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"Human Rights Violations in Bangladesh: Legal Framework, Accountability, and International Interventions."

Jyoti

Student at LLM Uttranchal University Law School University Dehradun, India

Abstract-- The UN Human Rights Office and various UN human rights mechanisms have robustly advocated for addressing these issues and stand ready to support the Commission's work. This paper explores the emergence and formulation of Bangladesh as a nation, focusing on the role of human rights throughout its history. It delves into the current challenges faced by the country, including the scarcity of governmental action leading to ongoing violations. Additionally, the paper addresses the growing threat of technological violations of human rights, the changing role of capitalism, and the impact of climate change on human rights violations. The research also examines the legal framework surrounding the controversial quota system in Bangladesh, protests, and legislative changes that have sparked widespread debate. Special emphasis is placed on the legal framework addressing violations faced by journalists, enforced disappearances, freedom of association, and cases of torture and inhumane treatment. Furthermore, the paper explores the constitutional provisions protecting human rights in Bangladesh and the challenges in ensuring effective accountability, particularly concerning media accountability and Government accountability, military, institution mechanisms violations against minority women and girls. The plight of Hindus in Bangladesh is also analysed, highlighting the lack of legal protections and targeted violence. The paper also discussed the International intervention involvement of United nations and influenced of international treaties and UDHR the covenants such as ICCPR and ICSCER and humanitarian intervention. The paper concludes with recommendations and potential solutions to control and mitigate human rights violations in Bangladesh, in future aiming to bring the country in line with international human rights standards, including the guiding principles for the search for disappeared persons.

Keyword-- Accountability, technological, framework, legal, violations

I. EMERGENCE AND FORMULATION OF BANGLADESH AS A NATION

Abu Sayeef Choudhury was named president and Mujib was appointed prime minister of Bangladesh's new parliamentary government in January 1972. Yet, a number of regional paramilitary groups that backed Pakistan, referred to as Razakars, remained problematic. The Urdu-speaking Razakar force was known as Al-Shams, and the Bengali force was named Al-Badr. Urdu speakers, known as Biharis even though the majority had been born locally rather than in Bihar, escaped into enclaves where their numbers provided some security when Bangladeshi retaliation against these pro-Pakistani forces occurred; despite this, many of them were killed. Many of the hundreds of thousands of Biharis who were put in overcrowded camps for refugees still awaited sanctuary in Pakistan decades later. As protests in the nation's capital intensify, Sheikh Hasina, the prime minister of Bangladesh, has resigned and left the city¹.

A demonstration against Hasina and the Awami League Party has evolved from what began as a student demonstration against the quotas granted to independence warriors in positions of government employment. One of the main demands of the protesters is Hasina's resignation. The hunger of 1974 was among the most agonising incidents of the Awami League tenure. The author acknowledges that the government at the time was mostly to blame for the famine, despite the fact that some of Islam's former colleagues on the Planning Commission have attributed it on the US's inability to give Bangladesh timely food supplies. Still, he maintains that the famine was caused by a number of interrelated circumstances.² Prolonged inflation, flooding, conjecture, smuggling, and postponements in the delivery of food assistance were some of these issues.

¹ Stanley A. Wolpert *The Editors of Encyclopaedia Britannica* History of Bangladesh available at History of Bangladesh | Events, People, Dates, & Facts | Britannica

² Nurul Islam Dhaka MAKING OF A NATION: BANGLADESH: AN ECONOMIST'S TALE available at apdj11-2-7-kochanek.pdf (unesap.org)



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After reviewing the factors that contributed to the dissolution of the United States of America and the economic challenges that the newly elected Government of Bangladesh faces, the author ends with a number of directive chapters that address the necessity of developing a more efficient national decision-making framework, the issues associated with globalisation, deregulation, privatisation, and economic liberalisation, and the prospects for regional economic cooperation. He comes to the conclusion that it is challenging to find practical answers to the issues of governance, economic change, and regional collaboration given the political polarisation that exists in Bangladesh.³

