



**Meeting of the States Parties
to the Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-first session

SUMMARY RECORD OF THE 1083rd MEETING (Room B)

Held at the Palais Wilson, Geneva,
on Monday, 9 January 2006, at 3:00 p.m.

Chairperson: Ms. KHATTAB

SUMMARY

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES

Initial report of El Salvador on implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

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The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES (agenda item 4)

Initial report of Bangladesh on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/BGD/1; CRC/C/OPAC/BGD/Q/1 (list of issues to be taken up); CRC/C/OPAC/BGD/Q/1/Add.1 (State party's written replies))

1. *At the invitation of the Chairperson, the delegation of Bangladesh took places at the Committee table.*

2. Mr. ZAMAN (Bangladesh) said that, in spite of inadequate human and financial resources, Bangladesh, which had been one of the first countries to ratify the Protocol, had stepped up its regional cooperation and undertaken comprehensive reforms in the field of child and youth protection and had ratified several conventions of the South Asian Association for Regional Cooperation as well as ILO Conventions Nos. 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and 29, concerning Forced or Compulsory Labour. It also took part in the United Nations' peacekeeping and humanitarian operations with a view to preventing future conflicts and promoting a culture of peace. In view of the importance of international cooperation and assistance, Bangladesh wished for greater technical and financial assistance from the international community.

3. Mr. LIWSKI wanted to know the reasons for the lag between the date of ratification of the Protocol, in 2000, and its effective date, in 2002, and the legal status of the Protocol in the country. Whereas, according to the ratification declaration, the threshold age for involvement in hostilities was 18, he noted that children aged 16½ could be enlisted in the army and that soldiers aged 17 to 20 could be classified as "combatants" or "noncombatants". He was interested in the exact meaning of those terms. He noted that 40% of the light weapons circulating illegally were thought to be in the hands of young people under the age of 18 years and asked what measures the State party had taken to prevent and resolve that problem.

4. As regards the psychosocial consequences of the armed conflict with tribal minorities in the Chittagong Hill Tracts, which had come to an end in 1997, he asked whether the programmes to protect girls and women, to eradicate poverty and to stimulate economic development being implemented in the region called for specific rehabilitation and reintegration measures for the 1,947 child soldiers that had fought in that conflict.

5. Mr. ZERMATTEN asked how, concretely, the State party made sure a given person was of legal age for recruitment, in view of the serious birth registration problems in the country. Noting that there were armed political groups in Bangladesh that sometimes came from neighbouring countries, he asked whether there was any guarantee that those groups were not putting children in the front line.

6. Mr. PARFITT asked what differences there were between cadet schools, which recruited children as young as 12, and ordinary schools; at what age children graduated from them; and who decided to send the children to these schools. He further pointed out contradictions in the report as to the age of enlistment in the

armed forces, and asked whether that age was set under some administrative arrangement or by a specific law.

7. Ms. ALUOCH, noting that recruits' age was verified by means of a school-leaving certificate and that candidates must pass a written examination, asked whether it followed that all children went to school and were able to read and write, and whether the "other document" mentioned in paragraph 7 of the report was a medical assessment of the recruit's age.

8. Ms. VUCKOVIC-SAHOVIC asked whether all violations were listed in the 1860 Criminal Code, and in particular whether the Code had been amended to outlaw the recruitment of children into the armed forces, and whether there was any other legislation in that regard than the Children (Pledging of Labour) Act and the Suppression of Immoral Traffic Act of 1933. Noting that the State party had signed and ratified several regional agreements, she wished to obtain particulars on the resulting positive law.

9. The CHAIRPERSON asked whether the Government planned to fund a telephone hotline for children and whether the NGOs in the field would be ready to participate in the creation of such a service. She wanted to know what human and financial resources were available to the recently created Ministry responsible for matters pertaining to the Chittagong Hill Tracts. Finally, she would like to know what amount of budget appropriations was devoted to implementation of the Optional Protocol, and how much cooperation the Government was getting from the international community in this regard.

The meeting was suspended at 3:35 p.m.; it resumed at 16:05 p.m.

10. Mr. ZAMAN (Bangladesh) said that his country had taken some time to present its initial report under the terms of the Optional Protocol on the involvement of children in armed conflict because the consultative process it had established for reporting purposes had called upon all ministries concerned as well as an interdepartmental committee expressly charged with centralizing all the relevant data, so that the report had taken longer to draw up. He assured Committee members that Bangladesh would take care to present its next periodic report within the allotted time.

