



Implementing the rights of children in Bangladesh; challenges and perspectives

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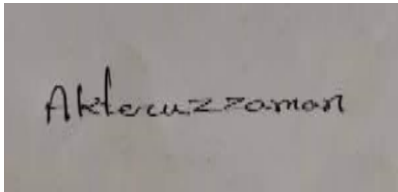
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DECLARATION

I'm Akteruzzaman, ID: 201-38-370 LL.M (Final) hereby declares that this research work titled "Implementing the rights of children in Bangladesh; challenges and perspectives" has been conducted by me and I can assure you that this is my work. It has been submitted in the satisfaction of the necessity for the degree of Masters of Law: LL.M. (Final). This work is presented in my unique work and it has not been submitted before. The work does not make any transgression of copyright law.



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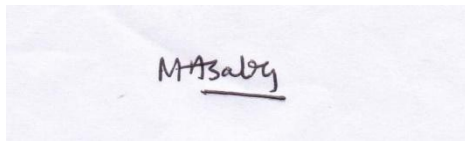
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CERTIFICATION

This is to certify that the thesis on “Implementing the rights of children in Bangladesh; challenges and perspectives” is done by Akteruzzaman in the partial fulfillment of the requirement for the degree of LL.M (Final) from the Daffodil International University of Bangladesh. The thesis has been carried out successfully under my guidance.

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'Md. Abu Saleh' with a horizontal line under the name.

.....
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DEDICATION

I would like to dedicate this work to my Father who taught me moral values and gave me the ethical education from my childhood. He encouraged me to study law. He is still guiding me toward being a good human being and motivating me to dedicate myself to the welfare of the country.

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Abbreviations

- 1) **BSAF-** Bangladesh Shishu Adhikar Forum
- 2) **CAMPE-** Campaign for Popular Education
- 3) **CRGA-** Child Rights Governance Assembly
- 4) **CSO-** Civil Society Organization
- 5) **CRGA-** Child Rights Governance Assembly
- 6) **CIA-** Child impact assessment
- 7) **EDUCO-** Education and Development Foundation
- 8) **ECCE-** Early Childhood Care and Education
- 9) **GoB-** Government of Bangladesh
- 10) **ILO-** International Labor Organization
- 11) **INGO-** International Non-government Organization
- 12) **MoE-** Ministry of Education
- 13) **NCTF-** National Children's Task Force
- 14) **NGO-** Non-government Organization
- 15) **NHRC-** National Human Rights Commission
- 16) **UNCRC-** United Nations Convention on the Rights of the Child
- 17) **VAC-** Violence against Children

Chapter-One

Introduction & Background

1.1) Introduction & Background of the research paper

“The Convention on the Rights of the Child is the enlightened, living document that enriches the attainment of dignity and self-fulfillment in addition to the rights of every child.”

“Simply put, the rights of children are the human rights of children. Every child has rights regardless of age, caste, gender, wealth, or place of birth. These rights are bound by international law in the Convention on the Rights of the Child (CRC). It recognizes that all children must be treated fairly, equally, and with dignity. The laws of the Convention on the Rights of the Child are discriminatory and always best for the child. According to the CRC, all children should grow up in a spirit of peace, dignity, tolerance, freedom, equality, and solidarity, and all nations have a responsibility to uphold these rights under UN law”.¹

“In August 1990, Bangladesh CRC was ratified by the first two states in the region, demonstrating the country's initial commitment to children's rights. Even before that, although Article 28 (4) of the Constitution of 1911 included nothing can prevent the state from making special arrangements for women and children which shows how the founders of the newly independent country recognized children. They demand positive action to reach their full potential. Article 15 of the Constitution makes the protection of children, such as necessities like food, a fundamental responsibility of the state; Clothing shelter education, healthcare, And Bangladesh have maintained an impressive track record in implementing various policies and laws aimed at realizing the rights of its children, including the right to work, reasonable rest, recreation and leisure time, including the National Children Policy 2011 and the Children Act 2013. Bangladesh has made significant efforts over the last two and a half decades to achieve the rights of children, especially in the areas of health and education”.²