According to sources, a United Nations team will meet with the interim administration of Bangladesh and other relevant parties on Thursday to talk about the procedure for looking into claims of human rights abuses amid the recent fatal turmoil in the South Asian nation. About 300 people, many of them college and university students, lost their lives in protests that started in July when students protested government job quotas. From there, the protests turned into calls to remove the long-serving former prime minister, Sheikh Hasina.⁴

Bangladesh has a long and tragic history with forced disappearances, a topic that the UN Human Rights Office and other UN human rights agencies have vehemently supported. We are prepared to assist the Commission in carrying out its duties, which must adhere to international human rights standards, including the tenets that govern the hunt for individuals who have vanished, and should be conducted in close cooperation with victims and their relatives. At this critical juncture, the UN Human Rights Office is eager to assist the people of Bangladesh and the Interim Government in their efforts to revive democracy, pursue accountability and peace, and promote human rights for all Bangladeshis. The United Nations human rights office announced on Friday that it would send a fact-finding mission to Bangladesh to look into claims of violations of human rights crimes when security personnel used disproportionate force to put an end to student protests against the previous government this summer⁵.

II. CURRENT CHALLENGES FACED BY THE COUNTRY, INCLUDING THE SCARCITY OF GOVERNMENTAL ACTION LEADING TO ONGOING VIOLATIONS

Many people prefer working for the government because they view positions there as being more stable and lucrative, even though employment prospects in some areas of the private sector have increased. However, there aren't enough to go around: the civil service exam sees some 400,000 graduates vie for about 3,000 positions annually. The events taking place in Bangladesh are extremely disturbing for a generation that only want equal opportunities when it came to applying for public service. The government's lack of vision and ineffective policy governance is demonstrated by the fact that a nonviolent demonstration against a state policy would descend into the height of lawlessness, according to Saad Hammadi, policy and advocacy manager at the Canada-based Balsillie School of International Affairs, who has fought for the nation's right to free speech⁶.

Following days of fatal skirmishes over the distribution of government jobs, Bangladeshi police and security personnel opened fire on demonstrators with tear gas and bullets, banned all meetings in the capital and disconnected internet and mobile connections on Friday. The demonstrations, which started many weeks ago but picked up speed on Monday, pose the worst threat to Prime Minister Sheikh Hasina since she was elected to a fourth term in a January election that the major opposition parties abstained from. This occurs the day after the bloodiest demonstration day to date, during which 22 people lost their lives as demonstrators tried to force a "complete shutdown" on the nation, according to local media.⁷

It took some time for authorities to corroborate the death toll estimates. Chaos has brought to light weaknesses in Bangladesh's economy and government, as well as the dissatisfaction of recent graduates who are unable to find fulfilling employment. More than a thousand protestors had gathered outside the head office of state-run Bangladesh Television, which had been stormed and set on fire by demonstrators the day before, when an Associated Press correspondent witnessed border guard officials opening fire on them.

³ Mughal dynasty | Map, Rulers, Decline, & Facts | Britannica

⁴ Abid Hussain Who were the Razakars and why are they central to Bangladesh protests? available at Who were the Razakars and why are they central to Bangladesh protests? | Politics News | Al Jazeera

⁵ *Id*

⁶ Bangladesh: Freedom in the World 2024 Country Report | Freedom House

⁷ JULHAS ALAM and SHEIKH SAALIQ Bangladesh imposes strict curfew with a 'shoot-on-sight-order' following deadly protests available at: Bangladesh imposes 'shoot-on-sight order' following deadly protests | AP News



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On July 18, 2024, in Dhaka, Bangladesh, demonstrators set fire to several cars, causing smoke to rise from them. This was the Disaster Management Directorate office. Getty Images via AFP While police fired tear gas and rubber bullets, border guards used weapons and sound bombs to fire at the right crowd.⁸

