



Aparajeyo-Bangladesh

Aparajeyo Bangladesh

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Aparajeyo-Bangladesh (AB) is a national level child rights organisation. It was founded in 1995 through localisation of an international NGO, the organisation commenced activities in 1976, working with children living in and around the slums of Dhaka city. Its goal was to reduce their unbearable poverty, distress and vulnerability caused by the harshness of slum life. In 1989, another programme was started to provide services to children who live on the city's streets or amongst its public buildings. Over decades, AB expanded its support base to promote and protect rights of other socially excluded children.



ECPAT International

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ECPAT International is a global network of civil society organisations working for eradication of all forms of sexual exploitation of children. For the past 26 years, ECPAT has acted as the international watchdog, monitoring States' responses to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 95 network members operating in 86 countries.

Ain o Salish Kendra (ASK)

A Legal Aid & Human Rights Organisation



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Ain- o- Salish Kendro (ASK) is a legal aid and human rights resource centre that provides free legal aid to women and child workers. ASK's legal activism has led to public campaigns and advocacy in defense of individual and group rights within a framework of democracy in Bangladesh.



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The Association for Community Development's (ACD's) primary mandate is to ensure the rights of women and children in the greater Rajshahi region. Its programmes endeavour to integrate community development and human rights strategies. However, its focus remains on women, adolescents and children at the community level. ACD works to combat trafficking and sexual exploitation of women and children.

Submission on Sexual Exploitation of Children in Bangladesh 2 October 2017

for the Universal Periodic Review of the human rights situation in Bangladesh

to the **Human Rights Council**
30th Session (May 2018)
UPR third cycle 2017 – 2021

Justification for Submission

1. The Government of Bangladesh (GoB) is committed to ending sexual exploitation of children (SEC). In 2002, Bangladesh was the first country in South Asia to ratify the Optional Protocol on the Sale of Children, Child Prostitution and Pornography (OPSC). In September 2015, the GoB reassured to the cause through the adoption of the 2030 agenda for Sustainable Development Goals which aims to eliminate all forms of violence against children, including sexual abuse and exploitation.¹ The Government is not only bound by these international instruments to combat SEC, but also by its own national legal framework.
2. The present submission is an update on SEC in Bangladesh and to review the progress made since the last Working Group Report published in July 2013.² The submission has the aim to help to further strengthen political will to focus on the issue of SEC in Bangladesh and prevent this heinous crime being committed against children.

Methodology and Scope

3. The present submission is based on the practical experience of three of ECPAT's network member organisations in Bangladesh, Aparajeyo Bangladesh, Ain- O- Salish Kendra (ASK), Association for Community Development (ACD) and a recent study conducted by ECPAT International on online child sexual exploitation (OCSE) in Bangladesh.³ The submission contains the voices of children through a consultation organised by ACD on 2nd October 2016 with 15 SEC survivors. Recommendations made by this group of victims are marked as such in this submission.
4. The scope of this submission is limited to SEC and its different manifestations, including the exploitation of children in prostitution,⁴ OSCE, child sexual abuse materials (CSAM),⁵ trafficking of children for sexual purposes, and sexual exploitation of children in the context of travel and tourism⁶ (SECTT) and child, early and forced marriage (CEFM).

