

Mandates of the Special Rapporteur on trafficking in persons, especially women and children; the Special Rapporteur on the human rights of migrants and the Working Group on discrimination against women and girls

Ref.: AL BGD 4/2026

(Please use this reference in your reply)

10 July 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on trafficking in persons, especially women and children; Special Rapporteur on the human rights of migrants and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 53/9, 61/17 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the capsizing of a vessel carrying 250 Rohingya refugees and Bangladeshi nationals in the Andaman Sea. This incident is presented in the context of broader concerns regarding trafficking in persons in Bangladesh, including alleged systemic shortcomings in the prevention of trafficking, the identification of victims and persons at risk, and the implementation of protection measures, particularly in the context of maritime movements and affecting populations in situations of vulnerability, including Rohingya refugees, women and children.**

According to the information received:

On 4 April 2026, a trawler carrying Rohingya refugees and Bangladeshi nationals left from Teknaf (Bangladesh) to Malaysia. On 9 April 2026, the vessel allegedly capsized in the Andaman Sea due to heavy winds, rough seas, and overcrowding. 250 people are reportedly dead or missing.

There was no evidence of any distress call before or during the vessel's capsizing. It is reported that, on 11 April 2026, a Bangladesh-flagged commercial vessel en route to Indonesia encountered several persons in distress at sea and rescued nine individuals, reportedly eight men aged between 18 and 42 and one 25-year-old woman. The rescued individuals were reportedly transferred to a Bangladesh Coast Guard vessel and subsequently brought to police authorities in the coastal area of Teknaf (southern area of Cox's Bazar). The rescued individuals were reportedly from both Bangladeshi and Rohingya communities in Cox's Bazar. Three were Rohingya refugees from Cox's Bazar and were released following legal procedures. Following screening procedures to identify vulnerabilities to trafficking in persons, they were referred to relevant services. The remaining six Bangladeshis were alleged to have been involved in trafficking in persons and were arrested and detained.

This incident appears to be part of a broader pattern of increasingly dangerous maritime movements in the region. In 2025, more than 6,000 Rohingya refugees reportedly embarked on such journeys, with over 890 persons losing their lives. Deaths and disappearances in the Andaman Sea and Bay of Bengal reportedly

increased by over 40% between 2024 and 2025, making the Andaman Sea and Bay of Bengal one of the deadliest stretches of water in the world. An estimated 66% of those embarking on those journeys are women and children. From January to May 2026, 4,349 individuals departed on journeys through this route, a 56% increase from the same period in 2025.

Concerns regarding the vulnerability of Rohingya refugees in Bangladesh

Bangladesh hosts nearly 1.2 million Rohingya refugees from Myanmar. Information received indicates that limited access to safe and regular migration pathways, restricted access to formal education, and restrictions on livelihood opportunities are contributing to increased vulnerability, particularly among women, children and young people. These conditions reportedly push many to undertake dangerous journeys, including by sea, thereby increasing exposure to trafficking in persons and related abuses.

Reports indicate that Rohingya refugees, including children, who represent more than half of the Rohingya refugees in Bangladesh, are at heightened risk of trafficking for multiple forms of exploitation. Many Rohingya refugees reside in extremely congested camps in Cox's Bazar (240,635 households) and Bhasan Char (7,534 households).

According to the information received, the educational needs of children and youth in refugee camps remain significant. It is reported that up to 236,000 refugee children aged between 5 and 17 are out of school, a situation which may expose children and young people to dangerous conditions and increase their vulnerability to trafficking in persons.

Access to education in the camps is limited. With the exception of about 8,500 families that arrived in the 1990s, the majority of Rohingya children and youth have no access to the national curriculum of Bangladesh and instead have access to informal Learning Centers covering primary-level education. There is a general lack of official pathways to secondary education for Rohingya adolescents, severely limiting their longer-term settlement, education and livelihood opportunities.