¹ World Vision <https://www.worldvision.com.au/child-rights>

² Save the children(NGO)

“The Government of Bangladesh ratified the United Nations Convention on the Rights of the Child (UNCRC) in 1990. Since the ratification of the UNCRC, the Government of Bangladesh has tried to implement and implement the policies and provisions of the UNCRC on child rights. However, despite the efforts of the Bangladesh government over the years, a large number of children are still deprived of their basic rights. Children in Bangladesh face severe poverty, physical and psychological abuse, economic exploitation, physical and sexual violence, trafficking and prostitution, child marriage, harassment by law enforcement, political violence, etc especially the children face all forms of abuse and exploitation. The Government of Bangladesh has made progress in addressing various areas of child rights. However, some areas require a strong commitment from the Government of Bangladesh”.³

It aims to provide the rights that children enjoy and are not enjoying, including the violation of children's rights to health, the right to education, the right to education and the right to education, the situation of children involved in child labor including domestic work and those involved in child trafficking, child prostitution. And victims of child marriage, implementation of existing laws and policies to protect children from abuse, challenges to the implementation of children's rights.

1.2) Objectives of the research

- A) To classify the rights that children are enjoying and not enjoying.
- B) To discover violations of children's rights, such as the right to health, the right to education, the right to education, and the right to education.
- C) To classify the situation of children involved in child labor including household chores and those who have been victims of child trafficking, child prostitution, and child marriage.
- D) To classify existing laws and policies to protect children from abuse.
- E) To identify the challenges in implementing the rights of children.

³ Bangladesh's Alternative UNCRC

1.3) RESEARCH QUESTION-

- A) What measures should be taken to prevent violations of the rights of children?
- B) What mechanisms can we take the rights of children in Bangladesh?
- C) What are the challenges in implementing those mechanisms?

1.4) LITERATURE REVIEW-

“Child rights are clearly defined in various laws and constitutional rights that allow the state to make special provisions for the advancement of women and children and the advancement of any backward class of citizens (Art. 26 (4)). Despite having all the legal tools, the government has not been able to take decisive action to stop violence against children, and failure to implement the original interpretation is a long process of law and justice. The cases were 399,303. In the absence of law enforcement and the absence of a protracted process of violence against children, it continues unabated”.⁴

“A rights-based national child protection system recognizes the state's responsibility and human rights obligations to children and provides the government with an integrated and sustainable way to protect children. The parties to the ICCPR, CERD, CEDAW, CRC, and CRPD are obliged to take appropriate legal, administrative, social, educational, and other measures to protect the rights of persons protected by all forms of exploitation, violence, and abuse by these agreements.”⁵

“The Government of Bangladesh will take appropriate measures for the realization of the rights of Bangladeshi children as described in the CRC and will use the maximum amount of resources available. This is a fundamental right because the government carries the primary responsibility under the CRC. One more common step the government can take to implement the CRC is through social protection programs for children. Social protection is provided under Article 26 and is generally understood to be a set of public actions and initiatives among stakeholders that help address risks, vulnerabilities, and chronic poverty. The greatest opportunity to ensure social

⁴ <http://www.theindependentbd.com/post/47872>

⁵ Save the children (Child Protection: Taking action against all forms of abuse, neglect, violence, and exploitation) <https://resourcecentre.savethechildren.net/node/2779/pdf/2779.pdf>

security access for the poorest children in Bangladesh is to increase the total investment in the safety net structure”.⁶

Enforcing the law to protect all children is a big challenge. One of the major challenges in Bangladesh is the lack of social protection for adolescent girls, the lack of laws and enforcement of extensive practice of corporal punishment, and the lack of adequate budget allocation for child rights programs and projects.

