

Face Equality International (FEI) Research Project

This publication has been provided by Reed Smith with the assistance of Amazon. Reed Smith provides legal services to Face Equality International. This research has been prepared for Face Equality International only and has not been applied to specific facts. It is only intended to highlight the state of the legal regime in each jurisdiction and where the law may need to be adapted in order to be more inclusive of people with facial differences. Reed Smith owes a duty to Face Equality International only. The contents of this communication are for informational purposes only and do not constitute legal advice. This communication may be considered Attorney Advertising – [Details](#). Prior results do not guarantee a similar outcome in the future.

Bangladesh

| No. | Question | | Answer |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <p>a. Do people with facial disfigurements (marks, scars, etc.) have any legal protection against discrimination?</p> <p>b. Which law relates or mentions the legal protections?</p> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <p>a. Yes, there is legal protection for people with facial disfigurements under Bangladesh law, if they are regarded as “disabled”. According to the Rights and Protection of Persons with Disabilities Act 2013 (“RPPDA”) “persons with disability” includes those with any long-term or permanent physical, mental, intellectual, developmental or sensory impairment or disadvantage and the reciprocal effect of attitudinal and environmental barriers to the person’s full and effective participation in society on an equal basis; and “disabled person” means any person with any form of disability as described in section 3. The following diseases may affect the face and cause facial disfigurements: (1) permanent physical imbalance due to neurological disorders; (2) cerebral palsy, (3) down syndrome, (4) visual disability, (5) speech disability, (6) hearing disability, and (7) deaf blindness. The RPPDA leaves the door open for anyone to establish themselves as a PWD even if their type of disability is not included in the list under RPPDA. Specifically, “If a person has any other abnormal physical and mental characteristics other than the disabilities mentioned [in the Act] which creates obstacles to his normal life, development and movement, then if the National Coordinating Committee declares that person, for the purpose of fulfilling the purpose of this Act, will be considered as a disabled person”. Persons with disabilities have rights equal to all citizens, including fundamental basic human rights that are mentioned in RPPDA and other laws. RPPDA gives persons with disabilities the opportunity to lead their lives like other people without facing any obstacles. (Source available at: https://www.ex-ilo.org/dyn/natlex2/natlex2/files/download/95795/BGD95795%20Booklet.pdf)</p> <p>According to the RPPDA, people with disabilities are entitled to the following rights and protections:</p> <ol style="list-style-type: none"> 1) Rights to survive and develop to full extent; 2) Right to equal legal recognition and access to justice in all cases like ordinary people; 3) Inheritance right; 4) Freedom of expression and access to information; |