The absence of universal birth registration is said to both stem from and contribute to statelessness, thereby increasing vulnerability. Stateless Rohingya children are reportedly deprived of nationality and often lack documentation recognised in Myanmar or other countries. While UNHCR provides joint registration of refugees with the Government of Bangladesh, this documentation does not allow them to move outside Cox's Bazar. These restrictions may compel them to rely on smugglers to move within the region and expose them to risks of trafficking for purposes including forced marriage, forced labour, sexual exploitation, ransom and other forms of exploitation.

Information received further indicates that, because of legal restrictions, refugees living in camps have very limited access to employment and livelihood opportunities and remain highly dependent on humanitarian assistance to meet their basic needs, which may increase their exposure to risks of exploitation. As

humanitarian funding for the refugee response in the camps decline, many refugees perceive a lack of hope for the future. The lack of opportunities is exploited by trafficking networks, who target children and young people, with deceptive offers of employment, education or marriage.

Women and girls in the camps face heightened risks of trafficking and gender-based violence, with approximately one in four women and girls having experienced such violence. Women-headed households are reported to be particularly vulnerable. Living conditions, including shared and non-gender-segregated facilities, reportedly increase exposure to risks, particularly where women and girls must travel distances to access water and sanitation facilities. Inadequate lighting and the location of latrines and bathing facilities are said to further increase the risk of sexual violence, with incidents reportedly occurring along unlit paths, near sanitation points and at distribution centres. Perpetrators are reported to include intimate partners, family and community members, as well as, in some cases, members of Bangladeshi security forces.

Girls as young as 12 years old are reportedly trafficked for purposes of child and forced marriage, sexual exploitation and domestic servitude. Boys and young men are reportedly subjected to forced labour, servitude, recruitment, forced criminality, and are being trafficked for ransom.

According to the 2025 data received, out of the 407 trafficking incidents identified in Cox's Bazar, 248 involved men, 88 women, 41 boys, 29 girls, and 1 other gender identification. The demographic pattern shows that adult men make up the majority of identified victims (61%), followed by women (22%), boys (10%), and girls (7%). In terms of age group, more than half of the victims were adults aged 25–49 (54%). Children under 18 years old accounted for 21% of all the victims. Men and boys are mainly involved in physical labour such as agriculture, livestock raising, fishing, and forestry (102 cases, 35% of all male cases), as well as construction work (75 cases, 26%). Women and girls are mostly involved in factory work (45 cases, 38% of all female cases), domestic work (26 cases, 22%), and forced sex work (15 cases, 13%). The top three recruiters were host community members (30% of all cases), neighbours (22%), and strangers (22%).

Information received also highlights disappearances of children and young people undertaking maritime journeys, as well as accounts of abductions, violence and insecurity within camps, including the presence of criminal networks involved in cross-border drug trade and armed actors. These dynamics are said to contribute to increased risks of trafficking, including trafficking for sexual exploitation by armed criminals and gender-based violence against women and girls.

Treatment of persons rescued at sea

According to information received, persons rescued at sea, including children, may be detained for several days at police stations without adequate access to legal assistance, psychosocial support or medical care, despite having experienced severe trauma, including the loss or disappearance of family

members. Humanitarian organisations can provide legal aid for persons rescued at sea but are reliant on timely referrals by law enforcement agencies.

The Bangladesh Coast Guard has conducted search and rescue operations and hands over persons rescued at sea to the District Police. Reports suggest gaps in referral pathways from police stations limiting early identification of potential victims of trafficking, leading to victims being detained or otherwise penalized, rather than given assistance and protection.

Gaps in victim identification, protection and access to justice

According to the information received, there are systemic challenges in the identification and protection of victims of trafficking within Bangladesh. These include limited identification of victims of trafficking for forced labour and domestic servitude, insufficient access to specialized assistance services, and barriers faced by persons with disabilities. Concerns have also been raised regarding the management of shelters, where women and girls may experience restrictions on freedom of movement and may not be formally recognized as victims of trafficking.

Under the National Referral Mechanism (NRM), potential victims of trafficking are identified, rescued, and referred for assessment and assistance. However, according to the information received, identification procedures are not applied systematically, as migrants, Rohingya refugees and persons in detention are reportedly not consistently screened for indicators of trafficking. Reports indicate that local police are under-resourced to appropriately identify victims of trafficking prior to the release of potential victims.