1.5) Methodology of the Research-

“The method was limited to two source-secondary document reviews and primary data analysis. Eighty percent of the data was generated by reviewing the secondary sources and twenty percent of the data was collected from the primary sources. The secondary review focused on reviewing national policy, strategy, research reports, and documents on child rights, human rights, poverty, gender, education, etc. Preliminary information was collected through Focus Group Discussions (FGD) with children, parents, and communities.”

1.6) Significance of the Research paper

“Children need special protection because they are among the most vulnerable members of society. They depend on others for care and protection from their parents and family or the state when it fails. As a result, our draft constitution makes children's rights a priority and says that Child's best interests are the most important concern when it comes to him or her.”

“The significance of this recharge is to find out how child rights are being violated in Bangladesh and how it can be prevented. To ensure what steps can be taken to implement the rights of children in Bangladesh and what challenges should be faced in the implementation of the rights of children.”

⁶ Ain o Salish Kendra
<https://resourcecentre.savethechildren.net/node/8671/pdf/crc402520report2028bangladesh292020th20november202014.pdf>

Chapter-Two

Common procedures of implementation of the rights of children in Bangladesh

2.1 Law improvement and execution of children right in Bangladesh

“Following the ratification of the UNCRC and its Optional Protocols, States Parties are obliged to enact legislation by the principles and standards set forth by the UNCRC and its Protocols. To date, Bangladesh has not signed and ratified the UNCRC Protocol. However, due to the structure of lawful administration, Bangladesh has played a positive role in law reform. Law enforcement is still the lowest, which inevitably leads to the violation of children's rights.”

2.1.1) creation children visible in resources and carrying out adequate cost analysis for children in Bangladesh

“The Government of Bangladesh has made this financial year in the light of the growing demand for separate allocations for children in the national budget. In the financial year, the country took the first step to keep the children’s budget. The five ministries, the Ministry of Health and Family Welfare, the Ministry of Education, the Ministry of Primary and Mass Education, the Ministry of Social Welfare, and the Ministry of Women and Children are directly involved in the children budget process. The finance minister has three considerations for doing so. These are investments in child health, investments in child education, and investments in child protection, welfare, and development.”

2.1.2) Confirming knowledge on CRC among adults and children in Bangladesh

“The government of Bangladesh parliament has taken initiatives to raise social awareness about the CRC by promoting its Bengali version to Parliament, government, educational institutions, NGOs, and various audiences.”

“The conference, including the child-friendly edition, was translated into Bengali and extended to all stakeholders at sub-district, district, and national levels. As well as national and international NGOs and UN agencies, especially UNICEF and staff members of the International

Labor Organization (ILO), partner organizations, relevant governments have made great efforts to spread the provisions of this conference, Officials, community leaders, religious leaders, people's representatives, media workers, employers 'and workers' organizations, children's organizations, and members of civil society.”

However, creating awareness among all stakeholders related to CRC is still a challenge. Most of the primary and secondary officers are not aware of CRC and their responsibilities.

2.2 appliances of the common principles of the UNCRC in the matter of the children rights

2.2.1) In-discrimination of the children

“The government of Bangladesh proposed specific strategic and policy initiatives in it’s to revise policies and legal frameworks, create an effective environment for girls, eliminate inequalities in health and education, and prioritize girls. And women in social protection programs, mainstreaming gender issues, improving access to healthcare for women and girls, integrating health needs for both men and women, and integrating gender issues into the school curriculum, planning and budgeting processes, and economic decision making. The Ministry of Education has reviewed relevant textbooks with a specific focus on gender. The stipend activities of the students create a special interest in them to be admitted to the school and to continue their studies. The Civil Society Organizations stated that various plans and programs were listed in the Fifth State Party Report but lacked analysis on the impact of those initiatives. Although women's secondary stipend activities have contributed to increasing the enrollment rate of girls, it has not been able to strengthen the quality of education. Despite the government's promise, indigenous children do not have the opportunity to learn their language. Also, children living in slums, children dropping out of school, working children, and street children often face discriminatory treatment in the whole society and society.”

