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Plenary sitting

<NoDocSe>B8‑0254/2017</NoDocSe>

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<TitreType>MOTION FOR A RESOLUTION</TitreType>

<TitreSuite>with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law</TitreSuite>

<TitreRecueil>pursuant to Rule 135 of the Rules of Procedure</TitreRecueil>

<Titre>on Bangladesh, including child marriages</Titre>

<DocRef>(2017/2648(RSP))</DocRef>

<RepeatBlock-By><Depute>Elena Valenciano, Victor Boştinaru, Soraya Post, Neena Gill</Depute>

<Commission>{S&D}on behalf of the S&D Group</Commission>

</RepeatBlock-By>

B8‑0254/2017

European Parliament resolution on Bangladesh, including child marriages

(2017/2648(RSP))

*The European Parliament*,

- having regard to its previous resolutions on Bangladesh, in particular the resolution of 18 September 2014 on human rights violations in Bangladesh,

- having regard to its resolution of 16 March 2017 on EU priorities for the UN Human Rights Council sessions in 2017,

- having regard to the concluding observations by the UN Human Rights Committee on Bangladesh of 22 March 2017,

- having regard to the EU guidelines for the promotion and protection of the rights of the child adopted on 6 March 2017,

- having regard to the Council conclusions on EU priorities at UN Human Rights Fora of 15 February 2016,

- having regard to the UN Convention on the Rights of the Child,

- having regard to the Bangladesh Child Marriage Restraint Act of 11 March 2017 and Child Marriage Prevention Act of 15 September 2014,

- having regard to the Bangladesh National Action Plan to Eliminate Child Marriage 2015-2021

having regard to the Evaluation of EU Support to Gender Equality and Women’s Empowerment in Partner Countries,

- having regard to Rule 135 of its Rules of Procedure,

A. whereas according to recent UN data, Bangladesh has the world’s highest rate of marriages involving girls under 15 years old; whereas 52% of girls in Bangladesh are married by the time they reach 18 years old and 18% by the time they reach 15 years old;

B. whereas Bangladesh is one of the 12 target countries of the UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage, which is supported by the EU;

C. whereas Bangladesh is a member of the South Asian Initiative to End Violence Against Children, which has adopted a regional action plan to end child marriages;

D. whereas the government of Bangladesh pledged at the Girl Summit of July 2014 to reduce by one third the number of girls marrying between the ages of 15 and 18 by 2021, to eliminate marriages involving children under 15 by 2021 and to end marriages of children under the age of 18 by 2041;

E. whereas the Child Marriage Restraint Act of 2017 in Bangladesh maintains the legal minimum age for marriage as 18 for women and 21 for men;

F. whereas the Act introduces a loophole to permit courts to authorise marriage for children in “special cases” with the consent of the child’s parents;

G. whereas the Act fails to define the criteria for the authorisation of such “special cases” and provides no minimum age for these marriages;

H. whereas the EU guidelines for the promotion and protection of the rights of the child reaffirms the commitment of the EU to the comprehensive protection and promotion of the rights of the child in its external human rights policy;

I. whereas the EU has committed up to €690 million in development assistance under its Multiannual Indicative Programme for Bangladesh 2014-2020;

1. Reaffirms its condemnation of all cases of forced and child marriage throughout the world;

2. Notes the progress which had been made by Bangladesh to reduce the levels of child marriage;

3. Strongly regrets the adoption of the Child Marriage Restraint Act of 2017 and the loopholes contained in the legislation which provide legal authorisation for child marriage;

4. Further regrets the lack of legal criteria contained in the Act which risks potential widespread abuse of the legislation;

5. Notes with concern that the recently adopted Act is a step backwards for Bangladesh in its efforts to eliminate child marriage; recalls that this relaxation of the law undermines the Bangladesh government’s own targets for the reduction of child marriage;

6. Expresses serious concern at the increased risks, particularly for girls, in child marriages including rape, physical violence and forced pregnancy;

7. Recognises the devastating impact child marriage can have including restricting access to education, isolation, and economic dependency;

8. Expresses concern that the provisions in the Act to permit underage marriage may be used to legitimise rape, statutory rape and sexual violence;

9. Expresses deep concern at recent press reports in the Chittagong province of the first underage marriage to take place under the new Act between a 14 year old girl and a 25 year old man after she became pregnant aged 13; further notes with particular alarm that rape charges brought against the man were dropped in response to the marriage;

10. Strongly denounces any attempt to use child marriage to influence criminal proceedings for charges of rape or sexual assault; emphasises in particular that the acquittal of any defendant as a consequence of marriage to a minor constitutes a failure to uphold justice, and a violation of the victim’s human rights and the rights of the child;

11. Strongly denounces all cases of sexual violence against women and girls;

12. Calls on the government of Bangladesh to close the loopholes in the Act in order to outlaw any marriage involving a minor;

13. Insists that until such time as the loopholes in the Act are removed, the government of Bangladesh must adopt clear criteria against which the courts, in conjunction with health and social care professionals, must base any decision to authorise an underage marriage, including an outright ban on any marriages involving children under 16 years old;

14. Notes that child marriage is often a consequence of unwanted and underage pregnancies; recalls in this regard the importance of providing women and girls with access to information and services on sexual and reproductive health including information on family planning, access to contraception and safe medical treatment;

15. Calls on the government of Bangladesh to resume development of the National Action Plan to Eliminate Child Marriage 2015-2021, to set out how it plans to reach its targets to eliminate all child marriage;

15. Calls on the European Commission and EU Delegation in Bangladesh to raise this issue with the Bangladesh authorities;

16. Calls on the EEAS to raise the issue of the Act in the next EU-Bangladesh Joint Commission meeting;

17. Instructs its President to forward this resolution to the Council, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the European Commission, the EU Special Representative for Human Rights, and the government and parliament of Bangladesh.