Information received also indicates that law enforcement authorities may conflate trafficking in persons with smuggling of migrants, which may result in victims of trafficking being treated as irregular migrants or offenders. Certain groups, including women and Rohingya refugees, are reportedly less likely to be identified as victims of trafficking and are instead often treated as undocumented migrants, thus exposing them to detention and criminalization.

It is further reported that Rohingya refugees, who are victims of trafficking, are frequently provided with assistance and protection services through humanitarian systems rather than fully integrated into national protection mechanisms, which may contribute to fragmentation in identification and referral processes, limited access to justice and accountability.

In addition, even where victims of trafficking are identified, referrals to assistance services are reportedly limited and inconsistent, due to factors including insufficient availability of shelters, weak coordination among actors, and limited capacity of victim support services. Livelihood interventions, which are in theory available to Bangladeshi nationals that are identified as victims of trafficking, are not available to Rohingya refugees, identified as victims.

Search and rescue (SAR) operations in the Bay of Bengal and the Andaman Sea are conducted by national coast guard authorities. Survivors are reportedly

disembarked in Bangladesh when rescue operations are carried out near Bangladeshi territorial waters or by Bangladeshi vessels. Rohingya refugees who are rescued at sea are reportedly returned to refugee camps. In some cases, rescued individuals may be arrested or detained, particularly where they lack legal status. Concerns have also been raised regarding the absence of specific procedures for the identification and protection of children in the context of search and rescue operations.

Bangladeshi authorities allegedly fail to undertake effective investigations into credible reports of trafficking of Rohingya refugees, especially of women and children from the camps. In addition, victims of trafficking allegedly encounter delays in legal proceedings and limited access to compensation. Victims, their families, human rights defenders and civil society actors are reported to have faced reprisals, intimidation and harassment.

While we do not wish to prejudge the accuracy of the information made available to us, we are concerned that the alleged facts may indicate systemic gaps in the prevention of trafficking, identification of victims and persons at risk, and protection measures, including in the context of maritime movements, raising serious concerns relating to possible breaches of international human rights law and international standards on trafficking in persons, notably the Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol), supplementing the United Nations Conventions against Transnational Organised Crimes, accepted by Bangladesh on 12 September 2019, and the International Convention on Civil and Political Rights (ICCPR), accessed on 6 September 2000.

We are concerned at reports indicating limited identification of victims of trafficking and persons at risk of trafficking, including among Rohingya refugees in camps, and persons rescued at sea. We recall that under article 6 of the Palermo Protocol and the OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking, States have a positive obligation to identify victims of trafficking and ensure their referral to appropriate assistance and protection services. As emphasized by the Special Rapporteur on trafficking in persons, especially women and children, in her report on trafficking in persons, mixed migrations and protection at sea, the positive obligation on States to identify victims of trafficking and persons at risk of trafficking continues to apply at sea, including during search and rescue operations, and does not depend on self-identification ([A/HRC/56/60](#), para. 32). Too often, weak identification and referral processes at sea, and on disembarkation, lead to failures of protection ([A/HRC/56/60](#), para. 34). The Special Rapporteur has also highlighted, in her report on her visit to Bangladesh, that trauma, fear of reprisals, lack of trust in authorities, and coercion may prevent victims from disclosing their situation ([A/HRC/53/28/Add.1](#), para. 32). We also recall recommendations of the Special Rapporteur on trafficking in persons regarding the establishment of screening and referral mechanisms involving multidisciplinary teams, including civil society and international organizations, as essential measures to ensure early identification and protection of victims ([A/HRC/53/28/Add.1](#), para. 73-78).

