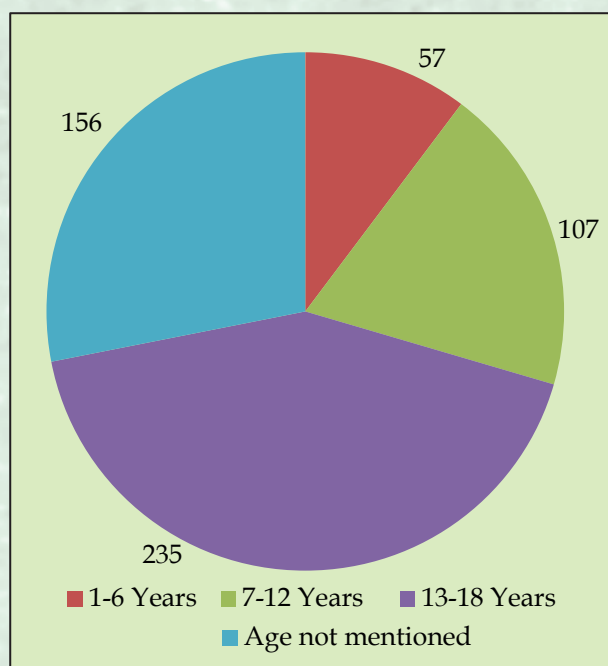


Data segregated by education, age and gender reveals that JSC (190) and SSC (108) grade students became the victims of death by road accidents in 2019 as the highest numbers respectively where age wise, children belonging to age groups of 13-18 years and 7-12 years mostly died in road crashes in 2019. And, gender disaggregated data shows that more boys (349) than the girls (160) were victims of road crashes in the year.

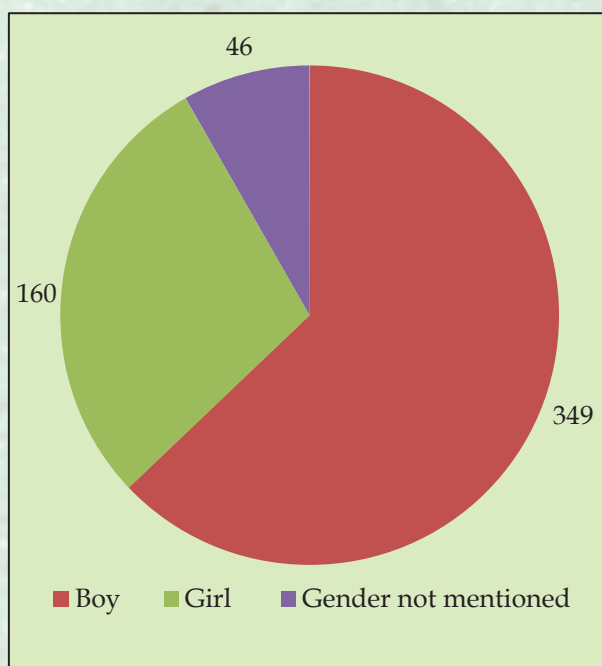
Education Distribution on Road Accident Death in 2019



Age Distribution of Died in Road Accident 2019

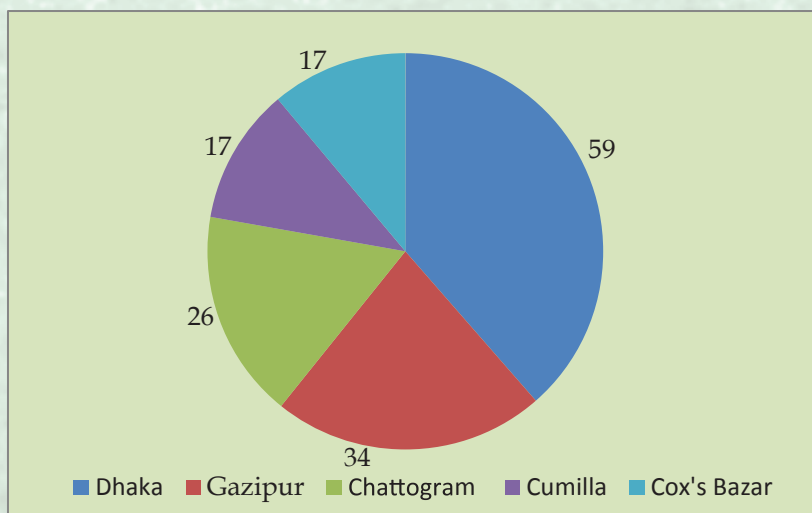


Gender Distribution of Road Accident in 2019

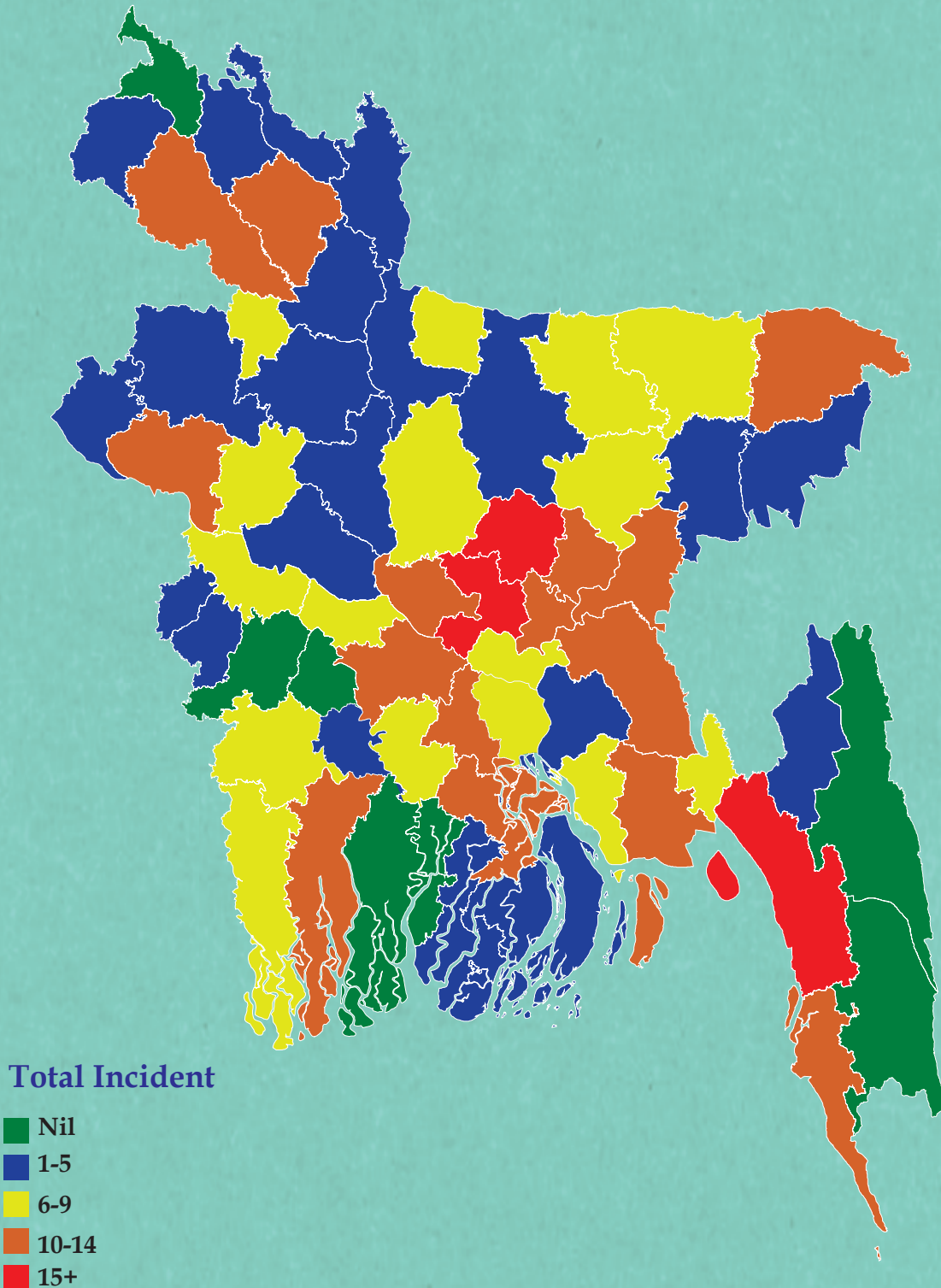


Geographic location wise incidents on death by road accident discloses that Dhaka, Gazipur, Chattogram, Cumilla and Cox’s Bazar tops amongst the 64 districts claiming the lives of the highest number of the children by road accident as shown in pie chart below.