2.2.2) Top interest of the children rights

“The principles of the best interests of the child are incorporated into national law. They emphasize the importance of awareness campaigns and training for policymakers, judges, law enforcement officers, social workers, and parents, and assess the impact of actions and decisions taken by the government of Bangladesh and civil society organizations. Very few initiatives were taken using a systematic evaluation process like the CIA. It further notes that the legal provisions

on 'status offenses' do not fully comply with the 'best interests of the child' policy. 'Status offenses' include truthfulness, evasion, violation of curfew law, or alcohol or tobacco. Such behavior would not be a criminal offense if committed by an adult, but a child could be arrested and detained only based on their age. Status Crimes target girls as well as the poor, disadvantaged, or those who work or live on the streets and spend most of their time outside the home with a lack of control over their activities. The Vagrant and Shelter-less People (Rehabilitation) Act, 2011 gives the police broad powers to arrest those involved in begging, but the law does not specifically address children. Furthermore, no formal assessment was conducted to determine whether stakeholders and stakeholders are fully sensitive to the best interests of children.”⁷

2.2.3) Existence and Enhancement of the children rights in Bangladesh

“The survival and development of many Bangladeshi children are still threatened by malnutrition, disease, poverty, abuse, exploitation, and natural disasters. In the final observation, the committee noted that there is a lack of prevention-based policies and the state has several conditions such as poverty, high neonatal mortality and child malnutrition, high drop-out rate from school, high accident rate, etc., and traumatic death including drowning. This weakens the enjoyment of this right. The government of Bangladesh claims that it has taken various steps to ensure the lives, survival, and development of children. The government of Bangladesh is implementing most of the social security programs such as Food for Work, Disadvantaged Group Development, Disadvantaged Group Feeding , Allowances for Widows, and Disadvantaged Women. Civil society organizations have pointed out to them that the alternative report states that while the national poverty rate is still high, family poverty has made children particularly high; Much more than the national level. The achievement of reducing child mortality is remarkable but still, the National Health Bulletin 2013 prepared by the General of the Department of Health has acknowledged a total of 21,56767 deaths among children under the age of 51 in 2012 at government hospitals. The government faces an unfinished agenda in creating equal opportunities for women and girls in healthcare, reducing maternal mortality, and creating equal opportunities for girls to survive childhood and reach primary school for good

⁷ Save the children (NGO) & UNICEF.

health. Existing health systems cannot respond to these challenges and effectively address the needs of the poor and disadvantaged. Public health services are plagued by substantial administrative problems, manpower imbalances, and multiple management challenges that hinder the efficient use of funds and the ability to adequately respond to the service needs of the poor.”

2.2.4) Makes Participation of the interested matter of the children

“The Government of Bangladesh claimed that it had taken the initiative to involve children in the process of formulating national laws and policies related to children. It was observed that the Government of Bangladesh has assisted in the formation of the National Children Task Force (NCTF) which represents children from all walks of life and has expressed its views on various laws, policies, and measures proposed by the Government of Bangladesh. For both primary and secondary education, the concerned ministry started forming student councils and cabinets in primary and secondary schools respectively to ensure the participation of children in school activities. Civil society organizations are concerned about the Government of Bangladesh's efforts and processes to meaningfully incorporate children's views, opinions, and suggestions into the processes created by the economy, especially where national policies and laws affect children's lives. Furthermore, there are concerns about post-voice threats for children, meaning that whenever they say something about expressing their own opinions that may be contrary to the preferences of their elders or existing social norms, they are stigmatized or criticized at risk. While acknowledging the growing space for child-related issues in the media, civil society organizations drew attention to the results that the media has allocated very little time and space for children. It was further found that only three percent or less of the total news coverage of these outlets was devoted to child-related topics and the reports rarely sought children's perspectives even in their related topics or events.”