We are concerned that the situation described above reflects structural conditions which may place Rohingya refugees in situations of heightened vulnerability to trafficking in persons, including for purposes of sexual exploitation, forced labour,

forced marriage and forced criminality. We recall that under article 9(1) of the Palermo Protocol, States have a positive obligation to establish policies, programmes and measures to prevent trafficking in persons and to alleviate the factors that make persons, especially women and children, vulnerable to trafficking such as poverty, underdevelopment and lack of equal opportunity. In this context, we are concerned that the alleged facts suggest possible shortcomings in addressing these structural risk factors, which may undermine the State's obligations to prevent trafficking in persons, particularly for children and other vulnerable groups. We recall that article 8 of the ICCPR requires States not only to prohibit slavery, servitude and forced labour, but also to exercise due diligence to prevent, investigate and protect individuals from such practices. We further recall that under article 6 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), acceded by Bangladesh on 6 November 1984, states shall take all appropriate measures, including legislative, policy and preventive measures, to suppress all forms of trafficking in women and girls. We wish to recall general recommendation No. 38 (2020) in which the Committee on the Elimination of Discrimination against Women emphasized that States must "Address issues of vulnerability that members of displaced families experience, including economic insecurity, access to high-quality education, livelihoods and legal identity documentation, stereotypes about gender roles, harmful masculinities and unequal power relations and perceptions about family honour, as well as the particular vulnerability of displaced girls to being trafficked for sexual purposes." (CEDAW/C/GC/38, para. 66)

The International Convention on the Elimination of All Forms of Racial Discrimination (CERD), acceded by Bangladesh on 11 June 1979, provides that States must guarantee equality in the enjoyment of human rights without distinction as to race, colour, descent, or national or ethnic origin, and must take effective measures to eliminate discrimination and marginalization affecting ethnic, national and non-citizen groups that may increase their exposure to trafficking, exploitation and abuse. We are concerned that the alleged facts may indicate shortcomings in addressing the intersecting vulnerabilities experienced by Rohingya refugees, thereby undermining the State's obligations to prevent trafficking in persons and protect women, children and other persons at heightened risk of exploitation.

We are particularly concerned that the reported maritime incidents, including the capsizing of vessels carrying Rohingya refugees, occur in a context where persons are at heightened risk of trafficking at sea, including exploitation by smuggling and trafficking networks. We recall that under article 6 of the ICCPR and General comment No. 36 of the Human Rights Committee, States have an obligation to protect the right to life, including by taking appropriate measures to address foreseeable risks to life, including in life-threatening situations at sea. In addition, under international maritime law, including the United Nations Convention on the Law of the Sea (article 98), the International Convention for the Safety of Life at Sea and the International Convention on Maritime Search and Rescue, States are required to ensure that persons in distress at sea are rescued and disembarked to a place of safety. As emphasized by the Special Rapporteur on trafficking in persons, especially women and children, in her report on trafficking in persons, mixed migrations and protection at sea, "First and foremost, for victims of trafficking at sea, the right to life must be ensured, as a fundamental and non-derogable human right set out in the International Covenant on Civil and Political Rights and other international human rights treaties. (...) States have an obligation to

ensure that maritime actors can fulfil their duties towards persons in distress at sea, including victims of trafficking and persons at risk of trafficking. It is essential, therefore, that maritime actors are fully supported in meeting their search and rescue obligations under international law. As required by international maritime law and the law of the sea, masters of ships are required to assist those in distress at sea. Those obligations must be implemented without discrimination or regard to the status of the persons being rescued and, as such, equally apply to victims of trafficking and persons at risk of trafficking.” ([A/HRC/56/60](#), para. 21 and 22). The Human Rights Committee has found that the failure to respond promptly to a distress call, in the absence of a clear explanation for that failure, is a violation of the diligence obligations arising under article 6(1) of the ICCPR ([CCPR/C/130/D/3042/2017](#)). We also highlight the obligation of non-refoulement, a customary norm of international law, which includes the obligation to prevent re-trafficking of persons. We underscore that a “place of safety” must be interpreted in light of international human rights law and anti-trafficking obligations, meaning a place that can ensure protection of the rights of those disembarked, including, specifically, the rights of victims and potential victims of trafficking, as well as the prevention of trafficking in persons ([A/HRC/56/60](#), para. 30).

We are further concerned about the heightened risks faced by children, including unaccompanied and separated children, in the context of trafficking and maritime movements. We recall that under the Convention on the Rights of the Child, States have an obligation to prevent the trafficking of children (article 35), ensure the best interests of the child as a primary consideration (article 3), and ensure protection from all forms of exploitation and abuse (articles 19, 32, 35 and 36). We also recall that, as affirmed by the Committee on the Rights of the Child, the immigration detention of children constitutes a violation of their rights.