Highest 5 Districts Death by Road Accident in 2019



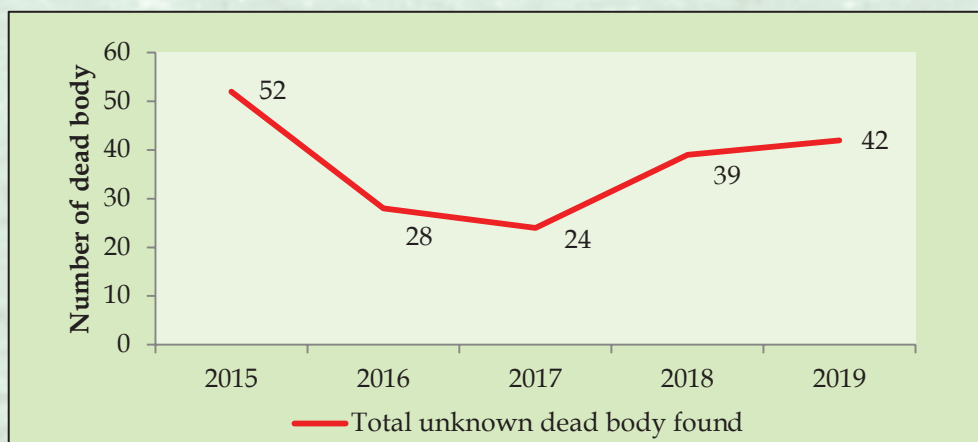
Road Accident



This is to be noted in this connection that after much delay, the new Road Transport Act 2018 has finally come into effect at the start of November 2019. Amongst others, the new law introduces stronger provisions of punishment for causing serious injuries or death to any person by rash or negligent driving with maximum five years of imprisonment or maximum fine of Tk 5 lakh or both. Despite being put on effect, there are reasonable doubts about effective enforcement of this law, as strong syndicate of transport workers still oppose the various provisions of this law. According to media news, the authorities seem to be completely unprepared to enforce the new act, the law enforcers could not impose any of the new on-the-spot fines as their point of sale machines have not been updated. Furthermore, mobile courts run by BRTA apparently could not enforce the new laws as they were not incorporated in the schedule of the Mobile Court Act, 2009. Awareness of the pedestrians and the users of the public transport as well as the systemic improvement in the management of transport sector, particularly in the employment system of the transport workers, in terms of provisions of secured salary, leave and rest and skill development of the transport workers, strong and unbiased monitoring can only improve the scenario by lessening the high number of road accidents. On the other hand, due to unequal power structure, there are apprehensions of selective use of the law, where the larger vehicles like the buses and trucks patronized by powerful organizations can escape the legal umbrella and the pedestrians, private cars, bikes and CNG-run auto-rickshaws can be targeted.

Finding dead body of unidentified new born baby

Incidents of abandoning the dead bodies of unidentified newborn babies and theft of newborn baby are the latest rise as a threat to life and survival of the children in a conducive environment. BSAF monitoring documents an increasing trend of finding dead bodies of newborn babies from 2018 to 2019. In 2019, total 42 such dead bodies were found against 39 dead bodies in 2018.



⁸ Road Transport Act 2018 – details, repercussions, reactions, November 06, 2019, the Daily Star , accessible on <https://www.thedailystar.net/shift/news/road-transport-act-2018-details-repercussions-reactions-1823818>

While such scenario must have linkages with the other reasons behind violence against children, social unrest, consequence of rape or forced marriage, marital disputes, social pressure for the identify of father, lack of adequate knowledge and responsiveness about parental responsibility, lack of moral excellence, socio economic vulnerability of the parents, specially of the mother might have correlations for such incidents which demands in-depth research from socio legal perspectives.

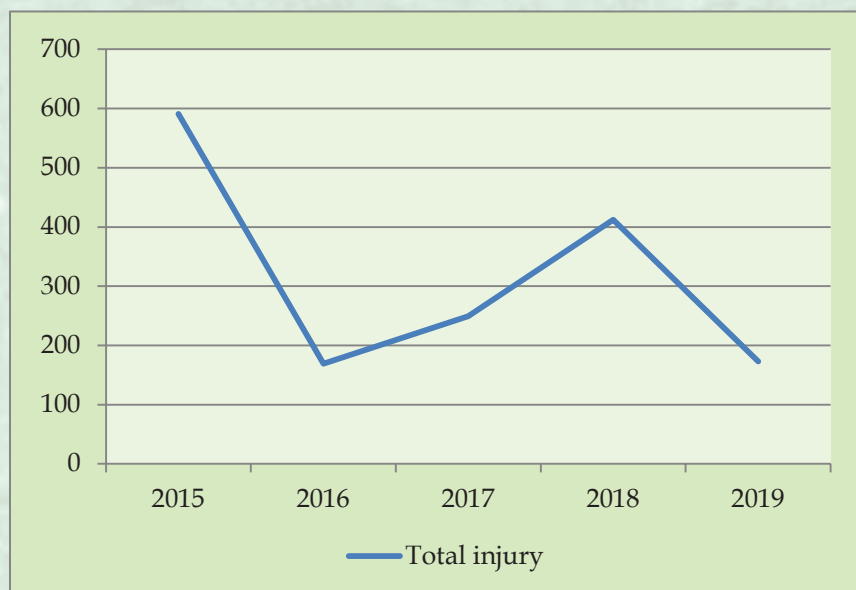
Injury

In addition to the different serious types of fatalities as mentioned above, BSAF monitoring also documented incidents of injuries taking place as a consequence of different incidents including attempt to suicide, road accident, fire incident, lightning strikes, terrorist attacks etc. The following table shows a comparative scenario on the incidents of injuries between 2019 and 2018 and the data shows that injuries as a consequence of attempt to suicide increased by 8.70% in 2019 as compared to 2018.

Comparative scenario on fatalities- 2019 and 2018

Type of fatalities	2019	2018	% (+/-)- increase/decrease
Murder	448	418	7.18%
Committing suicide	158	298	-46.98%
Finding dead body of identity less new born baby	42	39	7.69%
Death due to road accident	555	627	-11.48%
Death by fire	60	45	33.33%
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Death due to other different accidents	120	160	-25.00%
Death due to food poisoning	2	2	0.00%
Total	2088	2354	-11.30%

However, as a positive notion, the monitoring notices a declining trend in total number of injuries as shown in the graph below. Though injuries might not be considered as fatal as immediate deaths, but the consequence of injury sometimes bring life long sufferings to the survivors and their family members affecting different interrelated rights including right to life, right to health, right to education and livelihood.



Among other fatalities, occurrence of death due to medical negligence is a grave concern as institutional violations of the rights of the children. The BSAF monitoring documents 46 and 42 such incidents of death in 2018 and 2019 respectively. The box below quotes a number of news reporting on the deaths of children due to medical negligence.

News stories on death of children due to medical negligence

A one-month-old child Zihan died of medical negligence

A one-month-old child Zihan Sarowar Prio reportedly died of “medical negligence” and wrong treatment at Max Hospital in Chattogram. Zihan was admitted to the hospital on November 17. His family, on November 21, alleged that he died instantly after he was given an injection by the hospital.

The child’s mother, Mohsina alleged that the hospital did not let them see the test reports and she was unaware of whether the medication given to her child was expired or not. In a written complaint to the civil surgeon of Chattogram Dr Sheikh Fazle Rabbi, Mohsina criticised the hospital’s mismanagement regarding her child’s safety and demanded redress.

Earlier in June 2018, another child named Rafida Khan Raifa, aged four had died under the hospital’s care. Afterwards, an investigation committee

formed by the Civil Surgeon of Chattogram, had submitted a report stating that Max Hospital's negligence caused Rafida's death. As Rafida's father Rubel Khan had filed a case against the people involved, a Rapid Action Battalion mobile court led a raid and fined the hospital Tk10 Lakh for irregularities.

Source: <https://tbsnews.net/bangladesh/max-hospital-once-again-another-child-dies-medical-negligence>

Prottoy's father alleged doctor's negligence for his son's death

Prottoy, a student of class one of Mastermind School was admitted to capital's Square Hospital with the Dengue fever. Prottoy was admitted in this hospital on 4 July and died on 5 July. His father alleged that Prottoy died due to the wrong treatment and negligence of Dr. Mohammad Ahmed Sayeed, Paediatric Intensive Care Unit (PICU)'s consultant doctor in Square Hospital. However, Prottoy's father had to pay a bill of BDT 2, 10, 000 for his son's stay in the hospital for 24 hours.

Source: <http://www.ourtimebd.com/beta/2019/07/21/dengue-claimed-prottoy-father-alleged-doctors-negligence-as-reason-of-death/>

A two- and half-year-old infant died due to the negligence of the on-duty doctor

A two- and half-year-old infant died reportedly due to the negligence of the on-duty doctor at a local Ishurdi hospital on 8 July 2019 night in Pabna. The deceased, Madinatul Akhter Mohona, was brought to Ishwardi Upazila Health Complex at around 9am on Monday. Mohona's father, Mintu Mirza, said when his ailing daughter's condition deteriorated in the evening and the emergency ward duty doctor neglected the repeated requests to attend her.

He said: "My daughter had high fever, she was vomiting a lot with loose stool and blood, but the doctor of the emergency ward did nothing about it. Not even a nurse came to my daughter's aid." He continued saying, "I demand justice and the people responsible should be held accountable, so that no parents lose their children because of irresponsibility."

Source: <https://www.dhakatribune.com/bangladesh/nation/2019/07/09/doctor-negligence-kills-infant>

Newborn dies due to alleged medical negligence

Physicians of a private clinic, which has been running illegally in Krishtapur area of Mymensingh city, have been accused of negligence over the death of a newborn baby. The body of the newborn was handed over to the parents after a caesarean operation, conducted without running any tests, reports UNB.

Father of the infant, Harun-or-Rashid, a resident of Kolyanpur village in Sadar Upazila stated that he admitted his wife to Porosh Private Clinic at around 11:30pm on Sunday. According to him, "The doctors performed a caesarean operation without running any medical tests and handed us the body of our newborn after half an hour," he said. "There were several marks of injury on the baby's body."

A complaint was lodged in this incident and police detained hospital owners Murad, Arifur Rahman and Mehedi Hasan, as shared by the police source.

Saying that the clinic has no registration, Dr. AKM Abdur Rouf, Civil Surgeon of Mymensingh promised to investigate the matter to see whether there was any negligence by the physicians of the clinic, and to take action accordingly.