2.2.5) Position of the children rights in State of the Civil Society in Bangladesh

“In Bangladesh, a good number of local, national, and international NGOs work for the betterment of children. There are also several NGO networks and child-led organizations working for children's rights. The Bangladesh Child Rights Forum is the largest of the two children's rights organizations affiliated with government agencies and complements and

complements the government's efforts to promote children's rights. The Popular Education Campaign is one of the most important alliances of about 700 NGOs working for literacy and education in the country. It encourages the literacy movement and people's participation in non-formal education. The newly established Council for the Rights of the Child is a civil society advocacy network involving development organizations including children and youth organizations with a dedicated commitment to the management of child rights. It contributes to research on important issues related to children's rights at the policymaking level.”

The main strength of these NGOs and NGO networks is that the existing NGOs and NGO networks have been working on child rights issues for a long time and thus have gained enough experience and skills to address child rights issues. Also, they have a long experience of issues related to child rights.

However, several NGOs in Bangladesh are not in a position to fulfill their responsibilities due to lack of network capacity, poor management structure, and lack of financial institutions. One of the weaknesses of the existing NGOs is that there is very little coordination in the implementation of activities at the field level. Thus, duplicates of try are found in different ways. Small geographical coverage is another weakness of these NGOs. As a result, they often fail to mobilize a large population to create a social movement for children's rights. Another significant weakness of these NGOs is the short-term project approach. Nowadays, most donors tend not to fund NGO networks due to lack of funding flow, donor agencies' advocates, strong organizational structure, and lack of network leadership.

Chapter -Three

Protection of children rights in Bangladesh

3.1)Protection of children rights in Bangladesh

“Many policies and laws have been approved to meet the government's commitment to child protection, but they have not yet been effectively implemented. A large number of children in Bangladesh are subjected to physical, verbal, offensive, and threatening discipline or punishment. Child marriage and child labor are common in the country. Underlying factors

affecting child protection include low family income, social insecurity and lack of parental awareness, law enforcement, inadequate awareness and reluctance of those in charge, legal and policy framework for child protection, poor reporting, and institutionalization. However the above situation demands a national child protection system which was mentioned in the Child Act 2013, but it has not yet been implemented.”

3.1.1) huge numbers of children are involved in labor at an early age in many cities in Bangladesh

“Many children are forced out of school to support their families and join the labor force at an early age. These are children who are deprived of the opportunity to acquire the knowledge and skills necessary for lucrative future employment. As much as there are problems in the social and cultural context, child labor is accepted by society as a whole due to ignorance. Employers also hire children because of lower wage rates and higher loyalty than adults.”

“The main causes of child labor are financial hardship, lack of literacy and awareness among parents about child labor, rising commodity prices, and the relentless educational spending of children. Sometimes, parents are forced to hire their family members to make a living. Most child laborers and their parents are unaware of child labor laws and policies. They believe that there is no law in the country to prevent and eradicate child labor. Children would not be recruited if there was a law to eliminate child labor in this country.”

3.1.2) Household work of the children are not protected by the law of the country

More than 400,000 children were engaged in child labor compared to the number of domestic workers adopted in 200 years. Most child domestic workers are between the ages of 12 and 14 and about 90 percent are girls, so they are extremely prone to all kinds of abuse and exploitation.

“It is noteworthy that there is currently no legal provision in the country to protect the rights of child domestic workers. Domestic child labor has been excluded from the Labor Act 2006 (as

amended in 2013). In 2013, the Ministry of Labor and Employment did not include children's domestic work in the list of children's risky jobs. Thus, the rights of thousands of children engaged in domestic work are not fully protected.”⁸

The highest numbers of domestic workers were physically, verbally, emotionally, and sexually abused, with child laborers are accounting for the highest number of verbal abuse (95 percent), 75 percent physically abusing children, and a significant number of children (17 percent) saying they were sexually abused. Eighty-five percent of child domestic workers say they are regularly abused.