We are concerned that the limited access to compensation, legal aid and effective remedies, as well as reports of reprisals and intimidation, may be inconsistent with the obligation under international human rights law and the Palermo Protocol (article 6(6)) to ensure access to justice and effective remedies for victims of trafficking. We also highlight the positive obligation on States to undertake effective investigations into allegations of trafficking, and to ensure effective access to remedies for trafficked persons. Effective protection of the right to life also imposes procedural obligations, including obligations to conduct effective investigations and to ensure accountability for alleged failures of protection. We further recall that States have an obligation, under the OHCHR Recommended Principles and Guidelines, to ensure that trafficked persons are protected from further harm, have access to adequate physical and psychological care, and are not detained, punished or prosecuted for acts committed as a direct consequence of being trafficked.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide any additional information and/or comment(s) you may have on the alleged capsizing of the vessel on 9 April 2026, including the circumstances leading to the incident, the number and identity of those affected, and the measures taken to investigate the incident and ensure accountability.
3. Please provide information on measures in place to ensure that persons rescued at sea are disembarked to a place of safety and are not subject to detention or punishment, and that they are systematically screened for indicators of trafficking and referred to appropriate assistance and protection services.
4. Please provide information on the procedures and mechanisms in place to ensure the early and proactive identification of victims of trafficking and persons at risk of trafficking, including among Rohingya refugees in camps, migrants departing Bangladesh through regular and irregular channels, and persons rescued or intercepted at sea.
5. Please provide information on referral pathways to ensure that identified or presumed victims of trafficking are provided with immediate and unconditional access to appropriate assistance, including safe accommodation, medical and psychosocial support, legal aid and interpretation services.
6. Please provide information on measures taken to prevent trafficking in persons within Rohingya refugee camps, including steps to address reported risks of abduction, violence, and exploitation, as well as specific protection measures for women, children and other vulnerable groups.
7. Please provide information on measures taken to ensure the protection of children from trafficking, including mechanisms to prevent child trafficking and exploitation, safeguards for unaccompanied and separated children, access to education and child protection services, and measures to ensure that children are not detained following rescue or interception.
8. Please provide information on comprehensive measures adopted to prevent trafficking in persons, including efforts to address root causes such as poverty, lack of access to education, limited livelihood opportunities, lack of documentation, and restricted access to safe and regular migration pathways.
9. Please provide information on investigations, prosecutions and convictions related to trafficking in persons, including trafficking affecting Rohingya refugees, and measures taken to address alleged impunity.

10. Please provide information on measures taken to ensure access to effective remedies for victims of trafficking, including access to compensation, legal aid, and timely judicial proceedings.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Siobhán Mullally
Special Rapporteur on trafficking in persons, especially women and children

Gehad Madi
Special Rapporteur on the human rights of migrants

Claudia Flores
Chair-Rapporteur of the Working Group on discrimination against women and girls

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards applicable to the issues described above.

We would like to refer to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol), accepted by Bangladesh on 12 September 2019. The Protocol defines trafficking in persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by proscribed means for the purpose of exploitation, which includes, inter alia, sexual exploitation, forced labour or services, or servitude. We would like to make reference to obligations in article 6 of the Palermo Protocol, concerning assistance to and protection of victims of trafficking in persons, to ensure: a) Appropriate housing; (b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand; (c) Medical, psychological and material assistance; and (d) Employment, educational and training opportunities. We highlight the obligation, as stated in article 6(4), requiring that: "Each State Party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care." Article 9 provides that "State Parties shall establish comprehensive policies, programs and other measures a) to prevent and combat trafficking in persons and; b) to protect victims of trafficking in persons, especially women and children, from revictimization", (...) that such measures "shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society", and shall "alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity".