Source: <https://www.dhakatribune.com/bangladesh/nation/2019/01/21/newborn-dies-due-to-alleged-medical-negligence>

Though BSAF regular monitoring does not systematically documents news on violation of child rights in accessing education, health, nutrition, shelter, an adequate living standard, and access to medical services, leisure and recreation, cultural activities, this report tried to shed light on these issues as highlighted by expert individuals and organizations during the interview taken for this study purpose. While few interviews with government and non-government stakeholders considers the infrastructural expansion as notable progress in education and health facilities, few others highlighted the concerns about the equal access and the quality of services. Several experts viewed on prevailing discrimination in accessing education by different marginalized groups and about the lack of opportunity for leisure, recreation and physical activities particularly for the urban children. As an instance of discrimination in accessing education, a report of Dainik Samakal⁹ discloses the fact of denial of admission of a Dalit student in a school in Gaibandha where many such incidents go unreported and unprotested.

⁹ <https://samakal.com/todays-print-edition/tp-uttaranchal/article/191215795>, গাইবান্ধায় স্কুলে দলিত সম্প্রদায়ের শিশুদের ভর্তি না করার প্রতিবাদ

Another report, titled as 'Children in slums: Living in inhumane conditions' published in the Daily Star on 20 November 2019¹⁰, discloses the reality of the children living in slums as they lack access to basic education, proper nutrition and health facilities. The report also highlights how children got exposed to drug abuse and girl children remain vulnerable to sexual harassment and rape. However, as a positive sign, in absence of public service providers, there remains different intervention of NGOs in case of health and education of children, though not adequate.

Regarding education, though Bangladesh made good progress in increasing almost hundred percent enrolment rate and in gender parity in primary education, dropout rate and enrolment rate in secondary education remains as a concern. UNFPA annual report¹¹ also raises the similar concern as it says, 'the net enrollment rate for secondary education in Bangladesh is still significantly low, but better compared to the past'.

Besides, quality education remains as a concern on top of all other challenges. The Education Watch 2018-19 report¹² of CAMPE focusing on the Secondary school teachers in Bangladesh in the light of SDG 4 discloses that over 56% of the teachers at the secondary school level in Bangladesh cannot prepare question papers for exams on their own, 36.8% teachers buy question papers from associations and 14.4% from open market, 37.1% teachers use guidebooks to teach in classrooms, guidebooks are used for English and mathematics in all secondary classes, 22.4% teachers engage in private tutoring, and 41% of institutions have no multimedia classrooms, ICT labs. The report also raises concerns on teacher student ratio, as the National Education Policy 2010 sets the ideal teacher-student ratio at 1:30, which the government aimed to achieve by 2018. The report also reveals that in general, secondary school teachers do not have a clear idea about important national and international documents, including the National Education Policy and the SDGs, which have direct implications on the country's educational development.

6.2 Protection Rights

These rights include protection from all forms of child abuse, neglect, exploitation and cruelty, including the right to special protection in times of war and protection from abuse in the criminal justice system. Principles of child protection includes- Emphasis on prevention and coordination; Child right to protection and participation; Promotion of the best interests of the child; Non-discrimination and inclusion; and Sensitivity to children's ages and developmental stages.

The protection rights as guaranteed by the CRC are- protection from all forms of violence (article 19), child labour (article 32), drug abuse (article 33), sexual exploitation (article 34), abduction, sale and trafficking (article 35), other forms of exploitation (article 36),

¹⁰ <https://www.thedailystar.net/supplements/news/children-slums-living-inhumane-conditions-1829566>

¹¹ <https://www.daily-sun.com/post/386329/2019/04/19/Secondary-education-enrollment-rate-still-low-in-Bangladesh:-UNFPA>

¹² <https://www.dhakatribune.com/bangladesh/education/2019/10/14/report-56-teachers-of-secondary-institutions-don-t-prepare-questions-themselves>

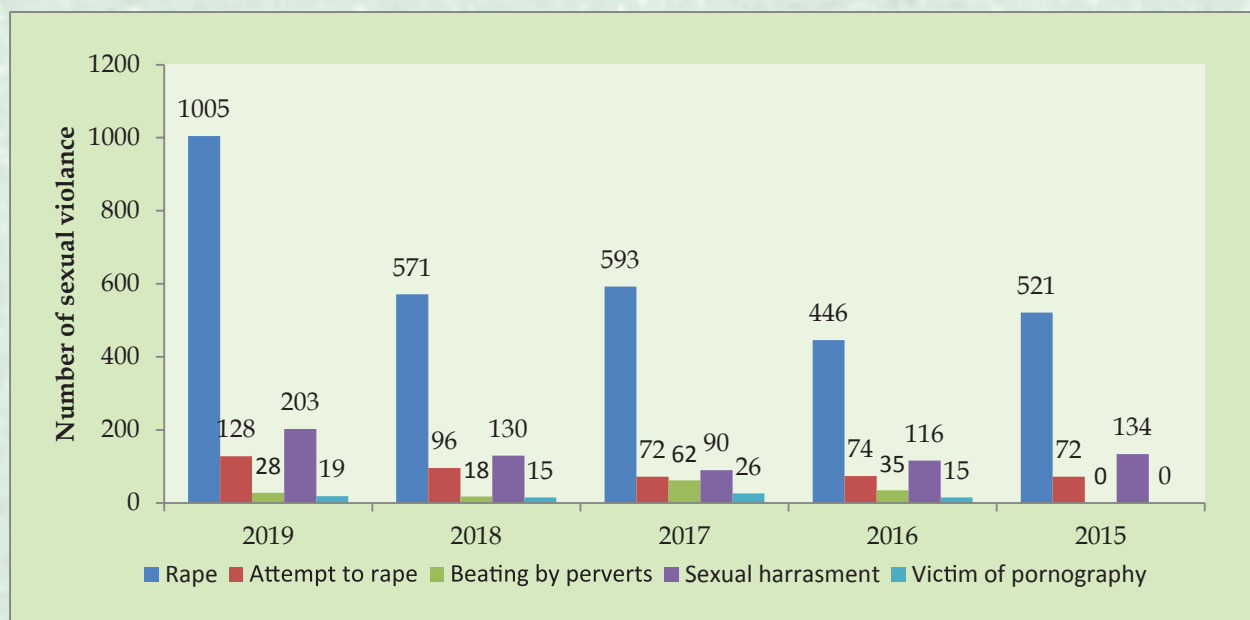
detention and punishment (article 37), war and armed conflicts (article 38), rehabilitation of child victims (article 39) and juvenile justice(article 40).

This report presents the BSAF monitoring findings on child protection in following categories: **sexual violence, kidnapping and missing, physical and other forms of violence, child marriage, child labour and juvenile justice.**

Sexual Violence

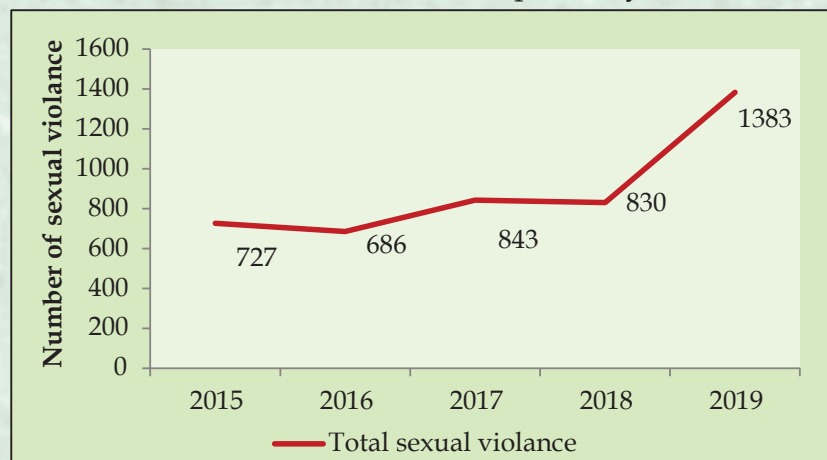
Scenario of sexual violence against children was terrifying in 2019. BSAF monitoring reveals that sexual violence against children increased by 76 per cent in 2019 in comparison to 2018, and the types of violence included rape, attempt to rape, beating by perverts, sexual harassment and victimization by pornography. The data on media reports shows that in 2019, total 1005 incidents of rape, 128 attempts to rape, 203 sexual harassments, and 28 incidents of beating by perverts and 19 incidents of victimizations by pornography took place. The data as illustrated below shows a trend of last five years which indicate an alarming trend of increase in incidents of rape, attempt to rape and sexual harassment in 2019 as compared to data of 2018. Sexual violence against children at educational institutions has also become a common phenomenon in recent years, with reports coming in from around Bangladesh, indicating a dangerous upward trend that has become a serious cause for concern¹³.

Various Types of Sexual Violence against Children in 2019



¹³ Sexual abuse in educational institutions: A dangerous trend on the rise, 13 April 2019, <https://www.dhakatribune.com/opinion/special/2019/04/13/sexual-abuse-in-educational-institutions-a-dangerous-trend-on-the-rise>

The monitoring reveals that in 2019, total 1,383 children experienced sexual violence against 830 and 843 incidents in 2018 and 2017 respectively.



A comparative scenario of sexual violence between 2019 and 2018 as shown in the table below reveals that in 2019 incidents of all types of sexual violence including rape, gang rape, attempt to rape, beating by perverts, sexual harassment, and victimization of pornography increased from 2018. The documentation shows that in 2019 total 1005 incidents of rape (76% higher than 2018), 108 incidents of gang rape (15% higher than 2018), 128 incidents of attempt to rape (33% higher than 2018) and 203 incidents of sexual harassment (56% higher than 2018) took place. And, as a whole rate of sexual violence increased by 67% from 2018.

