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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review *

Bangladesh

Addendum

**Views on conclusions and/or recommendations, voluntary commitments
and replies presented by the State under review**

* The present document was not edited before being sent to the United Nations translation services.

**BANGLADESH RESPONSES TO THE RECOMMENDATIONS MADE
DURING THE UPR OF BANGLADESH ON 3 FEBRUARY 2009**

<i>Recommendation</i>	<i>Response</i>
1	<p>Bangladesh is party to almost all core human rights treaties.</p> <p>Other Human Rights treaties and Optional Protocols are regularly reviewed for possible accession/ ratification. This is an on-going process, needing careful consideration, as it entails specific responsibilities, including multiple reporting obligations, on the part of the State party.</p> <p>While undertaking such considerations, Bangladesh remains fully sensitive to the basic objectives of the HR treaties/OPs, including those mentioned in this recommendation. Nonetheless, Bangladesh respects these treaty provisions and is making efforts to comply with their objectives.</p>
2	<p>1951 Refugee Convention</p> <p>Although not a party to this Convention, Bangladesh has consistently upheld its principles and objectives. Despite being burdened with a protracted refugee situation originating from a neighbouring country, Bangladesh has not done a single refoulement of the three hundred thousand refugees who came from Myanmar, even in their early stay in Bangladesh, when there was no international presence or support. In a refugee situation where not a single repatriation has taken place for the past three years and with very little burden sharing on the part of the international community, Bangladesh continues to host the remaining refugees, provide improved facilities and upgrade protection measures. Bangladesh's role in protecting the rights of refugees from Myanmar has been recognised by the UNHCR more than once. Accession to this Convention needs to be considered in light of the existing situation and in the overall regional context. This matter remains under regular review by the Government.</p> <p>ILO Convention No. 169</p> <p>Bangladesh has ratified the ILO indigenous and tribal population convention, 1957 (No-107) in 1972, which covers a number of issues including fundamental rights, land rights, employment, vocational training, health etc of the indigenous and tribal peoples. The convention no 111 on discriminations (employment and occupation) was also ratified by Bangladesh in 1972. Though the Convention no. 169 on indigenous and tribal peoples is not yet ratified by Bangladesh, the tribal peoples of CHT are already enjoying most of provisions enshrined in the ILO convention No. 169 through the implementation of the CHT Peace Accord. Most of the provisions of the Accord have already been implemented. The present government is continuing the process of implementation within the framework of the constitution of the People's Republic of Bangladesh.</p>
3	<p>Bangladesh accepts the recommendation of reconsidering its reservations. However, Bangladesh is a country of cultural and religious diversity, and a broad consensus among all communities, therefore, is essential for taking a decision in this regard.</p>
4	<p>Bangladesh accepts the recommendation.</p>
5	<p>Bangladesh has accepted the recommendation, and has already initiated steps to strengthen the human rights mechanisms. The government has already established a National Human Rights Commission under National Human Rights Commission Ordinance, 2007. A bill titled "National Human Rights Commission Bill, 2009" has now been introduced before the Parliament, which is under scrutiny of the Parliamentary Standing Committee for the Ministry of Law, Justice and Parliamentary Affairs.</p>
6	<p>Bangladesh accepts the recommendation, and has already initiated actions.</p>
7	<p>Bangladesh accepts the recommendation, and has already initiated actions.</p>

<i>Recommendation</i>	<i>Response</i>
8	<p>Bangladesh has accepted the recommendation, and has already taken steps to improve some programmes.</p> <p>Government has recently constituted “The National Council For Women and Children Development” (NCWCD) chaired by the Honourable Prime Minister to recommend amendment to present laws, rules for protection of women and children.</p>
9	Bangladesh accepts the recommendation.
10	<p>The Government is committed to address these concerns. However, they will have to be addressed in the overall context of steps taken to further promote and protect human rights in the country. The newly established National Humna Rights Commission is mandated to oversee compliance and make recommendations for specific steps to be undertaken to improve Human Rights situation in the country, including in areas mentioned in the recommendation.</p> <p>Law enforcement agencies are under instructions to maintain human rights standards in the discharge of their duties. Human rights issues are also incorporated into training curricula of the members of law enforcement agencies. UNDP, ICRC and some development partners are currently engaged in a series of training courses to sensitize members of law enforcement agencies to human rights issues. The Police Reform Programme is also expected to bring encouraging results in this regard.</p>
11	Bangladesh accepts the recommendations. The government has already separated judiciary from the executive and has taken necessary steps for effective and prompt justice delivery system. The government has also initiated programmes to include the police and civil society in framing a national strategy for efficient delivery of justice.
12	Bangladesh has been fully cooperating with the special procedure mechanisms. Some special rapporteurs have visited in recent years. A few requests are pending. We are in the process of finalizing their requests and we expect the visits to begin very soon. We do not consider that the issuance of a standing invitation is the only way to ensure full cooperation.
13	Bangladesh accepts the recommendation.
14	Bangladesh accepts the recommendation.
15	<p>Bangladesh accepts the recommendations except for the recommendation on Uniform Family Code.</p> <p>Early marriage and dowry are prohibited and the practices of early marriage and dowry have been made punishable offence under Child Marriage Restraint Act, 1929 and Dowry Prohibition Act, 1980. The government has recently amended the citizenship law and removed the discrimination between man and woman. There is no wage inequalities between men and women and a woman can enjoy 4 months as maternity leave.</p> <p>Bangladesh being a country of diversified cultures and religions, we need to have a broad agreement on a Uniform Family Code that will be acceptable to all religious and ethnic minorities. The government will consult with all concerned parties and members of various religious organizations to achieve a consensus on this issue.</p>
16	Bangladesh accepts the recommendation.
17	The Government does not condone discrimination against anybody on the basis of race, colour, sex, religion, or any other status. Equality for all citizens is guaranteed in the constitution, legal provisions as well as State practice. Moreover, positive measures are in place to facilitate access to education, job and other areas for these groups. The present Government is particularly mindful of the welfare of religious minorities. Allegations of any discrimination are being dealt with seriously.