“Most of the children were forced to do housework by their parents due to the economic weakness of the family, illness of the parents, separation of the parents, and death of the parents. Family debts and natural disasters put pressure on children's housework. Also, due to social insecurity violence, abuse, eve-teasing, etc many parents send their daughters for housework.”

3.1.3) Popularity of child marriage is still high in Bangladesh

“Child marriage continues to be a victim of child marriage and the rate of dowry also increases with age. This practice is mostly practiced in rural areas, slums and remote areas, or hard-to-reach areas. Child marriage is still prevalent in Bangladesh 64% of all women aged 20-24 are married before the age of 18. The level of education is strongly associated with child marriage; 86% of uneducated women were married before the age of 18, 2% of those who were married before the age of 18 had completed secondary or higher education. Also, a relationship was found between location (urban/rural) and child marriage. In rural areas, the rate of child marriage was 554 percent for all women aged 20-24 as compared to one percent for men. On the other hand, 80 percent of girls living in slums and 4 percent of boys living in slums are married before they reach the age of 18. Poverty and fear of sexual harassment are 20 percent and 19 percent of all these marriages, respectively.”

“Bangladesh has one of the lowest child marriages in the world under the age of 18. 4 percent of married girls under the age of 18 are married and more than 20 percent of girls over the age of 15 have three or more children before the age of 24 or 36. It is a matter of concern that the

⁸ Bangladesh Bureau of Statistics (BBS) (2015). Child Labour Survey Bangladesh 2013. Retrieved from <http://www.bbs.gov.bd/WebTestApplication/userfiles/Image/LatestReports/ChildLabourSurvey2013.pdf>

Government of Bangladesh, through the Ministry of Women and Children Affairs, has recently taken steps to amend the Prevention of Child Marriage Act, 1999 in line with the present times. There are weaknesses in law enforcement related to child marriage. In most cases, the perpetrators of child marriage or child marriage are never punished. Through preliminary data, the negative role of local government representatives and marriage registrars has been seen as in favor of child marriage. One respondent stated that union council members assisted parents in obtaining a fake birth certificate from the local birth registration authority.”

3.2 Responsibility Analysis of the children rights

3.2.1) Obligations and capacities of the primary duty bearers of the children right

“The Ministry of Women and Children's Affairs is widely seen as more coordinated than the Ministry of Implementation of Children's Issues. MAOCA faces challenges in human and financial institutions. On the other hand, as an emerging issue supported by the UNCR Committee's observations, separate sections for children have not yet been established. The Ministry of Social Welfare, the Ministry of Labor and Employment, the Ministry of Primary and Mass Education, the Ministry of Education, the Ministry of Home Affairs, the Ministry of Cultural Affairs, the Ministry of Youth and Sports, and the Ministry of Local Government have the opportunity to realize their responsibilities for realizing government and rural development rights. The Ministry of Primary and Mass Education is responsible for taking care of primary level education. The Ministry always has adequate resources to build the required number of schools, recruit a sufficient number of teachers and arrange for their required level of training. More importantly, the Government of Bangladesh has enacted the Education Act 2013, which has not yet been fully implemented with adequate financial and human resource allocation. Lack of skills to monitor and supervise primary education activities is another important issue.”

“There is a strong link between child labor and education. Bringing children to school is considered one of the most appropriate ways to prevent and eliminate child labor. However, there is little coordination between the Ministry of Labor and Employment and the Ministry of Primary and Mass Education to create joint ventures. In contact with the law, the Ministry of

Social Welfare is partly responsible for caring for the rights of children, especially street children. But in reality, they are often forced to make laws and policies by implementing only a few projects. They are responsible not only for children but also for other citizens of the country who need social welfare-related assistance. Thus, issues related to child rights are not always a priority for this ministry. Moreover, this ministry does not have adequate human resources as well as financial resources to meet the needs of a large number of vulnerable people in the country”.⁹

An inter-ministerial CRC committee was formed a few years ago to ensure coordination among the ministries responsible for child rights. The Inter-Ministerial CRC Committee is chaired by the Secretary of the MOWCA and representatives of other concerned ministries working on various aspects of child rights. However, the coordination and reporting process was not as easy as expected, as constitutional ministers have their mandates and thus children's rights centers are not always effective in discharging their responsibilities due to frequent turnovers and other reasons. More importantly, it is the inadequate power of the concerned authorities rather than the political will that often hinders the implementation of the CRC.