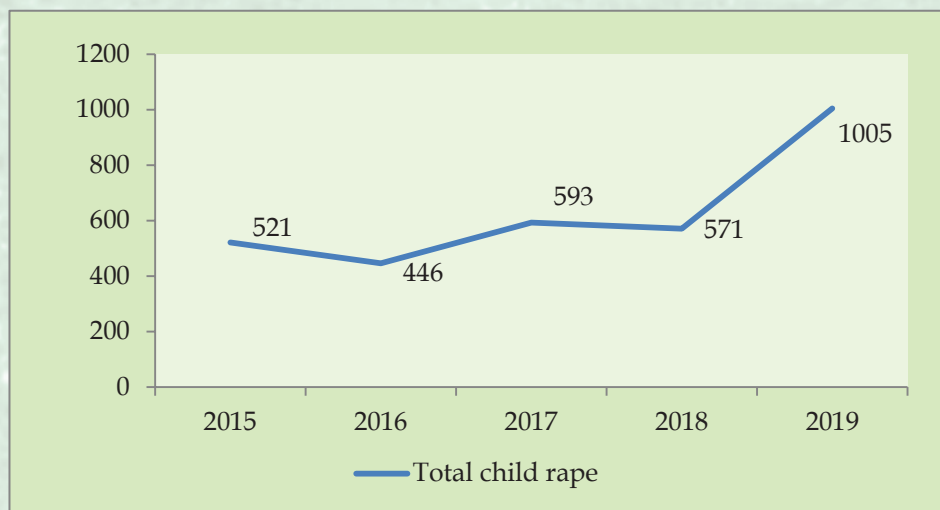
BSAF monitoring also reveals 27% rise in victimization of the children by pornography, as it documented 15 such incidents in 2018 and 19 incidents in 2019, though Bangladesh has specific law titled as the Pornography Control Act, 2012. The law in its section 8 (1) declares any act capturing video or still pictures of sexual intercourse or behavior exposing sexual sensation, with or without consent of parties, who are in sexual interaction, as punishable with imprisonment of 8 years as maximum and 2 lacs taka fine and section 8(6) of the law defines making porn video with minor as a serious offence having penalty of 10 years of imprisonment and 5 lacs taka fine.

Comparative scenario on sexual violence-2019 & 2018

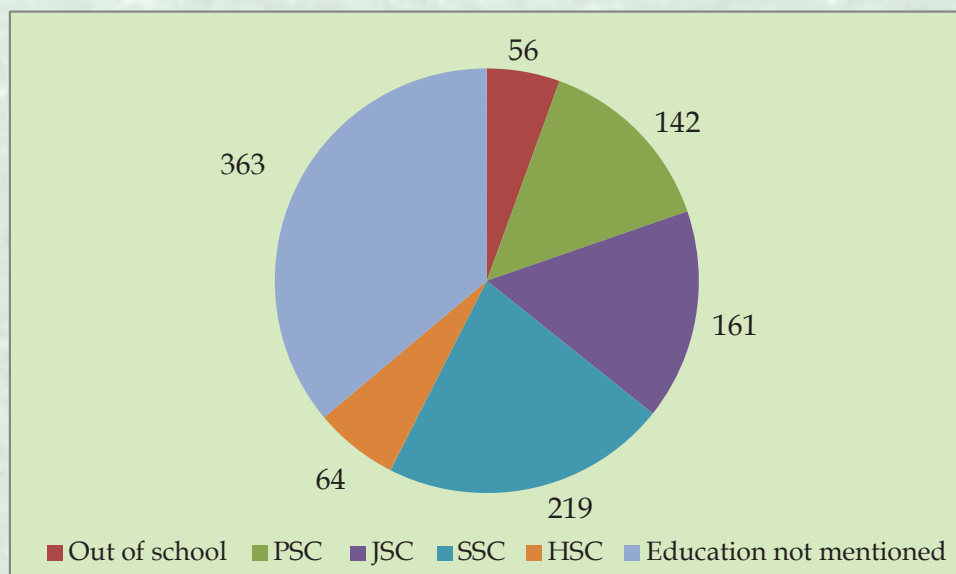
Type of sexual violence	2019	2018	% (+/-)
Rape	1005	571	76.01%
Gang rape	108	94	14.89%
Attempt to rape	128	96	33.33%
Beating by perverts	28	18	55.56%
Sexual harassment	203	130	56.15%
Victim of pornography	19	15	26.67%
Total	1383	830	66.63%

Though above table shows an increasing trend of sexual violence including rape and gang rape which has been termed by the experts as an alarming trend, the following line diagram showing the numbers of rape incidents during last five years as published in different newspapers is not less worrying.

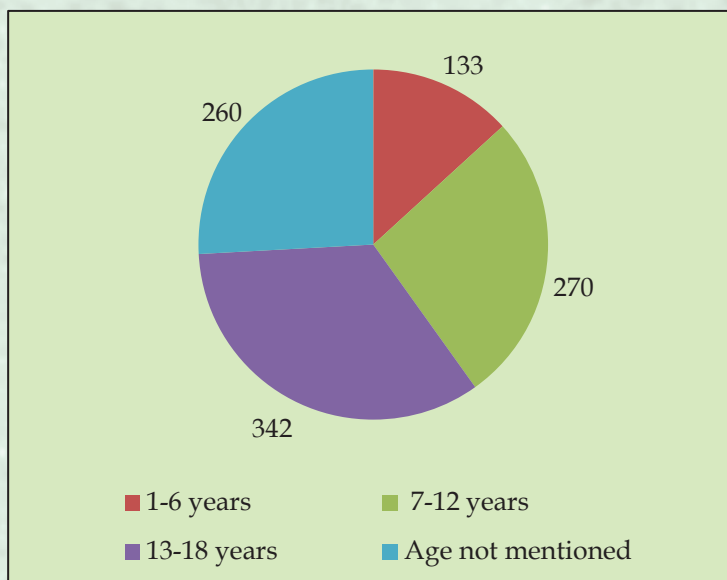
Data segregated by education and age as showed in the below mentioned pie charts reveal that in majority of cases, age of the survivors have not been mentioned and SSC grade children have been reported as comprising the large number of survivors of rape, where JSC and PSC grade children constitute the 2nd and 3rd large number of the survivors of rape incidents. This data corresponds to the age segregated data as it shows that children of 13-18 years of age group constitute the largest number of incidents of rape followed by the children belonging to 7-12 years which indicates increased level of vulnerability of growing children which might have linkages with their mobility. Contrarily, though constitute the smallest number, children belonging to age group of 1-6 years are also victimized by rape as the data shows that 133 number of incidents of rape took place within this age group. Another remarkable aspect is that not only the girl children, BSAF monitoring also documents increasing trend of rape of boy children.



Education Distribution of Child Rape in 2019



Age Distribution of Child Rape 2019

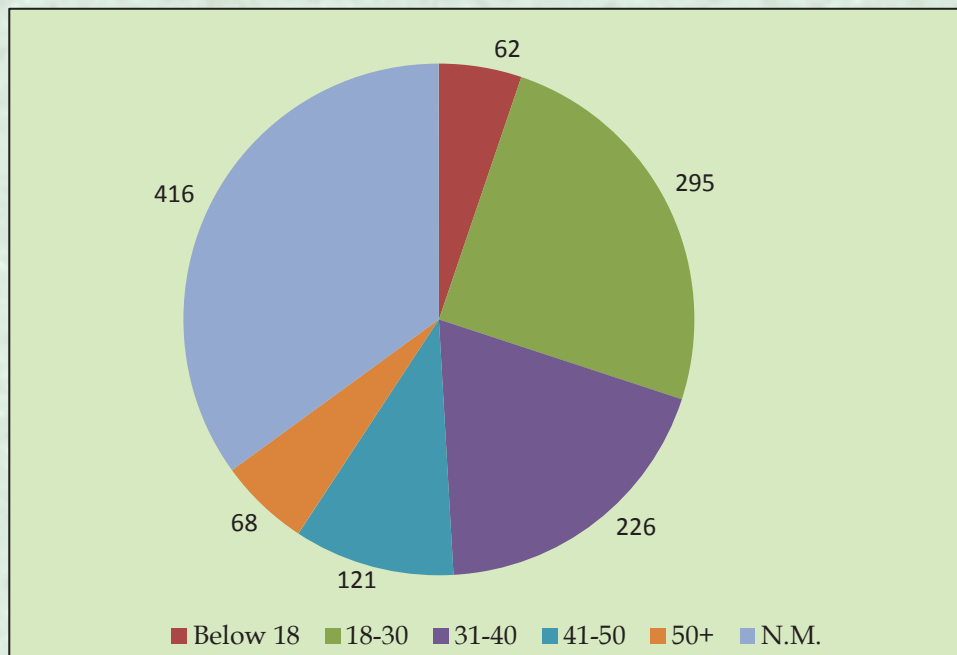


Though in most of the reporting on rape cases, the detailed of the perpetrators are not mentioned, BSAF monitoring discloses that local vagabonds and the neighbors constitute the main perpetrators of rape, where lovers, teachers, close relatives, transport workers, friends/class fellows are also included in the list of the perpetrators of rape. On the other side, age segregated data of the perpetrators reveal that youths and adults (age group of 18-40 years) have mostly been alleged as the perpetrators of rape, where men from middle age group (41-50 years of age) and men above 50 years of age also have been alleged as the suspected perpetrators. Strikingly, 62 children below the 18 years also have also been alleged as the suspected perpetrators as shown in the pie chart below which has linkage with the proper education of the adolescents about the sexual and reproductive health and right issues.