Sexual exploitation of children in Bangladesh

5. Bangladesh is ranked as a medium human development country, albeit not far above a low human development index with the 139th place in the ranking⁷ and 44% of the population living below the international poverty line.⁸ Children comprise more than one third of its total population of over 160 million.⁹ Birth registration is low, with only 37% of births registered.¹⁰ About 10 million children under 5 do not officially exist. The net enrolment in secondary school participation is low with 50% for boys and 55% for girls.¹¹ Illiteracy is widespread affecting almost 40% of population. The vulnerability of children varies, with some discernible groups being most at-risk, particularly among children from poor families, street children, children from dysfunctional or single parent families, children left behind by migrated parents, sexually abused children, and refugee children from e.g. the almost half a million of Rohingya Muslims who have fled Myanmar to Bangladesh since 25 August 2017. Child labourers are also at heightened risk of SEC. Although girls are more at-risk, boys also get trapped in SEC, and they are involved at a younger age than girls (boys on average 11 years versus girls on average 14 years of age).¹² According to recent UNICEF statistics 1.7 million children (mostly boys) are child labourers. Bangladesh is often plagued by tropical monsoons, frequent floods and cyclones which cause widespread damage and displace thousands of people every year. Children in post-disaster areas are also more at -risk of SEC.¹³ Most at -risk are daughters of sex workers.¹⁴
6. **Exploitation of children in prostitution** is a grave and widespread issue in Bangladesh. Exploitation of children in prostitution can start with children as young as 10 in brothels, hotels and streets. Many children are forced to work as bonded sex workers in brothels. An estimated 1 million street children are at high risk, especially the 30% girls among them, with an estimated 10% forced into prostitution or having to do so simply to survive.¹⁵

7. As in most countries, OCSE and CSAM is a growing issue. The population of Bangladesh is increasingly connected through mobile phones – with 80 mobile phones for every 100 people - but with a relatively low 10% of the population using the Internet. Mobile technologies provide a new channel for the distribution of pornography to middle and upper middleclass students who save pornographic movies and images on their cell phones and share them with peers. ECPAT found that 80% of children involved in prostitution are also exploited for the production CSAM. Child pornography, especially featuring girls, was found to be widely available in the country and most victims belonged to working class families and were lured by the promise of ‘modelling’ offers.¹⁶
8. **Trafficking of children for sexual purposes** is prevalent. Many children are lured from their homes with promises of work or a better life by traffickers – often relatives, persons known to the family, or strangers – offering deceitful marriage or job opportunities. Most trafficking cases are domestic, with a big portion of children moving or being moved from rural to urban areas. Bangladesh shares a 4,000-km border with India – a border that is loosely controlled – and annually around 20,000 Bangladeshi children end up as SEC victims through trafficking and migration into India and Pakistan.¹⁷ Women and girls who migrate for domestic work are particularly vulnerable to sexual abuse.

Trafficking of children for sexual purposes was recognised in the last universal periodical review of Bangladesh by the governments of Kyrgyzstan (129.18), the Republic of Moldova (129.19) and Singapore (129.20), that all urged the GoB to combat the sale and trafficking in children and provide recovery and social reintegration services for child victims.¹⁸

9. Although international tourism has declined in Bangladesh in recent years,¹⁹ considerable money is generated with domestic travel and tourism, which constitutes almost 98% of the total GDP from travel and tourism.²⁰ The issue of **SECTT** is therefore also mostly linked with domestic travel. Boys are sexually exploited by sex tourists on the beaches, in restaurants and small hotels have been unofficially reported at Cox’s Bazar, a popular seaside destination for local tourists.²¹ There are reports of Bangladeshi men having sex with children in Nepal.²²
10. **CEFM** is prevalent in Bangladesh with 18% of children married by the age of 15 and 52% of children married by the age of 18 years.²³ Bangladesh has the highest rate of girls married below the age of 15 in South Asia.²⁴ CEFM is very often the start of children falling victim to SEC.²⁵

Legal framework and national laws

11. With the GoB’s ratification of the OPSC and the signing of the 2030 Agenda for Sustainable Development Goals, the Government has publicly committed itself to eradicate SEC. The international standards to eradicate SEC are regulated explicitly in the OPSC, ratified by the GoB. However, the GoB has not yet ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children nor the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP3 CRC). The GoB also made reservations to Article 14, para 1 and Article 21 of the Convention on the Rights of the Child.
12. Bangladeshi national laws correctly reflect the international standards on child protection from SEC in important areas. The most significant national laws protecting children from SEC in Bangladesh are:
 - The Penal Code, 1860 with Sections on pimping (366A), kidnapping for sexual purposes (367), selling (372) or buying (373) minors to exploit in prostitution.
 - The Women & Children Repression Prevention Act 2000 (amended in 2003) is known as one the most effective law addressing violence against women and children. This Act contains provisions for prevention of offences related to SEC.