| | | | |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <ol style="list-style-type: none"> 5) Right to live in society with parents, valid or legal guardian, children and family, right to establish a marital relationship, and form a family; 6) Accessibility right; 7) Right to participate fully and effectively in social, economic and state activities considering the type of disability; 8) Right to participate in integrated education considering the availability of opportunity at all levels; 9) Right to employment at government and non-government organizations; 10) Right to continue employment if disability occurs in the course of employment, or to receive appropriate rehabilitation and compensation; 11) Right to protection from oppression and right to avail a safe and healthy environment; 12) The right to have the highest quality of health care on the basis of availability; 13) Right to an environment and reasonable accommodation conducive to the necessary comfort in academic institutions and workplaces in all applicable cases; 14) Right to support services and rehabilitation with the aim of becoming fully integrated in all spheres of social life by acquiring physical, mental and technical capacities; 15) If persons with disabilities who are dependent on the parent or family unfortunately get separated from the parent or family, the right to proper accommodation and rehabilitation; 16) Right to participate in cultural, entertainment, tourism, leisure and sports activities; 17) Right to adopt Bangla as gesture language by hearing and speech impaired persons in accordance with their willingness; 18) The right to privacy of personal information; 19) Right to formation and management of self-help organizations and welfare organizations or associations; 20) Right to receive national identity card, inclusion in the voter list, voting and participation in the election; 21) Any other rights as determined by the government in the official gazette. <p>Only registered disabled persons with an identity card identifying them are entitled to the benefits prescribed in the RPPDA. Sections 31(1) – (5) prescribe the process for registering and applying for a disabled person identification card. Many who are entitled to receive benefits are not receiving them because not all eligible to register as disabled are able to due of barriers to registration and improper diagnosis. They are therefore unable to get their ID-cards that list them as “golden citizens” and help them to claim disability allowances and increased social benefits from the government. “The Department of Social Services (DSS) in every upazila diagnoses them according to degree, type and severity following the guidelines of International Classification of Functioning Disability of World Health Organization...After registering them, ID cards are distributed, denoting them as a Golden</p> |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | | | |
|--|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>Citizen. They are entitled to receive disability allowances and they also get priority to receive other benefits from the government. Because in most places disabled people have to visit the local administration offices to register themselves as disabled, which they often cannot do because of many reasons such as poverty, inaccessibility, distance etc. As a result, there is no doubt that many disabled people are still left unidentified. Doctors and social workers who register people with disabilities are also not trained enough to distinguish between five types of neurological development disorders which require specialised knowledge on disability." said Noman, a Ramon Magsaysay awardee for mainstreaming persons with disabilities". (Sources available at: https://www.thedailystar.net/city/news/lack-data-hampering-progress-2042905 and https://www.dandc.eu/en/article/bangladesh-persons-disabilities-tend-be-excluded-mainstream-society)</p> <p>The Department of Social Services of Bangladesh under the Disability Detection Survey Program of the Ministry of Social Welfare has developed a database at www.dis.gov.bd that stores information about 12 types of disability. Any person with disabilities can register to this database and after registration the type and degree of disability is detected and confirmed by medical doctors and certified physiotherapists. The information stored in the database can be utilized further for providing needs-based assistance to these vulnerable people so that they can effectively contribute to society and be included.</p> <p>Legal rights are enforced by several committees. According to this RPPDA, five types of committees are established based on their responsibilities and process of work from national to town levels. The National Coordination Committee is a 28-member Committee formed by the Ministry of Social Welfare including different ministry representatives and representatives from Disabled People's Organizations (DPOs). It works for the enforcement of the rights of persons with disabilities at national level. The National Executive Committee consists of 17 members formed by the Ministry of Social Welfare to execute the decisions of the National Coordination Committee. The District Committee is a 17-member Committee formed by the Deputy Commissioner to enforce the rights of persons with disabilities and to execute the decisions of the Government and National Coordination Committee at the District level. The Upzilla Committee is composed of 14 members by the Upzilla Nirbahi Officer to serve at Upzilla level. City Committee is formed with nine members in the city area under the city corporation (RPPDA, 2013). RPPDA focuses more on organization than serving the actual purpose. It promotes the formation of different committees to ensure the rights of persons with disabilities. However, it has been said that it does not mention the mechanism by which community can engage with those committees. (Source available at:</p> |
|--|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | | | |
|----|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>https://www.researchgate.net/publication/349372484 Rights and Protection of Persons with Disabilities in Bangladesh A Critical Review)</p> <p>Additionally, the Preamble of the Constitution of Bangladesh declares that fundamental human rights, rule of law, social security, political, social, and economic rights will be secured for all the citizens of the country. Article 15(d) secures the right to social security for persons with disabilities. (Source available at https://www.constituteproject.org/constitution/Bangladesh_2014) These rights include recognition of equal citizenship, right to proper health service, right to use sign/or language and communication, right to accessibility in the community, right to use accessible transportation, right to education and training and right to discrimination-free employment opportunities (Source available at: https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/95795/BGD95795%20Booklet.pdf) Furthermore, Article 28(4) of the Constitution of Bangladesh empowers the government in making special provisions for people with disability.</p> <p>b. Laws that relate to or mention legal protections</p> <ol style="list-style-type: none"> 1. The Constitution of the People’s Republic of Bangladesh. (1972). Full text in English: https://www.constituteproject.org/constitution/Bangladesh_2014 2. 2007 - Bangladesh ratified the United Nations Convention on Rights of Persons with Disabilities (UNCRPD). 3. 2013 - Bangladesh incorporated the international convention by enacting the RPPDA. This act repealed the Disability Welfare Act of 2001. Full text in Bengali: https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/95795/BGD95795%20Ban.pdf 4. 2015 - Subsequently, the Government of Bangladesh formulated the Rights and Protection of Persons with Disabilities Rules in 2015 for further clarification of the 2013 Act. |
| 2. | <p>a. What is this country’s legal definition of disability?</p> <p>b. When do people with a facial</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> | <p>a. In the national law, the definition of disability was included in the Bangladesh Persons with Disability Welfare Act in 2001. A “disability” is defined by a reference to a “disabled person” who is any person who (a) is physically crippled either congenitally or as result of disease or being a victim of accident, or due to improper or maltreatment or for any other reasons became physically incapacitated or mentally imbalanced, and (b) as a result of such crippledness or mental impairedness,(i) has become incapacitated, either partially or fully; and (ii) is unable to lead a normal life (https://www.un.org/development/desa/disabilities/wp-</p> |