Child rape/Type of perpetrators

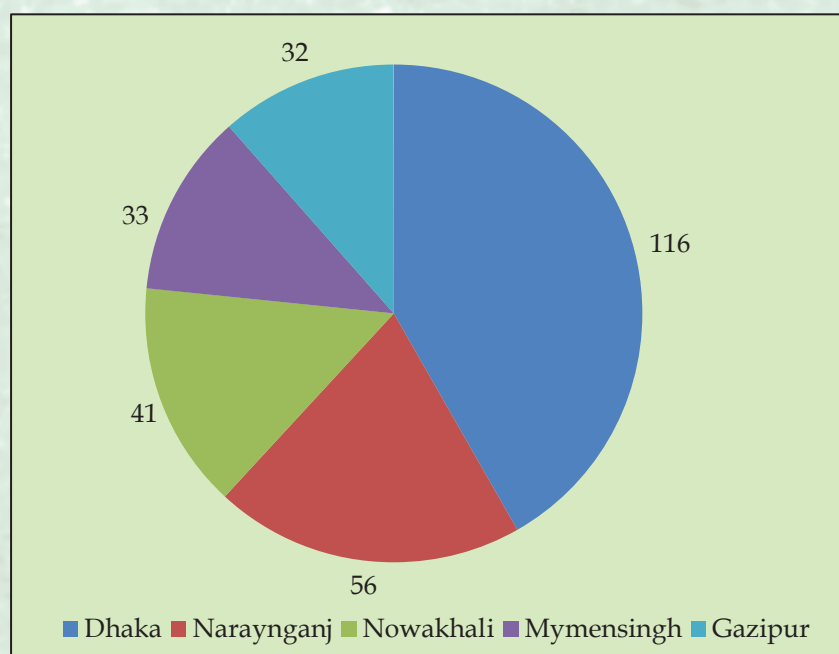
Type of perpetrators	Number of rapes
Local vagabonds	145
Neighbors	141
Lovers	120
Teachers	75
Close relatives	54
Transport workers	28
Going for outing	29
Friends/class fellow	27

Age Distribution of Perpetrators on Child Rape

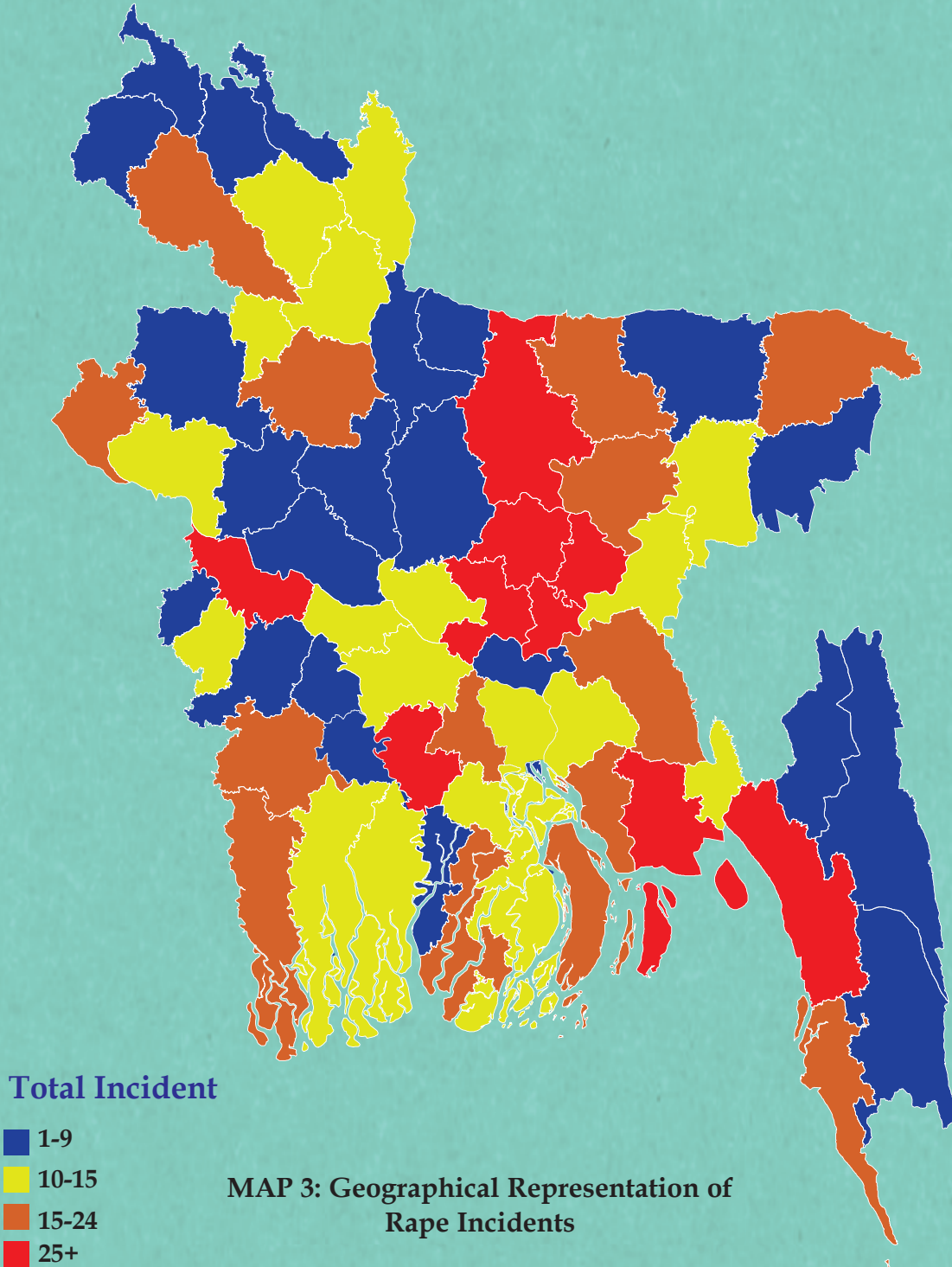


As far as the geographical location is concerned, Dhaka, Narayanganj, Noakhali, Mymensingh and Gazipur ranks the top five positions respectively in experiencing the rape incidents. According to BSAF data, 116 rape took place in Dhaka where 56 and 41 number of rape took place in Narayanganj and Noakhali respectively.

Top 5 Districts with the Case of Child Rape in 2019



Child Rape



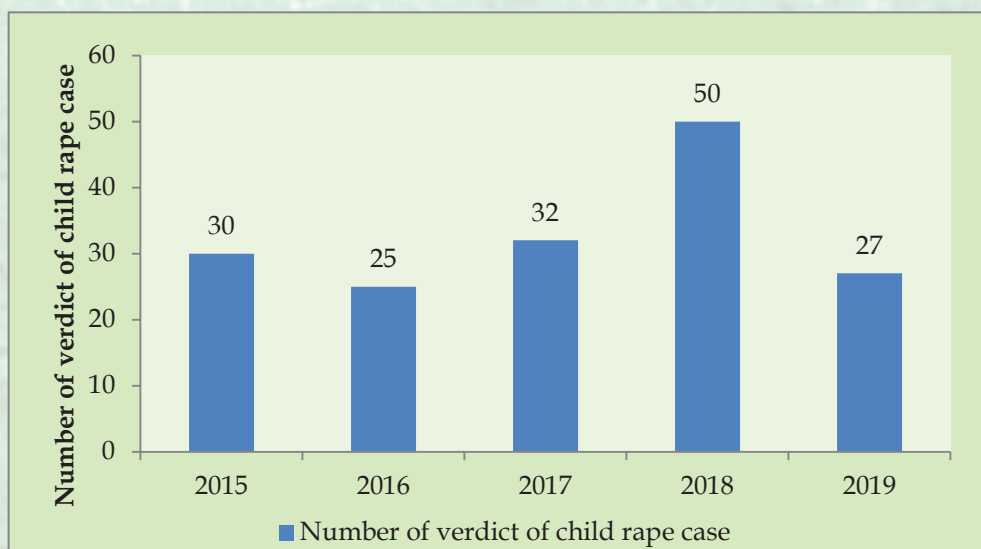
Harun Or Rashid allegedly raped and killed a seven-year-old Girl in Wari, Dhaka

On 5 July 2019, Harun Or Rashid, a neighbor raped and killed a seven-year-old girl in Wari, Dhaka. Saima, a nursery-grade student of Silverdale School went missing after she went out to play in the afternoon of July 5. Afterwards, her body was found on the 8th floor of their under construction building at 8pm, with a rope wrapped around her neck.

Saima's father Abdus Salam filed the case under Women and Children Repression Prevention Act with Wari Police Station on July 6 and the police on July 7 arrested suspected killer Harun-ur Rashid from Cumilla. Harun Or Rashid, the prime suspect in this case confessed that he murdered the seven-year-old girl after rape so that she cannot disclose his identity. After arrest, he disclosed to the detectives that on Friday he took Saima to the roof of the eight-storey building, saying that he would show her the view and raped the seven-year-old child inside an empty flat. When the girl passed out, he strangled her with a rope and dragged the body to the kitchen. It is to be mentioned that the suspect used to reside at his cousin Parvez's family at their flat on the seventh floor of the building, where the Saima's family lives.

Saima's fellow students, their parents and teachers demonstrated in Wari, demanding immediate arrest and capital punishment of the killer. Chanting slogans, they marched to the Wari Police Station in the rain and staged a sit-in in front of the police station. They also handed a memorandum to the officer-in-charge. The father of seven-year-old Saima, appealed to the parents to stay alert so that their daughters do not fall prey to brutality like his daughter.