3.2.2) Obligations and capacities of the secondary duty bearers of the children rights

“Secondary duty careers include children's families/parents, NGOs, community-based organizations, employers and labor organizations, and the media. Parents/families have an important role to play in realizing the rights of children. But from a rights standpoint, they are not fully aware of their responsibility towards their children. As a result, the decisions they make for their children may not always be positive. Also, due to their lack of education, financial ability, lack of access to information, etc., they do not have enough capacity to assert their child's rights, etc.”

“NGOs, especially children's rights NGOs, are obliged to play an active role in realizing children's rights and they continue to play an important role in promoting children's rights through the implementation of various programs and projects. However, the capacity of these NGOs is very limited compared to the number of children in difficult situations. Also, there are very few NGO-run projects related to longevity and child protection and they can only provide

⁹ UNICEF(n.d.). Ending Child Marriage: Progress and Prospects. Retrieved from http://www.unicef.org/media/files/Child_Marriage_Report_7_17_LR..pdf

education up to a certain level. However, NGOs have been playing an important role in creating awareness among responsible and stakeholders across the country.”

Community-based organizations (CBOs) are not very strong and active in promoting child rights in Bangladesh. They are not committed to realizing the rights of the child because they do not have enough power to solve the problems related to the rights of the child. Employers and labor organizations have very little commitment to children's rights, although they can play an important role in preventing and eliminating child labor in particular. Their focus is primarily on adult staff. Various national and international NGOs and UN agencies are working with employers and labor organizations to increase their capacity to deal with trade union issues. However, little has been done to develop its capacity to address child rights issues.

3.2.3) Obligations and capacities of the right holders of the children

In general, right-wingers are not fully aware of their rights. As a result, they often fail to assert their rights very strongly. Right-wingers, on the other hand, often do not live consistently and below the poverty line, unable to raise their voices to hold duty holders accountable for lack of adequate signature. More importantly, due to the lack of good governance and the democratic environment, the rights holders are prevented from speaking by vested interest groups.

Chapter-Four

Conclusion-

“Despite significant economic growth over the past decade, Bangladesh as a country still lags in realizing the rights of all children across the country. It has still failed to create a good environment for children in difficult situations such as out-of-school children, working children, slum dwellers, and children from minority communities. Despite the country creating a legal framework by enacting compulsory primary education laws, national education policies, and national skills development policies, children's right to education and protection is being denied in every corner of society.”

“The Government of Bangladesh has signed and ratified almost all international conventions and agreements on the rights of the child. The country has implemented several laws and policies under the policies and regulations of the UNCRC and other international child rights instruments. However, due to lack of commitment from primary legislators, inadequate allocation of resources, lack of coordination among various ministries, departments, and civil society, poor implementation of these laws and policies, and poor child rights administration.”

“Children's right to education has been threatened for various reasons. These include inadequate numbers of pre-school and primary schools (especially in urban slums and other geographical areas that are difficult to reach), hidden costs of education, lack of inclusive education, and corporal punishment in educational institutions. Lack of awareness of parents about the importance of education and in many cases poverty and malnutrition prevent children from enrolling and continuing in school. Children's right to education has also been threatened for several reasons. These include inequality of learning due to lack of capacity of teachers, the inadequacy of education, lack of quality education in primary schools, etc. Besides, a poor school management system of school activities has resulted in inefficient and inadequate population participation.”