| | | | |
|--|------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>disfigurement fit within that definition?</p> <p>c. How does being excluded from that definition affect the protection of their rights?</p> | | <p>content/uploads/sites/15/2019/11/Bangladesh_Disability-Welfare-Act-2001.pdf). In particular, the definition of physical disability included a person who “has physical deformity and abnormality” (.Idem. Section 3(II)(b)(v))</p> <p>Subsequently, in 2013, Bangladesh passed RPPDA in order to incorporate into domestic law Bangladesh’s obligations under the United Nations Convention on Rights of Persons with Disabilities (UNCRPD), including the definition of disability which refers to a “disabled person” who is any person who is physically, psychologically, and/or mentally not functioning properly due to social/environmental barriers. Any person who can’t take part actively in society is considered to be disabled https://wwwex.ilo.org/dyn/natlex2/natlex2/files/download/95795/BGD95795%20Booklet.pdf).</p> <p>b. Based on the above definition, facial disfigurement falls within the definition of disability, in particular where it prevents a person from functioning properly due to social/environmental barriers and from participating actively in society. However, the definition does not clearly distinguish between different types of disfigurement but rather focuses on its consequences to a person. The new law aligning the definition of disability with UNCRPD no longer includes “physical deformity” in its definition of sub-category of physical disability, hence facial disfigurement no longer belongs to this sub-category. People with a facial disfigurement fit within the definition of disability only if it prevents them from functioning properly in society.</p> <p>Individuals who do not meet the legal definition of disability do not have access to the specific protections and benefits enshrined in the RPPDA and lack legal protections and entitlements. This includes but is not limited to, access to certain social services, healthcare benefits, educational accommodations, and employment quotas. Many programs and services, such as those providing assistive devices, rehabilitation services, and specialized education or training, are reserved for those who qualify as persons with disabilities under the law. Those outside this definition may find it difficult or impossible to access these resources. Furthermore, the law establishes job quotas for people with disabilities in both the public and commercial sectors. Individuals who are not recognised under the definition of RPPDA are ineligible for these quotas, which may limit their work chances, particularly in competitive areas where such quotas play an important role. In conclusion, people who are excluded from the definition of disabilities but with certain disabilities suffer discrimination because of their problem and impairments that do not fulfil the legal definition of disability.</p> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | | | |
|----|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. | Are there aspects of disability and/or disfigurement law that ensure a legal right to healthcare, education or employment? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <p>Yes, provided a person is registered following the process described in the RPPDA (Bengali: প্রতিবন্ধী ব্যক্তির অধিকার ও সুরক্ষা আইন, ২০১৩). The types of afflictions that are recognised as disabilities eligible for application of disabled status are set out in the response at Question 1 above.</p> <p>The disabled person, their parents, or their legal guardian, may apply to the City Committee/Upazilla Committee for disabled person status with the information and certification provided by the doctor in charge of the city's health complex or government hospital. More information is available at Sections 31(1) – (5) of the RPPDA.</p> <p>Educational institutions are prohibited from refusing or rejecting admissions applications solely on the grounds of disability. Employers are prohibited from depriving a disabled person or discriminating against a disabled person in 'engaging in any useful activity' on the grounds of their disability. Section 36(1) of the RPPDA also generally prohibits the practice of discrimination against persons with disabilities by any person, institution, authority, or body.</p> <p>Disabled persons who have been subject to discriminatory behaviour can claim compensation from the accused party by applying to the District Committee. The District Committee is responsible for investigating, reviewing and issuing orders to the accused party to reverse its discriminatory conduct. Where such orders are not complied with, the District Committee can determine and order that monetary compensation is paid to the claimant. Claimants can also recover compensation from the accused party in accordance with the Public Demands Recovery Act 1913 if the accused party does not comply with an order from the District Committee.</p> <p>A dissatisfied claimant can appeal to the National Executive Committee. The National Executive Committee's decision will be final. If the National Executive Committee finds in favour of the claimant, it can order banks to freeze the bank accounts of the accused party to facilitate recovery of compensation by the aggrieved party.</p> <p>Disabled persons can also file criminal cases for offences prescribed in the RPPDA in accordance with the Code of Criminal Procedure.</p> <p>The full version of the RPPDA is available here: http://bdlaws.minlaw.gov.bd/act-details-1126.html (in Bengali).</p> |
| | a. How effective are the legal protections? Please | | <p>Report on the effectiveness of disability protections / initiatives in Bangladesh: https://www.brac.net/program/wp-content/uploads/reports/Final%20Report_CPJ_ASC_Disability%205th%20August%202018.pdf</p> |