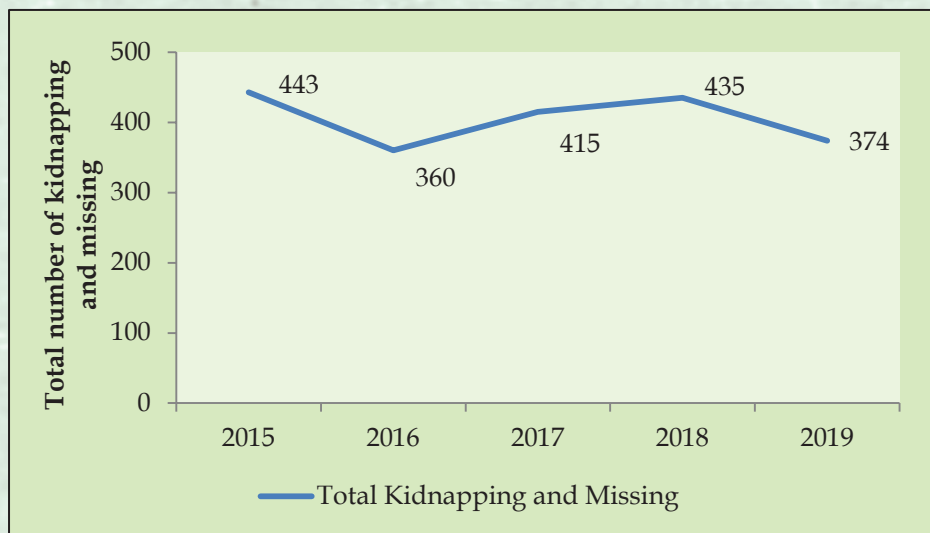
Source: <https://www.thedailystar.net/frontpage/news/wari-girl-rapist-killed-her-hide-his-identity-1768153>



As compared to growing trend of child rape including other violence, slow pace in prosecution of the case has been observed. The BSAF monitoring documents that total 3136 incidents of child rape took place during the last five years period (2015-2019) which means on an average 52 incidents of child rape took place in every month. Against this alarming number of child rape, during last five years only 164 verdicts have been rendered on the child rape cases.

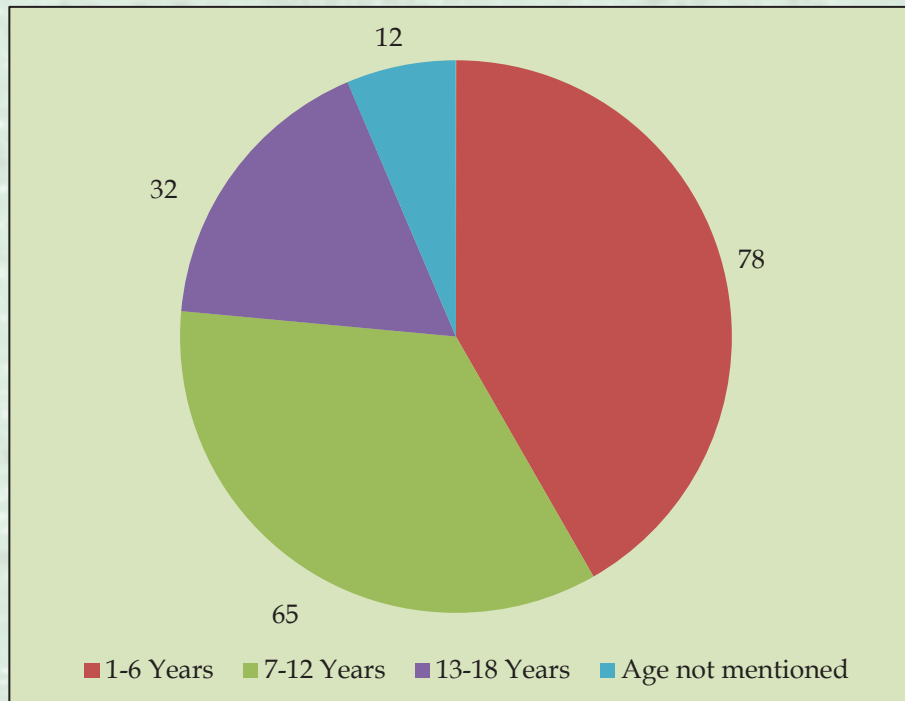
Kidnapping and Missing

BSAF monitoring shows that total 374 children were kidnapped or went missing in 2019, of them 187 children were kidnapped and afterwards, 98 of them have been rescued by the law enforcing agencies. And, 29 children were killed after kidnapping. On the other hand, of the total 130 missing children, 37 children have been rescued alive and dead bodies of other 66 missing children have been found.

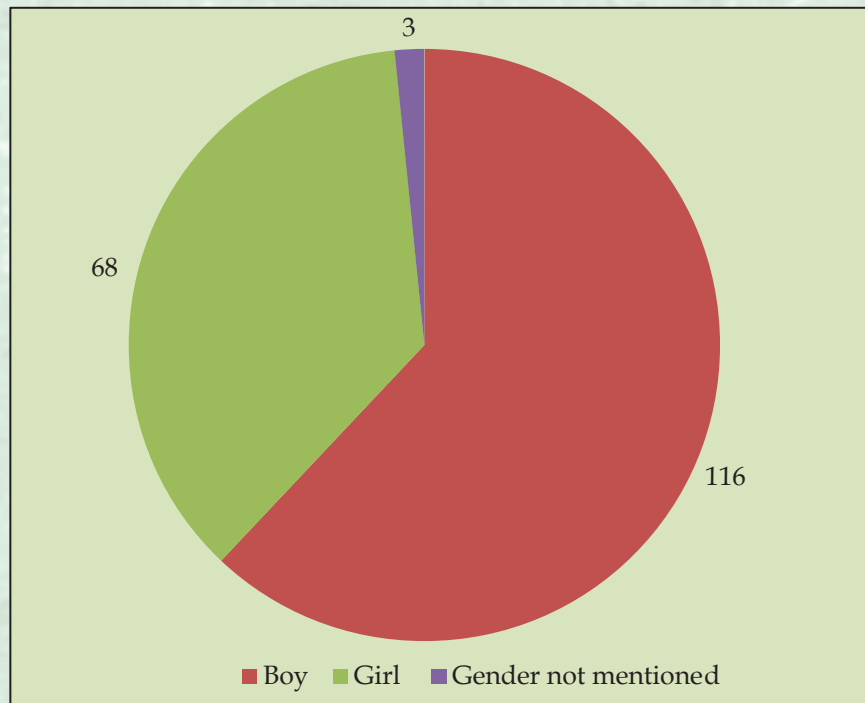


The following pie charts on data of child kidnapping segregated by age and gender shows that preschool aged children are the most vulnerable children groups for kidnapping followed by the children of 7-12 years. And, gender segregated data shows that in case of kidnapping boys are targeted mostly. The same trend is documented in case of missing of the children.

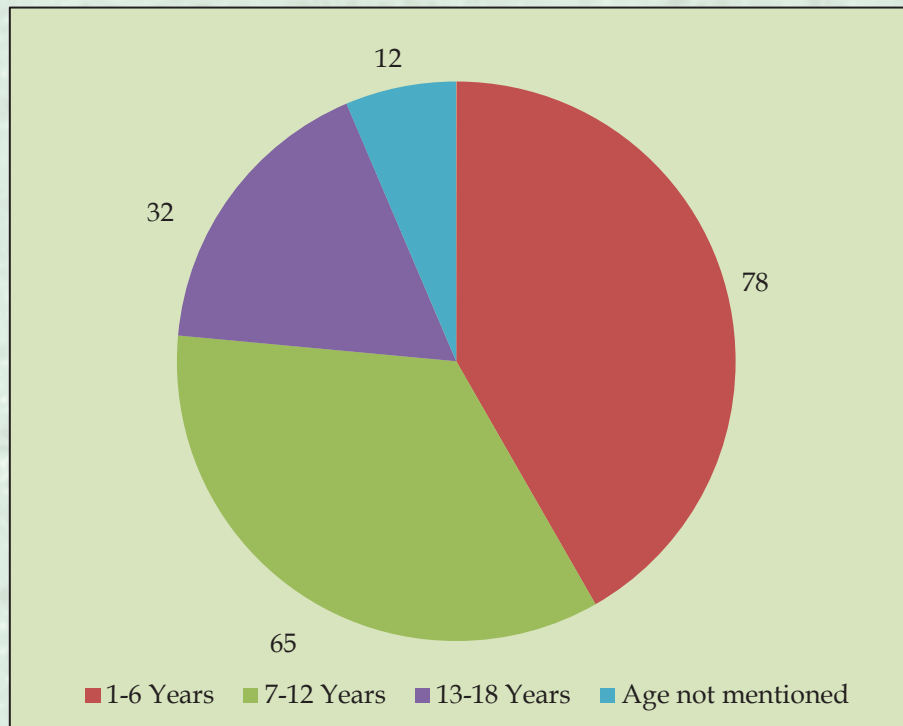
Age Distribution of Child Kidnapping in 2019



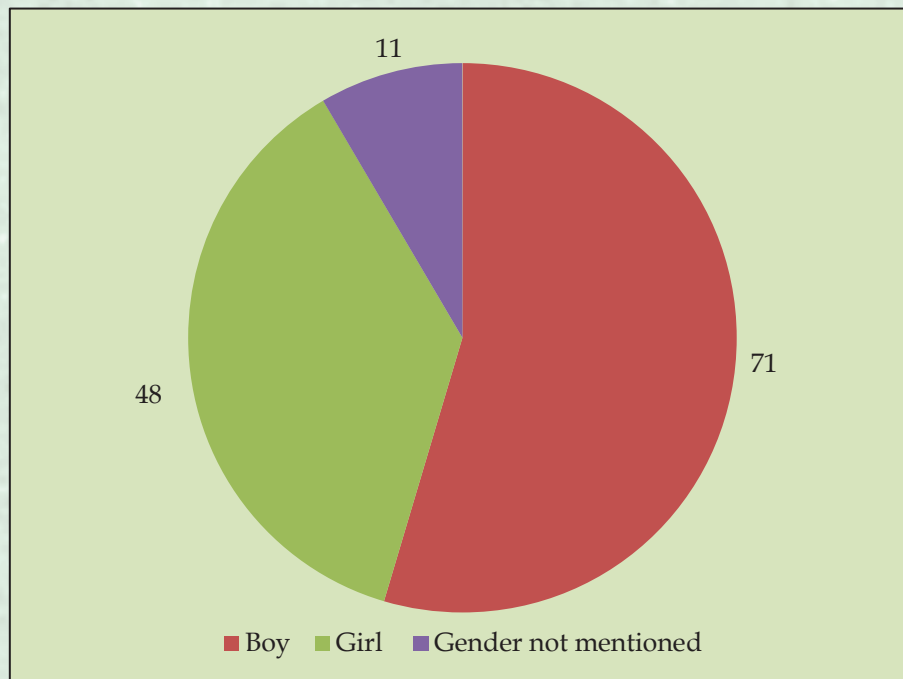
Gender Distribution of Child Kidnapping in 2019



Age Distribution of Child Missing in 2019



Gender Distribution of Child Missing 2019



Physical and other Forms of Violence

BSAF documentation reveals a decrease of physical and other forms of violence (36.52%) in 2019 as compared to 2018. However, it discloses that in 2019 total 219 children have been subject to different forms of physical and other forms of violence where 89 children experienced corporal punishment in educational institutions, and 16 domestic child workers were subjected to torture in their workplaces and 12 children have become victims/survivors of acid violence. Besides, 139 children experienced beating of whom 10 children faced brutal physical violence by the parents.