III. FUNCTIONING OF GOVERNMENT

The ruling AL sets policy, and there are less institutional checks on the country's decision-making and procedure. The National Parliament's limited opposition representation severely limits its capacity to examine new laws, budgets, and government policies. The 2018 election's chaotic, violent, and fraudulently accused atmosphere further damaged the credibility of the incumbent government. There is a lot of corruption. Under the AL, the judiciary has been subverted and enforcement has become politicised, undermining anticorruption efforts. Overt political meddling and ineffectiveness plague the Anti-Corruption Commission. Politicised corruption cases are still being brought or pursued by the government against BNP officials. Civil society and media outlets are subject to limitations and have less opportunities to reveal government misconduct⁹.

IV. FREEDOM OF EXPRESSION AND BELIEF

Source of Obligation¹⁰ Article 19 of the UDHR and ICCPR Present Situation Growing government censorship and media intimidation pose a severe threat to the right to freedom of thought and expression. Journalists, scholars, activists, HRDs, and government opponents are all routinely silenced and intimidated by the oppressive DSA. As of March 2023, at least 3,493 people had been charged with breaking the DSA, according to the DSA tracker maintained by the think tank Centre for Governance studies, based in Dhaka with 374 cases, politicians were the most often targeted group among these known cases, followed by journalists with 345 cases.

By banning media sources, blocking internet access, and enacting laws that grant government agents nearly unrestricted access to and control over personal data, the government limits people's ability to obtain information.¹¹

V. GOWING THREAT OF TECHNOLOGICAL VIOLATIONS OF HUMAN RIGHTS

On February 25, 2021, author and social activist Mushtaq Ahmed passed away in a Bangladeshi jail following his arrest and suspected torture for posting critical comments about the government on social media. A tribunal filed charges against journalist Shafiqul Islam Kajol on November 8, 2021, alleging that she disseminated "objectionable" material against leaders of the ruling party. Despite not owning a smartphone, farmer Abu Zaman is currently on the run due to allegations that he encouraged the dissemination of fake material on Facebook. Due to their social media activities, a number of juveniles around the nation have also been detained and placed in juvenile detention facilities¹².

VI. THE CHANGING ROLE OF CAPITALISM, AND THE IMPACT OF CLIMATE CHANGE ON HUMAN RIGHTS VIOLATIONS

It is believed that capitalism makes it more difficult to uphold and defend universal human rights. Economic, political, cultural, and demographic elements were tested in three human rights models, and the results showed greater support for the negative human rights-capitalism theoretical approach. Capitalism is a threat to democracy and human rights, despite the fact that it has become a central topic for free-market scholars who prioritize democratic growth. Free-market capitalism's supremacy in the absence of social standards like wealth redistribution is seen as a threat to democracy and human rights procedures. Bangladesh is ranked first on the Climate Change Vulnerability Index and is extremely vulnerable to climate change.

⁸ Bangladesh: Freedom in the World 2024 Country Report | Freedom House

⁹ Associated Press Bangladesh security forces fire bullets and sound grenades as protests over government jobs escalate available at: Bangladesh security forces fire bullets and sound grenades as protests over government jobs escalate (nbcnews.com)

¹⁰ Human rights violations committed by the government of bangladesh available at BangladeshUPR-Fact-Sheet_2.pdf (rfkhumanrights.org)

¹¹ Universal Periodic Review of Bangladesh available at Amnesty International, No Space for Dissent – Bangladesh's Crackdown on Freedom of Expression Online (Index Number: ASA 13/4294/2021), 26 July 2021, [amnesty.org/en/documents/asa13/4294/2021/en/](https://www.amnesty.org/en/documents/asa13/4294/2021/en/) p.4

¹² Ali Riaz How Bangladesh's Digital Security Act Is Creating a Culture of Fear available at: How Bangladesh's Digital Security Act Is Creating a Culture of Fear - Carnegie Endowment for International Peace | Carnegie Endowment for International Peace