We would like to refer to article 4 of the Universal Declaration of Human Rights (UDHR), adopted by the General Assembly of the United Nations on 10 December 1948, which states that "no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." We also wish to underline the jus cogens nature of the prohibition of slavery enshrined in the Universal Declaration of Human Rights (UDHR). We would also like to draw your Excellency's attention to article 8 of the International Covenant on Civil and Political Rights, which prohibits slavery, the slave trade, servitude and forced labor. We refer as well to the Slavery Convention of 1926 which calls for the complete abolition of slavery in all its forms.

We wish to remind your Excellency's Government that victims of trafficking are often in irregular situations and without documentation. As stated in the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking, assistance and protection shall be given unconditionally and regardless of the migratory status of the victims. In this regard, we wish to bring your Excellency's attention to principle 7, which provides that, "trafficked

persons shall not be detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons,” and principle 8, which calls upon States to “ensure that trafficked persons are protected from further exploitation and harm and have access to adequate physical and psychological care. Such protection and care shall not be made conditional upon the capacity or willingness of the trafficked person to cooperate in legal proceedings.” Guideline 2.5 of the OHCHR Principles and Guidelines for Human Rights and Human Trafficking, calls upon States to ensure that trafficked persons are not prosecuted for violations of immigration laws or for the activities that they are involved in as a direct consequence of their situation as trafficked persons. In its resolution 10/3, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime reiterated the non-punishment principle and the importance of access to remedies if victims are punished or prosecuted.¹

Regarding obligations towards women and girls, we remind your Excellency’s Government that State parties to the Convention on the Elimination of All Forms of Discrimination against Women, acceded by Bangladesh on 6 November 1984, “shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women” (article 6). We further refer to CEDAW general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, which highlights the heightened risks faced by women and girls in situations of displacement and migration (para. 22, 27, 28, 30).

Regarding obligations towards children, we would like to remind your Excellency’s Government of the obligations arising under the Convention on the Rights of the Child (CRC), acceded by your Excellency’s Government on 3 August 1990. Under article 19 of the CRC, State Parties shall take all appropriate legislative and administrative measures to protect all children within its jurisdiction from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, and mistreatment or exploitation. The CRC highlights the serious risks of trafficking of refugee, asylum seeking and migrant children, particularly of girls, that affect their rights to life, survival and development (general comment No. 6(2005) Treatment of Unaccompanied and Separated Children Outside their Country of Origin, CRC/GC/2005/6, para. 23).

We highlight that trafficking of children is a serious violation of human rights and constitutes persecution. To ensure fulfilment of States’ positive protective obligations to prevent trafficking of children, articles 34 to 36 of the Convention on the Rights of the Child must be read in conjunction with the special protection and assistance obligations arising under article 20 of the Convention, and the general obligation of non-discrimination set out in article 2. As required under article 35 of the CRC, State Parties are to take all appropriate national, bilateral and multilateral measures to prevent, inter alia, the traffic in children for any purpose or in any form. This requirement imposes positive obligations on States to ensure identification, assistance and protection.

¹ (Conference of the Parties to the United Nations Convention against Transnational Organized Crime, resolution 10/3, entitled: “Effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”, para. 13 (g).)

We would like to stress that every migrant child, regardless of their migration status, should be considered as a child first and foremost. All migrant children should be entitled in law and in practice to all the rights enshrined in the Convention on the Rights of the Child. As stated in the report of the United Nations High Commissioner for Human Rights on Principles and practical guidance on the protection of the human rights of migrants in vulnerable situations, a formal procedure to determine the best interests of the child should be conducted with certain safeguards. For example, such safeguards should include the meaningful participation of authorities responsible for child protection, as well as the right of the child to be heard and to have competent and independent legal representation (arts. 3.1 and 12 CRC; A/HRC/37/34, principle 6, guideline 6).

Regarding concerns and risks to trafficking linked to lack of birth registration, we wish to remind your Excellency's government its obligation to birth registration under article 7 of the CRC. We also recall Goal 16 of the Sustainable Development Goals, which is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, target 16.9 is to provide birth registration for all by 2030. The Special Rapporteur on trafficking in persons, especially women and children, has highlighted that inadequate birth registration systems contributes to childhood statelessness, both de facto and jure, with all of the consequence human rights violations (A/HRC/62/41, para. 12). Regarding concerns in relation to statelessness and risks to trafficking in persons we wish to bring to your attention recommendations made by the Special Rapporteur on trafficking in persons, especially women and children in her country visit report to Bangladesh in 2022: "The Special Rapporteur recommends that the Government of Bangladesh: (a) Ratify the ILO Domestic Workers Convention, 2011 (No. 189); the 1951 Convention relating to the Status of Refugees; the 1954 Convention relating to the Status of Stateless Persons; and the 1961 Convention on the Reduction of Statelessness;" (A/HRC/53/28/Add.1, para 70).