- The Domestic Violence (Prevention and Protection) Act, 2010 defines domestic violence as physical abuse, psychological abuse, sexual abuse or economic abuse against a woman or a child of a family by any other person of that family with whom victim is, or has been, in family relationship.
- The Pornography Control Act, 2012 has the aim to “prevent depreciation of the social and moral values with special focus on women and children” and has a definition of “pornography”.²⁶
- The Prevention and Suppression of Human Trafficking Act (PSHTA) , 2012 adequately criminalises various forms of human trafficking and in 2017 the GoB adopted ules to facilitate the implementation of the PSHTA.
- The Children Act, 2013 (“*Sishu Ain, 2013*”) which defines children as below the age of 18 years of age²⁷ and has a general prohibition of child exploitation in prostitution:

*“If any person entrusted by the Children’s Court with custody or care of a child or with the duty of upbringing a child or any other person [...] leads such a child to a dishonest path or prostitution or immoral activity then he shall be deemed to have committed an offence under this Act for which he shall be punishable with imprisonment for up to five years or fine up to one lac taka or both. Any person who enjoys the gain made as a result of exploitation or employment of a child or uses the child for immoral entertainment shall be liable as an abettor of the offence”.*²⁸

- The Child Marriage (Restraint) Act, 2017, meant to restrain child marriage, although still allowing child marriage “if it is in the interest of the underage girl” with the consent of the parents and meeting directives of a court.²⁹ Thus the new law allows child marriage to continue.

13. Apart from the aforementioned legal gaps, other gaps in national legislation were identified. The national legal framework is often limited to girls only, not including boys in the legal protection system. The national laws do not provide a legal definition of exploitation of children in prostitution (or 'child prostitution') and CSAM in line with Article 2- OPSC, nor is there a legal definition of child trafficking conform the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol). Extraterritorial jurisdiction³⁰ and extradition³¹ are not fully in line with the OPSC. Legislation to combat SECTT is not in place.

14. Regarding OCSE, not only a definition of ‘child pornography’ (CSAM) is missing, but there are some other legal gaps. Virtual child pornography is not defined and criminalised, nor is the mere possession of CSAM with or without the intent to distribute or sell, although arguably the later is covered by Section 292 of the Penal Code. However, clear and unambiguous criminalisation are missing for online solicitation of children for sexual purposes and live streaming of CSAM, while Internet Service Providers (ISPs) are not required to report cases of CSAM stored or distributed through their services.

Coordination to end child sexual exploitation

15. The Ministry of Women and Child Affairs (MoWCA)³² is the central agency for child protection in Bangladesh. MoWCA oversees and facilitates meetings of the Inter-Ministerial CRC Committee and is the hub of national child-focused initiatives such as the National Children’s Council, which is responsible for supporting policymaking bodies on children’s rights issues. In 2009, the National Council for Women and Child Development (NCWCD) was established under MoWCA to provide oversight on children’s issues. A database on child protection has been established under the Multi

Sectorial Programme to encourage coordination among sources and contents of the database. Although, there are multiple bodies and programmes on child rights, there is a lack of coordination among these agencies as well as a gap in clarity of roles and responsibilities.

16. NGOs are often not encouraged or invited to participate in the planning and policy making platforms, but often just operate as policy implementers.
17. Although, there is attention for the issues of trafficking and CEFM, there has been limited focus on other manifestations of SEC. There is no national plan of action to address OPSC issues. The government did adopt a plan to eradicate trafficking: the “National Plan of Action for Combating Human Trafficking 2015-2017” and counter-trafficking efforts are coordinated by the Counter-Trafficking Committee (CTC).
18. Despite various initiatives and recommendations, for example the UPR of 2013,³³ there is – up to date – no independent ombudsman or commission to oversee the protection of children’s rights.