Comparative scenario on physical and other forms of violence: 2019 & 2018

Type of violence	2019	2018	% (+/-)
Attempt to murder	60	94	-36.17%
Victim of acid violence	6	12	-50.00%
Corporal punishment at educational institutes	46	89	-48.31%
Torture or Beating	103	139	-25.90%
Stabbing/torture by snatchers	4	5	-20.00%
Torture by police	0	6	-100.00%
Total	219	345	-36.52%

Child Marriage

Child marriage in one hand is an issue of right to life, survival and development, on the other hand, it is a protection issue. Child marriage exposes children, particularly girl children to multifaceted violence and exploitations including sexual exploitations and hinders the development of the children in many ways. BSAF monitoring documents two different types of news on child marriage: 1) news on stopping the initiatives of child marriage; and 2) news on occurrence of child marriage. BSAF considers both the issues as threat to children, as in case of stopping child marriage, the concerned child had to go through the distressing preparatory process for marriage and though the marriage is stopped on spot by the initiatives of local administration and by other groups, they still remain under threat of marriage at any time.

In 2019, BSAF monitoring documents 18 news on occurrence of child marriage and 126 incidents of stopping the underage marriage. Though the comparative data of 2019 and 2018 discloses a declining trend of such news, concerns still remain as the news on stopping of child marriage indicates that still there are lack of awareness among the parents, children and among the community people about the Child Marriage Restraint Act and about the long term effects of child marriage on the individual children, their family and on the overall community.

Comparative scenario on child marriage: 2019 & 2018

Child Marriage	2019	2018	% (+/-)
Stopping of child marriage	126	134	-5.97%
Incidents of child marriage	18	38	-52.63%
Total	144	172	-16.28%

Child Labour

Though BSAF data resource center didn't systematically document any such information on child labour, during the interviews conducted for this reporting purpose, the issue has been raised by both the government and non-government stakeholders as an issue of concern from the perspectives of rights of the children as enshrined in the CRC.

An editorial of Dhaka Tribune published on 17 June 2019 states that in spite of laws and promises, prevalence and dangers of child labour continues to be a major problem; the transportation sector, in particular, is a major culprit when it comes to the exploitation of children, putting them often in hazardous positions. Hazardous work like this not only takes children away from where they should really be, which is at school, but it also opens up various avenues for abuse and mistreatment, which includes sexual or economic exploitation¹⁴.

A baseline study¹⁵ on child labour situation of two targeted sectors, transport and domestic work conducted by Educo, finds that 100% parents are unaware about the laws and policies regarding child labour, although they have a general idea about the negative effects and about general prohibitions on child labour. The baseline survey reveals that of the surveyed respondents, 46.94% child domestic workers were subjected to physical injury, 68.49% were subjected to scolding from their employers, 17.14% were exposed to physical torture and as a result, 35.51% suffered from mental trauma. The report discloses that 68.49% child transport workers are often exposed to scolding from their employers as well as from the passengers.

Experts view lack of coordinated efforts to eliminate child labour as one of major challenges in elimination of child labour. For instance, the National Action Plan on Child Labour Elimination expired in 2016, but still there is no such concrete progress of the development of a new action plan targeting to eradicate hazardous child labour which has clear linkage with the achievement of number of SDGs goals and targets including the ones on education, gender equality, health, eliminating child labour and reducing all forms of violence and related death rates and on ending abuse, exploitation, trafficking and all forms of violence against and torture of children.

¹⁴ <https://www.dhakatribune.com/opinion/editorial/2019/06/17/investing-in-children>,

¹⁵ <https://www.dhakatribune.com/feature/2019/11/01/majority-use-children-for-hazardous-work-despite-knowing-about-its-consequences-study-finds>, Majority use children for hazardous work despite knowing about its consequences, study finds

Juvenile Justice

As far as juvenile justice is concerned, Bangladesh enacted the Children Act 2013 to administer the justice process for ‘the children in contact with law’ and for ‘the children in conflict with law. However, there remains concerns about the proper implementation of this law. Detailed rules on the law is yet to be finalized and there are instances where children are being tried by other courts, such as by the mobile courts, though according to the Children Act 2013, only the Children’s Court can try a child offender. In this connection, an order of the High Court can be referred- on 31 October 2019, the High Court Division issued an order to releasing 121 children on six months bail who were tried in mobile courts. This order demands attention on the proper implementation of this special law introduced to ensure juvenile justice in line with the spirit of the CRC. This is to be mentioned that the order came following a report in a national Bengali daily on the same day which discloses that mobile courts have illegally jailed 121 children to six months to one year and they have been kept in the CDCs in Tongi and Jessore. The legal actions of the mobile courts against 121 children raises serious questions about the inconsistencies between the mandate of different laws as well as the sensitivity of the law enforcement agencies about implementation of different laws¹⁶.

Delay in finalization of the Rules as a supporting instrument for implementation of law is yet to be done, other support services as provided in the law is also inadequate in numbers, for example, the numbers of Child Development Centers and their facilities are inadequate, the centers are overcrowded. Convicts and children on trial are regularly kept in the same center. Child abuse and mismanagement of these centers also remain as major concerns¹⁷.

6.2 Participation Rights

Children are individuals with their own rights; they are important and competent actors in society and are full citizens with equal rights. Article 12 of the Convention of the Rights of the Child (CRC) states that every child has the right to be heard on issues that affect him or her and, in all arenas, where decisions are made that affect children. Child participation is not only a right of the children by itself, participation is a tool for the children to realize their other demands and rights, for example, when children contribute against child marriages. Child participation is also important for the physical, mental and psychological development of the children and youth, as it creates the scopes to increase self-esteem and self-confidence of the individual children. Moreover, ensuring child participation contributes to build active citizenship for the future.

Participation rights have been guaranteed in different articles of CRC that includes: respect for the views of the child (article 12), freedom of expression (article 13), freedom

¹⁶ CHILDREN IN CONFLICT WITH LAW: Juvenile justice system in Bangladesh, Nahid Riyasad, Dec 01,2019, <https://www.newagebd.net/article/92235/children-in-conflict-with-law-juvenile-justice-system-in-bangladesh>

¹⁷ UPR Stakeholders’ Submission on The Children’s Rights Situation in Bangladesh, 3rd Cycle of UN Universal Periodic Review (UPR)- 2017

of thought, conscience and religion (article 14), freedom of association (article 15), right to privacy to protect them from attacks against their way of life, their good name, their families and their homes (article 16), and access to information (article 17). Children's right to participation in decision-making affecting their lives has also been recognized by the government in the National Children Policy 2011 (NCP).

As far as the participation rights are concerned, BSAF monitoring does not provide any such qualitative and quantitative data, but given the importance of the participation of the children in different issues affecting their lives, this report tried to get views of the human rights activists and experts of child rights on this issue through newspaper screening and during the interviews.

Few experts appreciate the government initiatives of formation of Students Council in the primary schools and establishment of National Children's Task Force (NCTF), a nation-wide children's organization hosted by Bangladesh Shishu Academy as the positive efforts of creating platforms to ensure children's participation but poses questions about the effective functioning of the forums. As an example, they cited that NCTF was functional as long as the project based external support was there and after withdrawal of NGOs' support, NCTF is not functional any more.

On the other hand, numerous initiatives of CSOs are in place to promote child participation in different issues. But again, experts view about the existence of conducive environment to ensure children's effective participation and make their voices to be heard. Children are invited to various relevant forums but given limited space or opportunity to contribute in the discussion. Since the formulation of the NCP, no guidelines have been adopted and there are no standard operating procedures for ensuring meaningful child participation and government officials lack capacity in facilitating this¹⁸.

There needs to create conducive environment with adequate resources and information to ensure effective participation of children in family, and in national issues involving their interests. It is also important that the children have the opportunities to acquire necessary skills and competencies, such as skills on communication and critical thinking, organizational competencies and life skills to enable them fully participate in the processes and on the issues affecting their lives. In such as context, where participation has many dimensions and domains, issues of children's participation in context of Bangladesh is hampered by the deep rooted culture of the society where the concept of individual and distinct entity of children is always overlooked, and knowledge and understanding of the parents, family members, community people and of the implementing agencies of the government about the gradually evolving concept of child participation is very limited.