We would also like to refer to the ILO Forced Labour Convention, 1930 (No. 29) and the ILO Convention No. 182 on the Worst Forms of Child Labour (1999), both ratified by Bangladesh, which prohibit forced labour and the trafficking of children as among the worst forms of child labour. We refer your Excellency's government to the Committee of Experts on the Application of Conventions and Recommendations (CEACR)'s observations of Bangladesh's application of the Forced Labour Convention and of the Worst Forms of Child Labour Convention, both adopted in 2025 and published at the 114th ILC session (2026). Notably, the CEACR urges the Government of Bangladesh to take the necessary measures to ensure that all workers, including refugees, are fully protected from abusive practices and working conditions that amount to forced labour, to provide the necessary and appropriate direct assistance to remove children engaged in domestic work from hazardous working conditions and ensure their rehabilitation and social integration, and that all persons who engage in trafficking and related offences are subject to thorough investigation and prosecution. The Committee of Experts also calls Bangladesh to "strengthen its efforts to ensure that victims of trafficking are properly identified by effectively applying the Human Trafficking and Victims Identification Guideline and to provide information on the specific measures taken to better identify cases of trafficking in persons, particularly in the domestic sector. It also requests the Government to intensify its efforts to ensure adequate

protection, assistance and rehabilitation services to all victims of trafficking. The Committee requests the Government to provide information on the measures taken in this regard as well as on the number of victims of trafficking who have benefited from the assistance and protection services, indicating the specific services provided.”

We would like also to refer your Excellency’s Government to article 3 of the Universal Declaration of Human Rights, which states that “Everyone has the right to life, liberty and security of person”, and article 6(1) of the International Covenant on Civil and Political Rights (ICCPR), accessed by Bangladesh on 6 September 2000, which guarantees the inherent right to life of every individual. We further recall that, according to the Human Rights Committee in its general comment No. 36 (2018), States have an obligation to take appropriate measures to protect life against reasonably foreseeable risks, including in life-threatening situations, such as those occurring at sea. We would like to highlight that the enjoyment of the rights guaranteed in the ICCPR is not limited to citizens of State parties but “must also be available to all individuals, regardless of their nationality or stateless, such as asylum seekers, refugees, migrant workers and other persons, who may find themselves in the territory or subject to the jurisdiction of the State Party” (ICCPR/C/21/Rev.1/Add.13 (2004), Para 10).

We further recall obligations arising under international law of the sea, including the United Nations Convention on the Law of the Sea (article 98), the International Convention for the Safety of Life at Sea (SOLAS), and the International Convention on Maritime Search and Rescue (SAR Convention), which require States to ensure that persons in distress at sea are rescued and disembarked to a place of safety. We would like to recall the Special Rapporteur on trafficking in persons, especially women and children report on “Trafficking in persons, mixed migration and protection at sea”: A place of safety must be interpreted meaning a place that can ensure protection of the rights of those disembarked, including, specifically, the rights of victims and potential victims of trafficking, as well as the prevention of trafficking in persons, “since the notion of ‘safety’ extends beyond mere protection from physical danger and must also take into account the fundamental rights dimension of the proposed place of disembarkation” (A/HRC/56/60, para. 30). These obligations must be implemented in a manner consistent with international human rights law, including obligations relating to the identification and protection of victims of trafficking.