Prevention

19. Awareness on SEC issues is still quite low with the general public as well as public institutions. In 2010, the government and organisations working in the education sector endorsed a draft primary education curriculum on combating human trafficking. Age-appropriate teaching modules were prepared for inclusion in textbooks for grades one to five.³⁴ In 2013, the GoB reported that 1,871 teachers and 26,910 students have been trained on human trafficking issues.³⁵
20. Higher birth registrations could help prevent SEC and CEFM. The Bangladeshi Birth and Death Registration Act requires from both the bride and groom to provide a birth certificate for their marriage to be registered and to fine parents if the birth of a child is not registered within 45 days.³⁶

Protection

21. Bangladesh has taken several steps in the past few years to combat sexual abuse and exploitation of children. Most of its efforts are focused on anti-trafficking. Anti-trafficking police units were established in all 64 districts of the country to encourage victims to testify against their traffickers and develop data base on trafficking. The Rescue, Recovery, Repatriation and Integration Task Force established a Child Desk and assigned Child Affairs Police Officers in every police station in the country.³⁷
22. A toll-free 24-hour operating helpline for children was established. From 2011 to 2014 it worked in 8 police stations and 20 wards in Dhaka city, afterwards it has linked with all probation officers, social welfare officers at the Upazila/Thana/police stations level. From 2015 to March 2017, it has received 61,000 calls relating to child protection and violence against children cases are reported from all over the country.
23. With support of UNICEF country office, some trainings for law enforcement officers have taken place,³⁸ there is still a wide gap in awareness and training of law enforcement, justice delivery agencies and other stakeholders on the recent legal changes related to child protection.

Recovery & Reintegration

24. There is a lack of adequate recovery and reintegration services available to SEC victims. There is no referral mechanism. Although initiated a Guidelines on Minimum Standard of Care for Service Providers has not yet been adopted. There is a lack of training of social workers and other service providing staff. A draft has been produced but not yet finalised and adopted.

Access to Justice

25. For children, access to justice in SEC cases is often difficult to attain. One obstacle is that many cases that have been reported, end up being settled or quashed by the Court due to lack of evidence. By law, certain “compoundable offenses” may be settled by the victim and the offender, resulting in discontinuation of the criminal case.³⁹ These include assault, voluntarily causing injury, and wrongful confinement. When the victim is a child, child’s legal representatives usually has the authority to enter a settlement, even if the child wishes to pursue a prosecution.

Child & Youth Participation

26. Most meaningful participation of children and youth in the prevention of SEC are initiated by NGOs. A good example is a project implemented by the Association for Community Development (ACD) called “*Allies for Change: Engaging Men and Boys to Combat Gender Based Violence in Rajshahi*” in the northern part of Bangladesh. The successful project aimed to reduce the incidence of gender based violence against women and girls through the promotion of norms, values and attitudes of gender equality by raising public awareness and promoting participation of men and boys in the process of challenging hegemonic forms of masculinity.⁴⁰ Another successful project was the Youth Partnership Project (YPP) for Child Survivors of SEC in South Asia that works to enhance capacity of local youth to take a lead in combatting SEC. Launched in 2008 by Sanlaap in India, Maiti Nepal in Nepal and Aparajeyo in Bangladesh, YPP aimed to support youth- driven projects and train young people to facilitate youth participation in prevention, activism and protection of their rights.

Recommendations

Protection of vulnerable Rohingya refugees (para. 5)

- To ensure protection measures are in place to protect vulnerable Rohingya refugee children and women from sexual exploitation and violence.

International norms (para. 11)

- To ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
- To ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP3 CRC).
- Drop the reservations to Article 14, paragraph 1 and Article 21 of the Convention on the Rights of the Child.