11. In accordance with the Bangladeshi Constitution, which obliges the State to integrate into its national law the principles and objectives of the international instruments of the United Nations to which it is a party, Bangladesh had aligned its national legislation with the provisions of Convention and the Optional Protocol on the involvement of children in armed conflict. It was, in particular, faithful to the obligations set out in Articles 1 and 2 of the Optional Protocol in that it took care that those members of its armed forces that were not of the full age of 18 years should be take part directly in hostilities and that those under 18 years were not forcibly conscripted into the armed forces. Indeed, juveniles recruited into the Air Force at 16½ years of age, or into the Army at 17, took several years of training and did not take part in hostilities, should they occur, until they reached the age of majority. Moreover, those who, at the end of their training period, did not wish to embrace a military career were under no obligation to enlist. In the Army, "noncombatants" were personnel performing administrative duties while "combatants" could directly participate in hostilities.

12. In the conviction that there was a link between transboundary movements related to terrorist activities and the proliferation of light weapons, Bangladesh had subscribed to Security Council Resolution 1373 (2001) (Combating Terrorism). It had also adopted a law to combat money laundering, as the proceeds often went to fund terrorism and were responsible for the proliferation of light weapons. Bangladesh would welcome any initiative by the international community that could help it combat terrorism, together with any technical assistance and cooperation programme sponsored by foreign countries.

13. The CHAIRPERSON asked for further information on the National Plan of Action against the sexual ill-treatment and exploitation of children, including trafficking, and in particular on the efforts the State party meant to make to implement it. She would also like to know who was in charge of coordination of the implementation of the Convention and the Optional Protocol.

14. Mr. ZAMAN (Bangladesh) indicated that the Ministry of Women's and Children's Affairs was responsible for implementation of the National Plan of Action against the sexual ill-treatment and exploitation of children, including trafficking.

15. Since the signature of the peace treaty in 1997, the children of the Chittagong Hill Tracts who had taken part in the fighting had all been reintegrated into society. Under a quota system, the children of this area did have easier access to training given by technical institutes and other establishments. In addition, numerous socioeconomic development projects had been undertaken in the Chittagong Hill Tracts region to provide jobs for veterans or grant them unemployment allowances.

16. The CHAIRPERSON would like further information on the human and financial resources available to the Ministry of Women's and Children's Affairs to carry out its duties, in particular with regard to implementation of the obligations arising from the Convention on the Rights of the Child. In that connection, she would also like to know whether the Ministry of Women's and Children's Affairs had an independent budget to enable it to implement the Optional Protocol to the Convention on the involvement of children in armed conflict.

17. Mr. ZAMAN (Bangladesh) said he would provide the Committee at a later date with data on the budget allocated to implementation of the Optional Protocol. He indicated that the Ministry enjoyed financing from foreign lenders under various projects, some of which related to the promotion of gender equality.

18. With respect to the means available to the authorities to verify that candidates for military duty were of full legal age, Mr. Zaman said that recruits' age upon enlistment was verified by means of the birth certificate or school leaving certificate that all applicants were obliged to present. The system set up by the Government worked properly and, in particular, enabled the authenticity of documents provided by applicants to be verified. In addition, there were no armed political groups in Bangladesh; any mujahideen that did slip into the country were systematically hunted down.

19. Mr. ZERMATTEN wanted to know whether children were recruited and used by paramilitary, political or religious groups, and more particularly by the mujahideen.

20. Mr. ZAMAN (Bangladesh) said that the authorities had not received any information as to the use of children under 18 by armed or paramilitary groups. The Government of Bangladesh firmly condemned the recruitment and use of children by paramilitary groups and did everything it could to prevent such practices. Where such practices were proven to exist, the instigators were systematically prosecuted. Concerning the operation of the cadet school, Mr. Zaman said the school was comparable to a private one with a curriculum involving a certain number of lessons that prepared the students to perform military duties. They were admitted as of the age of 12 after an entrance exam and with their parents' permission. It was true that students were subject to special discipline, but their school curriculum could not be compared to military discipline as such. They always had the option of leaving the school if they found it did not suit them. Moreover, they were not automatically enlisted in the Bangladeshi armed forces at the end of their training; recruitment was always on a voluntary basis.