We also wish to recall the analysis of the Special Rapporteur on trafficking in persons, especially women and children, which emphasizes that States have positive obligations to identify and protect victims of trafficking and persons at risk of trafficking in maritime contexts, including during rescue, interception and disembarkation. Disembarkation to a place of safety requires ensuring that all necessary measures to prevent trafficking in persons, and to ensure effective protection of the rights of victims of trafficking, are carried out, which include the positive obligation to identify, assist and protect victims of trafficking (A/HRC/56/60)

We highlight the position of the UN Special Rapporteur on trafficking in persons, especially women and children, highlighting objective 10 of the Global Compact for Safe, Orderly and Regular Migration to prevent, combat and eradicate trafficking in persons, and further recommending that states should expand access to regular migration routes and pathways to residence and citizenship for victims of trafficking, and further that: “To prevent trafficking in persons and protect victims of

trafficking, States must ensure effective access to international protection, expanded resettlement opportunities, humanitarian visas and family reunification, without discrimination.” (A/77/170, para. 57).

In its report on Enforced Disappearances in the Context of Migration (A/HRC/36/39/Add.2), the Working Group on Enforced or Involuntary Disappearances found that there is a clear lack of sufficient and qualitative investigations related to the matter the disappearance of migrants, which provokes a clear protection gap. According to the Working Group, impunity and lack of clarification of the facts are among the factors that most affect the relatives of the disappeared. The Working Group, therefore, called on states to adequately investigate any allegation of involvement, collusion or acquiescence of State authorities in acts, which may end in the disappearance of migrants and to criminalize all acts of enforced disappearances of migrants, which should be punished by appropriate penalties, taking into account their extreme seriousness.

In relation to access to livelihoods, we wish to draw attention to article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), acceded by Bangladesh on 5 Octobre 1998, which recognizes the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts. The Global Compact on Refugees calls on States to contribute resources and expertise to promote jobs and livelihood opportunities to host communities and refugees. As analyses by the Special Rapporteur on trafficking in persons, especially women and children, in refugee camps, families with limited access to livelihoods are targeted and children are at a significant risk of trafficking (A/HRC/62/41, para.6).

We wish to draw attention to article 13 of the ICESCR which recognizes the right of everyone to education and further indicates that primary education shall be compulsory and available free to all. Additionally, article 28 of the CRC provides that States Parties recognize the right of the child to education, notably by making primary education compulsory and available free to all, by encouraging the development of different forms of secondary education, making them available and accessible to every child, and by taking appropriate measures such as the introduction of free education and offering financial assistance in case of need. The Special Rapporteur on trafficking in persons, especially women and children, has highlighted that stateless children (A/HRC/62/41, para. 13), as well as child victims of trafficking in an irregular migration situation (A/HRC/62/41, para. 35), face barriers in accessing education, healthcare and child protection services. Finally, we wish to recall recommendations made by the Special Rapporteur on trafficking in persons in her country visit report. In relation to Rohingya refugees, the Special Rapporteur “recommends that the Government of Bangladesh: Prevent trafficking in persons in refugee camps for all purposes of exploitation through expanded access to formal education opportunities, including post-secondary education, and ensure access to livelihoods opportunities and employment;” (A/HRC/53/28/Add 1, para. 77)

We further draw attention to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), acceded by Bangladesh on 11 June 1979, which prohibits discrimination based on race, colour, descent or national or ethnic origin, and requires States to ensure equality before the law and protection against

violence and abuse, without discrimination, including for non-citizens. Article 2(1) of the ICCPR and article 2(2) of the International Covenant on Economic, Social and Cultural Rights, acceded by Bangladesh on 5 October 1998, oblige each State Party to respect and ensure the rights enumerated in those Covenants without distinction or discrimination “of any kind” as to “race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. This prohibition on discrimination in relation to all Covenant rights is also underscored by article 26 of the ICCPR, which provides: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law,” based on any of those prohibited grounds.

Finally, the Human Rights Committee emphasized that States have a legal obligation to ensure everyone the right recognized by the ICCPR without discrimination on the basis of sexual orientation or gender identity (CCPR/C/GC/35, paragraph 3). As elaborated in general comment No. 20 of the Committee on Economic Social and Cultural Rights, “other status” as provided by the ICCPR and ICESCR also includes sexual orientation and gender identity among the prohibited grounds of discrimination in relation to the obligation of States to respect, protect and fulfil all human rights in the twin Covenants.