Child Marriage (para. 12)

To abolish child marriage, without any exceptions.

Ensure that SEC of boys is legally prohibited (para. 13)

To ensure that SEC of both boys and girls is equally criminalised.

Legislate international SEC standards into national legislation (para. 13)

- To provide a legal definition of exploitation of children in prostitution (or 'child prostitution') and 'child pornography' conform Article 2 OPSC.
- To provide a legal definition of child trafficking in line with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol).
- To bring legislation on extra-territorial jurisdiction and extradition in line with the OPSC.

Legislation to combat SECTT (para. 13)

Although Bangladesh has not ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), it could provide a legal definition of child trafficking in line with the protocol. And the recent UNWTO protocol, 2017.

Legislation to combat OSCE (para. 14)

- To criminalise all conducts related to “child pornography” listed under the OPSC. Ensure in particular that the following conducts are explicitly prohibited: the mere possession of “child pornography”, accessing/viewing “child pornography” online, the online grooming of children and the live streaming of “child pornography” via webcam.
- To establish an explicit obligation for ISPs to report cases of CSAM to the police on notice that their services are being used for illegal purposes related to the commission of “child pornography” offences.

Coordination (paras. 15 & 16)

To improve the coordination between all among bodies, programmes and NGOs working on child rights and to clarify the roles and responsibilities of all these instruments, by e.g. establishing a working group with regular (monthly) meetings to enhance coordination and cooperation and adopting a national action plan on child protection.

Separate coordination body (para. 18)

To establish an independent Commission to oversee the protection of the rights of children and/or establish a separate directorate for children under MoWCA to coordinate GoB’s initiatives for children.

Improve public awareness (para. 19)

- **Voices of Victims:**⁴¹ To build awareness across the communities and strengthen the government committees at all levels (union, sub-district, district and national) to develop a community based child protection system.

Improve birth registration (para. 20)

To improve birth registration by reducing costs, complexity and efforts to be made for the registration.

Training of government officials (para. 23)

To carry out training and capacity-building of law enforcement officials, including police, border police, prosecutors and judges, to ensure effective investigation of SEC cases and the prosecution and sanctioning of the perpetrators.

Recovery and reintegration services (para. 24)

- To expand services for SEC victims, including for boys.
- To develop a referral system.
- To adopt guidelines for the standards of care.
- To conduct targeted and sustained training to social and health workers on SEC and children’s rights.
- **Voices of Victims:**⁴² To provide comprehensive psychosocial support including integration assistance in order to protect them from re-victimisation.

Reduce settlement or quashing of SEC cases (para. 25)

- **Voices of Victims:**⁴³ To properly implement existing laws and policies to ensure punishment of offenders.
- To amend the Code of Criminal Procedures and Penal Code to provide that cases involving compoundable offences against children are not privately settled and quashed by the court, except when in the “best interests” of the child.

Child participation (para. 26)

To strengthen its efforts to reach all children, in particular girls, children with disabilities, children living in remote areas, children from all ethnic origins and children who are out of school, to provide those children with the opportunities to be involved in the activities and programmes for children’s participation.

¹ Sustainable Development Goal Targets 5.2, 8.7, and 16.2.

² Report of the Working Group on the Universal Periodic Review, Bangladesh, A/HRC/24/12, 8 July 2013, accessed on 4 August 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BDIndex.aspx>.

³ ECPAT International (2017), “*Global Database National legal frameworks protecting children from sexual exploitation online*”, to be launched in the second half of 2017.

⁴ ECPAT prefers the term ‘*exploitation of children in prostitution*’ instead of ‘*child prostitution*’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016). Terminology Guidelines. ECPAT International (2016), “*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016*”, Bangkok: ECPAT, 29, accessed on 20 May 2017, <http://luxembourgguidelines.org/>.