21. Mr. Zaman added that, according to the information he had, the minimum age to join the Bangladeshi armed forces was set by law and not by administrative measures.

22. Ms. SMITH wanted to know whether the Government was able to effectively control the teachings of the madrassas and whether it was true that these institutions prepared their students to perform military duties.

23. Mr. ZAMAN (Bangladesh) said that the purpose of the madrassa system was not to prepare children to perform military duties. Moreover, there were no madrassas in Bangladesh under the exclusive control of certain groups and hence not subject to Government control.

24. Ms. VUCKOVIC-SAHOVIC would like to know how the age of any future recruits lacking either a birth certificate or school leaving certificate was definitely established for purposes of their enlistment in the armed forces.

25. Mr. PARFITT wanted details on the purpose of the puberty tests done during the medical examinations to which recruits were subjected pursuant to the rules laid down by the Government of the State party following ratification of the Protocol.

26. Mr. ZAMAN (Bangladesh) said that persons wishing to enlist in the Army who did not have a birth certificate must in all cases demonstrate a certain educational level and pass tests for that purpose. Additional information on the precise nature of the medical examinations done would be sent to the Committee at a later date.

27. The CHAIRPERSON wanted to know what measures were taken to ensure no juveniles were enlisted in United Nations peacekeeping forces.

28. Mr. ZAMAN (Bangladesh) explained that in Bangladesh voluntary enlistment was possible as of the age of 17, but that once recruited soldiers and officer cadets must take two years of basic training, on average, before obtaining their certificate and commencing active duty. This also held for United Nations peacekeeping forces (mobilized in 2002, with a strength of some 22,000): thus, no young person actually commenced regular army or peacekeeping duty before his or her 18th birthday.

29. Ms. ALUOCH wondered why the level of knowledge of international humanitarian law and human rights in general was so poor in the State party and asked what efforts, if any, the Government was making to rectify the situation.

30. Mr. LIWSKI asked what measures were being taken by the Government of the State party to prevent young people from the poorest social strata from continuing, for lack of any alternative, to enlist massively in the Army.

31. Mr. ZAMAN (Bangladesh) said that the Bangladeshi Government, being conscious of the problem, was doing everything in its power to offer employment prospects to the greatest number, according to each person's skills and abilities, in particular in highly specialized and technical fields. The jobs offered by the Army were nevertheless attractive, as soldiers had room and board and officer cadets also received pay that often made it possible for them to contribute to the family's upkeep. As there was no compulsory military service, armed forces recruitment was on a strictly voluntary basis, according to a standard procedure, which began with the advertisement of the positions to be filled in the press.

32. The CHAIRPERSON asked whether many of the children that took part in the conflict of Chittagong Hill Tracts, were now part of the United Nations peacekeeping forces.

33. Mr. ZAMAN (Bangladesh) answered that these children had all been reintegrated into civil society. The people made available to the United Nations Department of Peacekeeping Operations for deployment on UN peace-building missions were of course recruited from the active forces.

34. Mr. LIWSKI was pleased with the dialogue that had been engaged with the delegation, which gave him an idea of how the Protocol's provisions were being implemented in the State party; he looked forward to receiving the further written information that had been promised. He said that the concluding observations would summarize the debate in general terms. The State party would therefore be invited, in particular, to dispel any possible suspicion as the forced enlistment of children in the Army, to define more precisely the minimum age of enlistment in the defence forces in accordance with Article 1 of the Protocol, to enact a clear and precise policy on combating the proliferation of light weapons within its society, to clearly characterize the curriculum of the madrassas, to take more concrete measures, in particular within the framework of specific United Nations programmes, to socially and psychologically reintegrate child soldiers who had taken part in the Chittagong Hill Tracts conflict, and to implement a social integration policy for the most disadvantaged youth so that the Army would no longer serve as a bolthole.

35. Mr. ZAMAN (Bangladesh) again assured Committee members of the Bangladeshi authorities' willingness to continue the constructive dialogue that had been begun, in particular by providing supplementary written replies, and to give effect to the provisions of the Protocol.

36. The CHAIRPERSON, in conclusion, invited the State party to distribute the report it had drawn up and the Committee's final observations as broadly as possible.

The meeting rose at 5:20 p.m.