The protection rights of children have ultimately been violated due to a lack of proper laws and policies and poor enforcement of existing laws. For example, children employed in domestic labor are not protected by any law in the country. On the other hand, existing laws and policies to protect the rights of children engaged in general labors are not being implemented. The new

proposed child marriage law has pushed the country back a hundred years, which in no way indicates that it is truly committed to protecting children from child marriage.

Lack of strong inter-ministerial coordination and low perception of responsibility by individuals hinders the fulfillment of children's rights. In some cases, inadequate training and guidance on child rights make those in charge reluctant. Secondary duty carriers do not have the necessary capacity and resources for children's rights. Rights Holders are not fully aware of their rights because they have very limited access to information from their families or educational institutions. As a result, they often fail to claim their rights to primary and secondary care providers.

“Against this background, it is easy to conclude that the children of Bangladesh are still not getting the necessary support and services from the state in education and protection to realize their full potential. The country still has a long way to go to ensure the rights of children under the auspices of the UNCRC. NGOs have a key role to play in putting pressure on governments to ensure that they deliver on their promises nationally and internationally.”

References

- 1) Bangladesh Health Watch (2012), Moving Towards Universal Health Coverage: Bangladesh Health Watch Report-2011, BRAC
- 2) Bangladesh Shishu Adhikar Forum - BSAF (2013), State of Child Rights in Bangladesh
- 3) Bangladesh Shishu Adhikar Forum - BSAF (2012), Children of the State: An Alternative Report on CRC from Bangladesh-2012
- 4) Bangladesh Shishu Adhikar Forum - BSAF (2013), Study on Child Prostitution
- 5) Bangladesh Child Rights Advocacy Coalition in Bangladesh (2014), An Alternative Report to the Fifth State Party Periodic Report to UNCRC
- 6) Child Rights Governance Assembly (CRGA) Bangladesh. (2012), Universal periodic review Report: Situation of Child Rights in Bangladesh
- 7) GoB, Ministry of Planning (2011), Sixth Five Year Plan: FY2011-FY2015 Dhaka Bangladesh.

- 8) GoB, Bangladesh Bureau of Statistics (2010), Multiple Indicator Cluster Survey 2009 Progotir Pothey-2009, Volume :1
- 9) GoB, Bangladesh Bureau of Statistics (2014), Multiple Indicator Cluster Survey 2012-2013 Progotir Pothey Key District Level Findings
- 10) GoB, Directorate General of Health Service, Ministry of Health and Family Welfare (2014), Health Bulletin 2013
- 11) GoB, Directorate of Primary Education (2014), Bangladesh Primary Education Annual Sector Performance Report– 2014
- 12) GoB, Directorate of Primary Education. (2012), 2011 National Student Assessment for Grades 3 and 5: National Report, Dhaka, Bangladesh
- 13) GoB, Ministry of Home Affairs (2012), Combating Human Trafficking, Bangladesh Country Report
- 14) GoB, Ministry of Women and Children Affairs (2010), Implementation of the Third National Plan of Action for Children (2005 – 2010) of Bangladesh: A Review of Progress
- 15) GoB, Ministry of Women and Children Affairs. (2012). Fifth State Party Periodic Report. Bangladesh.
- 16) Save the Children in Bangladesh (2012), A Study on Child Rights Governance Situation in Bangladesh
- 17) Save the Children in Bangladesh (2012), Study-on-Child-Rights-Governance Situation in Bangladesh
- 18) Save the Children in Bangladesh (2014), Child Budget in Bangladesh
- 19) Save the Children UK in Bangladesh (2007), Mother Language First
- 20) UNICEF (2009), Quality Primary Education in Bangladesh
- 21) UNICEF (2010), Child Labor in Bangladesh,
- 22) UNICEF (2013), Child Sexual Abuse, Exploitation and Trafficking in Bangladesh,
- 23) UNICEF Bangladesh UNICEF (2013), Every Child's Birth Right Inequities and Trends in Birth Registration
- 24) UNICEF (2014), The State of the World's Children 2013
- 25) World Health Organization (2015), World Health Statistics 2015