<i>Recommendation</i>	<i>Response</i>
18	<p>Bangladesh accepts the recommendations.</p> <p>Bangladesh has introduced gender based budgetary system. More than half of its budgetary resources are allocated for poverty reduction. National Strategy for Accelerated Poverty Reduction (NSAPR) focuses especially on poor women. A wide range of safety-net programmes are in place to address multidimensional challenges faced by the poor women and children. They include: (a) Allowance for Widow, Destitute and Deserted Women, (b) Vulnerable Group Development Programme, (c) Vulnerable Group Development for Ultra poor and (d) Allowance for Pregnant and Lactating Mother.</p>
19	<p>Bangladesh is not in a position to accept the recommendation at this stage.</p> <p>The provision of death penalty is maintained in Bangladesh only as an exemplary punishment for heinous crimes such as throwing of acid, acts of terrorism, planned murder, trafficking of drugs, rape, abduction of women and children. Both the judiciary and administration deal with these cases of capital punishment with extreme caution and compassion, and such punishment is extended only in ultimate cases that relates to gross violation of human rights of the victims. Bangladesh has an extremely low rate of implementation of such death penalties.</p> <p>The existing legal mechanism also provides several legal recourses against such punishment through the High Court Division of the Supreme Court, which confirms or rejects death sentence passed by a trial court; through the Appellate Division of the Supreme Court, where a defendant can appeal against the death sentence; and through the President, who can pardon the person concerned.</p>
20	<p>The Government does not condone such incident. Sections 60, 61 and 167 of Criminal Procedure Code (CrPC) and Regulations 324, 327 and 328 of Police Regulations lay down modalities for dealing with persons under police custody. The Government is committed to bring an end to all extra-judicial activities by law enforcement agencies, and will bring any official found responsible for such actions to justice.</p> <p>Improving prison situations is an ongoing process which is also dependant on resource availability.</p>
21	Bangladesh accepts the recommendation.
22	Bangladesh accepts the recommendation.
23	Bangladesh accepts the recommendation, and is working for ensuring effective implementation of the national plan of action.
24	Bangladesh accepts the recommendation.
25	<p>Bangladesh accepts the recommendation.</p> <p>To further strengthen the judiciary, the government has established separate Judicial Service Commission, Judicial Service Pay Commission and Judicial Administration Training Institute. Recently the Judicial Service Pay Commission recommended a new structure of pay scale for the judicial officers, which is under consideration of the government. For smooth functioning of the judiciary the government has recruited a number of staff in the subordinate judiciary.</p>
26	The Government does not condone such practice, and will bring any official found responsible for such acts to justice.

<i>Recommendation</i>	<i>Response</i>
27	<p>Bangladesh accepts the recommendation concerning the human rights training of judicial officers. The judicial officers are being trained on the issue of rights of women, children and minorities.</p> <p>However, the specific recommendation on sexual orientation can not be accepted. Bangladesh is a society with strong traditional and cultural values. Same-sex activity is not an acceptable norm to any community in the country. Indeed, sexual orientation is not an issue in Bangladesh. There has been no concern expressed by any quarter in the country on this. Therefore, the recommendation is out of context.</p>
28	Bangladesh accepts the recommendation and it is already taking necessary measures in this regard.
29	Bangladesh accepts the recommendation. Necessary legislative safeguards are in place.
30	Bangladesh accepts the recommendation.
31	<p>Bangladesh accepts the recommendation.</p> <p>In order to ensure food security for its citizens, Bangladesh has adopted programmes to increase food production through timely and affordable agricultural inputs to the farmers. The government has reduced prices of fertilizer and fuel for irrigation, and has been supplying quality seeds, among other farmer-friendly measures.</p>
32	Bangladesh accepts the recommendation.
33	Bangladesh accepts the recommendation.
34	Bangladesh accepts the recommendation, and is in the process of full implementation of the Accord. Most of the provisions of the CHT Peace Accord have already been implemented. The rest will be implemented within the shortest possible time within the framework of the Constitution of Bangladesh.
35	Bangladesh accepts the recommendation.
36	Bangladesh accepts the recommendation.
37	Bangladesh accepts the recommendation.
38	Bangladesh accepts the recommendation.
39	Bangladesh accepts the recommendation.
40	Bangladesh accepts the recommendation.
41	Bangladesh accepts the recommendation.
42	Bangladesh accepts the recommendation.