⁵ ECPAT prefers the term ‘*child sexual exploitation material*’ or ‘*child sexual abuse material*’ over the often in legal context still used ‘*child pornography*’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), “*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016*”, Bangkok: ECPAT, 39, accessed on 31 July 2017, <http://luxembourgguidelines.org/>.

⁶ Ibid., 54.

⁷ United Nations Development Fund (2016), “*Human Development Report 2016*”, accessed on 31 July 2017, <file:///C:/Users/dorin/OneDrive/Australia/ECPAT%20Consultancy/5.%20Know-how/2016%20Human%20Development%20Report%20UNDP.pdf>.

⁸ United Nations Children’s Fund (UNICEF) (2016), “*The State of the World’s Children 2016; A Fair Chance for Every Child*”, 142, accessed on 31 July 2017, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf.

⁹ A total population of 160,996,000 of which 57,168,000 are children below 18 years of age. United Nations Children’s Fund (UNICEF) (2016), “*The State of the World’s Children 2016; A Fair Chance for Every Child*”, 138, accessed on 31 July 2017, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf.

¹⁰ Ibid., 150.

¹¹ Ibid., 134.

¹² INCIDIN Bangladesh (2008), Assessment on Commercial Sexual Exploitation of Children and Adolescents in Bangladesh, accessed on 31 July 2017, <http://www.incidinb.org/resources/presentations/9-key-findings-commercial-sexual-exploitation-of-children-and-adolescent-in-bangladesh/file.html>

¹³ ECPAT International (2014), “*The Commercial Sexual Exploitation of Children in South Asia*”, 13, accessed on 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_South%20Asia.pdf

¹⁴ ECPAT International (2014), “*The Commercial Sexual Exploitation of Children in South Asia*”, 25, accessed on 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_South%20Asia.pdf

¹⁵ ECPAT International (2014), “*The Commercial Sexual Exploitation of Children in South Asia*”, 10, accessed on 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_South%20Asia.pdf.

¹⁶ ECPAT International (2011), Global Monitoring Status of Action against Commercial Sexual Exploitation of Children: Bangladesh. accessed 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/A4A_V2_SA_BANGLADESH.pdf.

¹⁷ Information provided by Aparajeyo in September 2017.

¹⁸ Report of the Working Group on the Universal Periodic Review, Bangladesh, A/HRC/24/12, 8 July 2013, accessed on 4 August 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BDIndex.aspx>.

¹⁹ From 303,000 international arrivals in 2010 to 125,000 in 2014 according to the UNWTO (2015), “*Tourism Highlights 2016*”, 9, accessed on 31 July 2017, <http://www.e-unwto.org/doi/pdf/10.18111/9789284418145>.

²⁰ ECPAT International (2016), “*South Asia*”, 20, accessed on 31 July 2017, <http://globalstudysect.org/category/regional/south-asia/>.

²¹ ECPAT International (2014), “*The Commercial Sexual Exploitation of Children in South Asia*”, 37, accessed on 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_South%20Asia.pdf and ECPAT International (2011), Global Monitoring Status of Action against Commercial Sexual Exploitation of Children: Bangladesh. accessed 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/A4A_V2_SA_BANGLADESH.pdf.

²² ECPAT International (2014), “*The Commercial Sexual Exploitation of Children in South Asia*”, 36, accessed on 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_South%20Asia.pdf.

²³ Ibid., 150.

²⁴ ECPAT International (2015), “*Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage*”, 27, accessed on 31 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Child%20Marriage_ENG.pdf and UNICEF (2014), “*Ending Child Marriage: Progress and Prospects*”.

²⁵ A 2008 survey by INCIDIN found that 42% of SEC victims named marriage as the process of SEC involvement. INCIDIN Bangladesh (2008), Assessment on Commercial Sexual Exploitation of Children and Adolescents in Bangladesh, accessed on 31 July 2017, <http://www.incidinb.org/resources/presentations/9-key-findings-commercial-sexual-exploitation-of-children-and-adolescent-in-bangladesh/file.html>

²⁶ Section 2(c) of the Pornography Control Act 2012.

