



17 November 2016

**PRESS RELEASE**

**CIVIL SOCIETY CONCERNS OVER WOMEN'S AND CHILDREN' DRAFT CITIZENSHIP LAW**

Speakers at a consultation today on the rights of women and children and citizenship laws called for a public consultation on the draft Citizenship Bill 2015, and to ensure its consistency with Constitutional rights, international human rights law and natural justice, and to prevent the risk of statelessness for particular groups of people.

The consultation commenced with a presentation by **Barrister Najrana Imaan** who discussed the draft Bill 2015 in the context of rights of women and children, and the state's obligations under international human rights instruments (such as the Universal Declaration of Human Rights, the Child Rights Convention, CEDAW and the International Covenant on Civil and Political Rights).

While welcoming the action to review existing laws on citizenship and noting the need to address contradictions and inconsistencies, **Tahmina Rahman**, Country Director, Bangladesh and South Asia, Article 19, noted that there appeared to have been no documentation on problems caused due to operation of the existing laws.

**Ayesha Khanam**, President, Bangladesh Mohila Porishod stated, *"Our Constitution was earned through our hard won liberation war, and our citizenship laws must reflect the values of equality in public and private life."*

**Advocate Habibunnessa** of Naripokkho emphasized, *"The citizenship law is of direct relevance to the lives of every one of us."* Focusing on the need to address the real problems already being faced, particularly by adopted children, and the potential threats to children's rights, she further commented, *"Children are individual beings and cannot have their rights restricted or be penalized because of the perceived actions of their parents or grandparents."*

**Advocate Maksuda Akher Laily** presented recommendations by Bangladesh Mohila Porishod for amendments to the draft Bill 2015. These included for removing the provisions for enabling any person to initiate prosecutions under the law and reducing the proposed penalties for offences as well as enabling recourse to the courts in case of refusal or delay regarding birth registration.

**Barrister Sara Hossain**, Hon. Exec. Director, BLAST commented *"Citizenship laws should respect and reflect the core principle of equality, irrespective of the diversity of our religion, race, caste or beliefs. Citizenship is intrinsically linked to our identity and entitles us to the enjoyment of certain fundamental rights."*



**Advocate Z. I. Khan Panna**, in his concluding comments urged lawmakers to reexamine the draft Bill in the light of existing constitutional protections. Questioning whether it is legally valid to impose a bar on registration of marriages with any particular community, he said, “As we approach our forty-fifth anniversary of independence, we need to move forward in a spirit of inclusion, not exclusion.”

Participants noted the need for review of the citizenship law to reflect real problems faced by particular groups. They welcomed the retention of progressive changes in the law that allow for women to transmit nationality to their spouses and children. However they noted that the Bill does not appear to respond to existing challenges in the current legal framework. They raised concerns at the lack of any opportunity for public consultation or dialogue during its drafting. The purported primacy of the proposed Bill over Supreme Court judgments was of particular concern. They also drew attention to specific issues that would impact on the rights of children to have their births registered and their rights to acquire citizenship being contingent on the actions of their parents, and their rights to inherit property; on the contradictions in ability of children to acquire citizenship where they belong to families where one parent is a foreign national, including from a SAARC country/Myanmar; on the impact of the provisions on specific groups, including Urdu speaking communities, displaced persons, dual citizens and migrant workers.

Speakers at the consultation, organised by BLAST, and held at CIRDAP in Dhaka, included **Supreme Court Advocates Amirul Tuhin, Nazneen Nahar, and Barrister Sadia Arman; Advocates Khalid Hussain** of the Council of Minorities, **Ziauddin** of SAILS, **Rezaur Rahman Lenin**, and **Tahmina Khatun** of BNWLA; and **Meena Sarker** of Nijera Kori.

Background: Citizenship status in Bangladesh is governed by the Citizenship Act 1951 and the Bangladesh Citizenship (Temporary Provisions) Order, 1972, and related amendments. These laws address citizenship by birth, descent, migration and by naturalization, including special provisions for the citizenship status of married women and the registration of minors. According to media reports, a draft Citizenship Bill of 2015 was approved by the Cabinet in February 2016.

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