| | | | |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>describe evidence available of the effect of the legal protections.</p> <p>b. What are deficiencies or areas for improvement in these legal protection measures as they apply and affect people with facial disfigurement?</p> <p>c. What evidence exists to prove that the information and resources guaranteed by law are actually available to disabled persons?</p> | | <p>a) Numerous considerations and research suggest that the efficacy of legislative safeguards for disability and facial disfigurements in Bangladesh is limited. Even though Bangladesh has accepted international agreements like the Optional Protocol of the UN Convention on the Rights of Persons with Disabilities in May 2008, there is still thought to be a lack of appropriate enforcement and implementation of these rights. According to the Local NGO Bangladesh Protibandhi Unnayan Sangstha (BPUS), it is estimated that 10 percent of the population in Bangladesh possesses some form of disability. BPUS estimated more than 60 percent of the disabled population lived in rural areas without access to government support (Page 48 of Country Reports by BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, United States Department of State on Human Rights Practices for 2022 on “BANGLADESH 2022 HUMAN RIGHTS REPORT”).</p> <p>b) According to the country report by the Bureau of Democracy of the United States, “The National Building Construction Act requires physical structures be made accessible to those with disabilities [...] Government buildings had no accommodations for persons with disabilities. The law requires persons with disabilities to register for identity cards to track their enrolment in educational institutions and access to jobs. [...] Local NGOs estimated 50 to 60 percent of those with disabilities were unable to exercise their right to vote, as voting centres lacked accommodations for persons with disabilities. Most polling centres had no access to priority voting and no assistive tools such as braille ballots for visually impaired persons to vote confidentially.</p> <p>According to the NGO Action against Disability, some children with disabilities did not attend public school due to lack of accommodation,[...]” (Page 49 -51 of Country Reports by BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, United States Department of State on Human Rights Practices for 2022 on “BANGLADESH 2022 HUMAN RIGHTS REPORT”).</p> <p>Although there are legal provisions that support accessibility and inclusiveness such as the RPPDA, there are reported to be insufficient enforcement mechanisms and independent monitoring agencies with expertise that can collaborate with other committees to monitor the progress of RPPDA’s implementation “on the ground” while simultaneously holding the government accountable for its implementation. Because of this, a large number of people with disabilities continue to be deprived of their legal rights.</p> <p>c) There is a need for comprehensive anti-discrimination legislation that particularly addresses the rights of people with facial disfigurements and provides equal opportunity in all aspects of life. In Bangladesh, acid thrown at the face of a victim produces a significant number of disfigurements. Between 1999 and 2015, 3,302 attacks occurred, with most of the victims women (Acid Survivors</p> |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | | | |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>Foundation, 2016). People with facial disfigurement experience discrimination. Children with disfigurement receive less maternal nurturing and are bullied by other children. They are discriminated against in academic contexts and, later, in professional environments. Poverty, a lack of infrastructure, poor healthcare facilities, and social stigma all lead to people with disability being excluded from mainstream society. Currently, there is a lack of comprehensive data and reportedly insufficient monitoring mechanisms to analyse the level of compliance with disability rights laws and the provision of services for people with disability. As a result, evidence of the availability of information and resources guaranteed by law to disabled persons in Bangladesh is limited - while legal protection exists on paper, its effectiveness in protecting the rights and well-being of people with disability, including those with facial disfigurements, is unclear.</p> <p>In addition, it is noted that core concepts of autonomy, privacy and confidentiality, family-centeredness, and service coordination are missing in RPPDA (see section under “Gaps in the Act and the Way Forward” of the report of “The Bangladeshi Rights and Protection of Persons With Disability Act of 2013: A Policy Analysis” - https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9650720/). There are gaps in the RPPDA that limit the effectiveness of the policy. For example, for people with disabilities that do not have the capacity to make informed decisions, it is advised that a guardian be appointed to act on behalf of the child and their family, that a statutory decision-maker be requested, or that a qualified individual be taken into consideration to make an informed decision regarding people with disability access to support services. There is also a need for policymakers in Bangladesh, to enhance service coordination under the RPPDA (eg assigning a worker to oversee or organise the services that are offered to persons with disability).</p> |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|