In this connection, few experts recalled the age-old child organizations and movements like, *Khelaghor*, *Kochi Kachar Ashor*, and *Brotochari movements* having rich legacy in development of

¹⁸ Ibid

children with social, moral and cultural values which can no longer play that illuminating role in this changing society. Frustratingly, few experts also referred about the lack of efforts of the NGO initiated child-based platforms to have linkages with those organizations and uphold the spirits of those organizations/movements both in letters and in spirit to nurture the children of today to grow as patriotic citizens with the deep sense of secularism, peace, freedom, tolerance, non-discrimination and science based knowledge.

7. Concluding Remarks

The situation of child rights as described in the above sections merely reflect the numbers as published in the 15 different newspapers, and the observers view that the actual numbers of violation of child rights are to likely to be far higher as many cases do not reach to the news media, also many survivors of violence and their family members, particularly in cases of sexual violence, remain reluctant to report those incidents due to fear of being blamed for the incident or ostracized and disowned by their families.

The BSAF monitoring and the interviews of both the government and non-government stakeholders informs that children are exposed to severe forms of physical and mental violence at home, in the work place, in institutions and in other public places. The extent of violence against children irrespective of age, sex and class has been increasing day by day and the nature of the violence has also been changing against the gradually changing scenario of economy and technology.

Given that child rights are interrelated and violation of one right affect the other rights. For instance, any kind of violence against children affects their other set of fundamental rights, such as right to education, right to health and right to development. Exposure to violence, either as direct victim or as witness, also leads the children to long-lasting harmful consequences and children who are exposed to violence are more likely to suffer severe physical, mental, and emotional effects which include depression, helplessness, being numb to future violence exposure, being uncaring towards others, and becoming violent.

In such a context, experts view that multiple interrelated reasons play role in violations of child rights that include lack of time appropriate legal instruments, lack of coordinated implementation mechanisms, lack of adequate resources, lack of sensitivity, knowledge and skills of the implementing agencies and parents about the rights of the children as distinct human entity. Particularly for sexual violence against children, expert opinions reveal that unequal power structure in the society, culture of impunity and degradation of moral and social values, easy access to internet without knowledge and guidelines on positive use of internet among the users, lack of employment opportunity, discriminatory social attitude towards girls and women and social acceptance of the violations against children, lack of time appropriate parenting skills and lack of institutional assistance on parenting, vulnerability of the children because of their age and lack of necessary skills to protect themselves are some other major reasons of violence against children in Bangladesh.

Though there are very few studies from criminological perspectives, review of different documents and expert opinions indicates that though the culture of impunity indirectly

encourages the perpetrators to target children, as a socio legal issue, multidimensional socio economic, cultural and legal issues, such as, lack of adapting capacity with the high-speed economic development resulting in wealth disparity and social inequality, gaps in meeting high social expectations, social unrest, loss of moral excellence, lack of adequate understanding about parental responsibilities, frustration of the parents, upholding cruel attitude, lack of infrastructural facilities and absence of psychosocial development to cope with the changing social structure, weak family bonding and poor social interaction, and misuse of information technology interacting together act as the contributing factors for the growing trend of violence against children.

On the other hand, allocating necessary financial resources is a precondition to fulfilling the needs of children and ensuring their rights to survival, development and participation. The introduction of a Child Budget is a noteworthy achievement on this front. But, given that children make up approximately 45% of Bangladesh's population, investment in children remains inadequate, especially in terms of health and social protections. Bangladesh's budget making process is also still largely non-participatory in nature, with children in particular being left out of the process. The National Social Security Strategy (NSSS) rightly has acknowledged that coverage of very young children by social protection schemes is extremely minimal; around 15 million children do not receive direct social protection support.

Budget Analysis (FY 2018-2019) of Save the Children reveals that 17.4% more child focused allocations have been made in the budget for 2018-2019 fiscal year and total 15 ministries/divisions have been involved in child budget process. Child focused safety net allocations also increased by 20.2%, where education related child focused safety net allocations increased by 31.8% and health related child focused safety net allocations increased by 27.3% and safety net allocations for children with disabilities (direct and indirect) received significant more resources in this budget. However, the analysis posed concerns indicating the estimates of GED that education and health sector allocations needed to grow approximately by 25% and 20% respectively to stay on course in terms of the SDGs. The analysis also raised the concern on absence of any effort to strengthen the child protection system in the face of increased incidences of violence against children and to enhance recreational facilities for children. On top of all, proper implementation of the allocated budgets in the real interest of the children remains as a major concern.

8. Recommendations

Though as a general normative standard, state undertakes the primary responsibility of ensuring enjoyment of human rights by its citizens by respecting, protecting and fulfilling human rights¹⁹. However, non-state entities also have responsibilities, both in a positive and in a negative sense: abstaining from violating human rights on the one

¹⁹ The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights.

hand and contributing to human rights compliance on the other. As referred in the preamble of the UDHR- every individual and every 'organ of society' has an obligation to contribute to an atmosphere conducive to the enjoyment of human rights²⁰.

Non-state entities like NGOs, both national and international; indigenous and minority groups; human rights defenders in practice play important role to promote human rights in different ways- acting as pressure group to the state and international community to reform legal and policy frameworks, carrying out awareness raising and supporting the victims/survivors of human rights violations, in some cases by implementing the programmes on the promotion and protection of human rights for various groups.

In context of child rights, apart from this general standard of obligations of state and non-state actors, responsibility of the parents has been particularly mentioned in the CRC. Article 5 and 18 of CRC²¹ need to be mentioned where responsibilities of both the state and the parents have been explained in the form of parental guidance & responsibilities, and state assistance.

Accordingly, in light of the analysis as presented in the above sections, the report puts forward following specific recommendations for both the state and non-state actors including the parents and the media.

For the State

Ensure speedy trial of all cases of violence against children including murder and rape with exemplary punishment and ensure speedy execution of the verdicts to strengthen the deterrent role of the laws.

Take necessary steps to ensure availing government legal aid fund for the survivors of the violence whose parents do not have financial ability to file/continue the cases.

Ensure inclusion of the effective protection measures for the victims/survivors of violence, the witnesses and their family members in the legal mechanisms.

²⁰ The General Assembly, proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

²¹ Article 5-CRC, States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention. Article 18-CRC, 1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern. 2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

Ensure adequate monitoring on the practice of corporal punishment in educational institutions and introduce a complaint mechanism so that the students can make complaint against physical and mental punishment experienced in the educational institutes.

Increase budget allocation for the children and strengthen the monitoring to ensure proper implementation of the allocated budget.

Finalize the rules of Children Act without any delay and publish the rules through gazette notification and allocate the appropriate administrative, technical and financial resources to ensure effective implementation of the law

Take necessary steps to finalize the draft structure of the separate directorate for the children to ensure effective inter-ministerial coordination on the issues of child rights and ensure taking necessary initiatives on child centric development.

Speed up the process of establishing a Child Rights Commission/Child Ombudsperson with adequate mandate and resources to oversee child specific issues following the commitment of the National Children Policy 2011.

Remove inconsistencies and overlapping that exist between different laws and implementation mechanisms related to child rights, take necessary initiatives to reform the existing laws by bringing all the child specific legal instruments and implementation mechanisms under a unified comprehensive framework that can act more effectively and efficiently. While doing so, recognize the changing pattern of violations and address those by bringing under legal coverage, for example, recognizing rape of boy child as offence, making child marriage null and void, etc.

Ensure that educational institutions give adequate attention to discuss the prevention issues of sexual harassment and make both the students and the teachers aware and sensitized on the issue applying participatory approach to prevent gender-based violence by focusing on behavior and attitude change of individuals and institutions.

Take necessary steps to implement the recommendations of the CRC committee contained in the concluding observations on the fifth periodic report of Bangladesh (2015) and to implement the child specific recommendations that Bangladesh received during the third cycle of the review of Bangladesh's human rights situation through UPR process (2018).

Take steps to withdraw reservations from the UNCRC and ratify optional protocol 3 and develop a national communication procedure in the best interests of children.

Take initiatives to ensure appropriate assistance to the parents and/or to the legal guardians in gaining knowledge and skills on parenting so that they can perform their child-rearing responsibilities in a responsive manner and take appropriate measures so that children of working parents benefit from child-care services and facilities.

For the parents and family

Become more aware and alert about the sexual violence against children and take proactive initiatives to acquire updated knowledge and skills on positive parenting.

Give adequate attention on the mental health of the family members including the children and take advice from the psychiatrics/psycho-social counsellor in the cases when any inconsistency of the behavioral patterns of any family member is observed (drug addiction or mental illness).

Become more aware about the risks of child death by drowning and ensure extra vigilance on the movement of the children and take initiatives to ensure that children learn swimming skills.

For the non-government development organizations

Strengthen the awareness activities of the non-government organizations and embed the issues of child protection in every possible way in all their activities.

Strengthen information dissemination works of the NGOs on child protection, particularly, where to go to submit complaint and how-to complaint including informing the children about 109 help line.

Strengthen the activism on child rights issues by equipping them with the updated knowledge and skills on the issue, and do continuous advocacy with the government to bring necessary policy and legal reform and ensure proper implementation of the existing programmes.

Extend their all-out support to the victims/survivors of violence against child to get necessary administrative and legal support.

To conduct in-depth study on the various violations of child rights from socio legal perspectives to strengthen evidence based influencing work with the government, donors, development partners etc. to take appropriate holistic interventions on child rights.

For the Media

Ensure publishing follow up reporting on the incidents of violence against children and publish the news on the trial and final judgements of the cases on violence against children with adequate emphasis to demotivate the possible perpetrators to refrain from committing such heinous offences.

Take institutional policy of emphasizing on the perpetrators by publishing the name, detailed address and photos as naming and shaming instead of focusing on the personal details of the victims/survivors of violence.

Take explicit stand to ban using children/girl children as vulnerable and sexual object in broad-casting the news/entertainment items/advertisements both in mainstream media as well as in alternative social media, like face book, YouTube etc.