²⁷ Section 2(f) Children Act 2013

²⁸ GoB (2013), Child Bill (2013), Section 80

²⁹ GoB (2017), “*Child Marriage Restraint Act*”, Section 19.

³⁰ Extraterritorial jurisdiction has been partially regulated. Article 4 of the Penal Code establishes the application of Bangladeshi jurisdiction to any offence committed by “*any citizen of Bangladesh in any place without and beyond Bangladesh*”. Bangladesh’s ICT Act and the Pornography Control Act do not foresee extra-territorial jurisdiction. Accordingly, Bangladesh does not recognise extra-territorial jurisdiction in all the circumstances established by the OPSC, in particular where ‘child pornography’-related offences are committed abroad by habitual residents in Bangladesh or against Bangladeshi nationals.

³¹ Extradition has been partially addressed. The Extradition Act 1974 establishes the general regime for extradition. The Act does not establish any limitations to extradition of particular offences, resulting in a presumption of the extraditable character of ‘child pornography’ offences. According to articles 1, 2 and 4, extradition may be granted both to treaty States and to non-treaty States, if the government considers it expedient. Consequently, it appears that Bangladesh does not fully ensure international obligations on extradition under the OPSC. In particular, the Extradition Act does not guarantee that offences regarding the sexual exploitation of children are extraditable and that, if where Bangladesh refuses to grant the extradition of suspects, it submits the case to its domestic courts for prosecution. Extradition is not covered by the Pornography Control Act of 2012.

³² Ministry of Women and Children Affairs, accessed on 31 July 2017, <http://www.mowca.gov.bd/>.

³³ Report of the Working Group on the Universal Periodic Review, Bangladesh, A/HRC/24/12, 8 July 2013, para 129.28, page 15, accessed on 16 August 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BDIndex.aspx>.

³⁴ ECPAT International (2014), “*The Commercial Sexual Exploitation of Children in South Asia*”, 67, accessed on 29 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_South%20Asia.pdf.

³⁵ GoB, Ministry of Home Affairs, (2013), “*Bangladesh Country Report on Combating Human Trafficking*”.

³⁶ ECPAT International (2015), “*Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage*”, 25, accessed on 31 July 2017, http://www.ecpat.org/wp-content/uploads/2016/04/Child%20Marriage_ENG.pdf and Plan Asia, International Centre for Research on Women (2013), “*Asia Child Marriage Initiative: Summary of Research in Bangladesh, India and Nepal*”, p. 13, <https://www.icrw.org/wp-content/uploads/2016/10/PLAN-ASIA-Child-Marriage-3-Country-Study.pdf>.

³⁷ GoB, Ministry of Home Affairs (2016), “*Bangladesh Country Report 2015, Combating Human Trafficking*”, 10.

³⁸ For instance a training of 342 law enforcement officers on *Child Friendly Interview Skills* in 2015 as mentioned in GoB, Ministry of Home Affairs (2016), “*Bangladesh Country Report 2015, Combating Human Trafficking*”, 10.

³⁹ Section 345 (1) Code of Criminal Procedure.

⁴⁰ ECPAT International (2015), “*Youth Journal Good Practices*”, accessed 31 July 2017, <http://www.ecpat.org/wp-content/uploads/2016/04/Younth%20Journal%202015june.pdf>.

⁴¹ As per the consultation with 15 female SEC victims organised by ACD on 2 October 2016 in Rajshahi, Bangladesh.

⁴² As per the consultation with 15 female SEC victims organised by ACD on 2 October 2016 in Rajshahi, Bangladesh.

⁴³ As per the consultation with 15 female SEC victims organised by ACD on 2 October 2016 in Rajshahi, Bangladesh.