Therefore, there is a great deal of concern about possible climate-induced migration in Bangladesh, and it is the duty of the national government to protect its residents and set up safeguards to protect climate migrants' rights.¹³

The Legal Framework Surrounding The Controversial Quota System In Bangladesh, Protests, And Legislative Changes

Following six deaths earlier this week, a local TV station reported that at least 22 people died on Thursday. It was not possible to immediately confirm the number of deaths with the authorities. In Dhaka, the capital, it seemed that mobile data and internet connections were unavailable, and social media Facebook and WhatsApp, among other websites, were not loading. A policeman was struck by anti-quota demonstrators using sticks during altercations in Dhaka on the demonstrators are calling for the elimination of a quota system that allots up to 30% of government positions to the kin of veterans who participated in Bangladesh's 1971 war of independence against Pakistan.¹⁴

56 percent of the total are set aside for particular communities. Thirty percent went to the descendants of liberation fighters, ten percent went to women, ten percent went to "backward" districts through a "zila quota," five percent went to ethnic minorities, and one percent went to those with physical disabilities. They want a merit-based system to take its place, claiming the current one is biased and favours followers of Prime Minister Sheikh Hasina, whose Awami League party spearheaded the independence campaign. Hasina, however, has defended the quota system, arguing that regardless of their party membership, veterans should be treated with the utmost respect for their sacrifices to the war. The leader of Bangladesh is acknowledged for having brought steady economic growth to the country, but rising inflation¹⁵.

The principal opposition party, the Bangladesh Nationalist Party, is anticipated to organise protests in support of the students who are demonstrating.

After searching the BNP's offices and detaining activists from the party's student section earlier this week, Hasina's party has accused them of inciting the violence. Most recently, the Awami League and the BNP accused each other of inciting political unrest and violence in the run-up to the nation's national election. The election was marred by the government of Hasina cracking down on opposition figures, and the party was accused of trying to tamper with the results¹⁶.

For many years, the 1972-instituted quota system has been a contentious topic. Via an executive order, Ms. Hasina eliminated all reservations in 2018 following violent protests. The 170 million-person South Asian nation's economic realities and political worries are currently driving the demonstrators' opposition. Bangladesh has had fast economic growth under Ms. Hasina's direction, yet the nation is still impoverished and has a 20% young unemployment rate. Jobs in government are regarded as being more stable and in great demand. The youth's mounting dissatisfaction has been a social time bomb. The Awami League, which fought for independence, is said to gain the most from the quota system, according to protesters and opposition parties, who also claim that it helps the ruling party maintain control over the bureaucracy. The ruling of the Supreme Court For many years, the 1972-instituted quota system has been a contentious topic. Via an executive order, Ms. Hasina eliminated all reservations in 2018 following violent protests.

Following widespread student protests in 2018, Hasina's government had previously suspended the job quotas. However, last month, the Bangladesh High Court overturned that ruling and reinstated the quotas in response to petitions submitted by relatives of the 1971 veterans, which in turn sparked the most recent record of protests. In a televised speech, Hasina asked demonstrators to "wait with patience" for the court's decision. The Supreme Court has since stayed that ruling awaiting an appeal hearing and stated in a statement that it will reconsider the matter on Sunday.

¹³ Jubaida Auhana Faruque and Md. Rafiqul Islam Human Rights in Bangladesh: Success and Challenges available at : Human Rights in Bangladesh: Success and Challenges | IntechOpen

¹⁴ Md Mizanur Rahman The Quota Reform Protest In Bangladesh Is Much More Than It Seems

available at : The Quota Reform Protest In Bangladesh Is Much More Than It Seems – The Diplomat

¹⁵ Abid Hussain Who were the Razakars and why are they central to Bangladesh protests? available at

Who were the Razakars and why are they central to Bangladesh protests? | Politics News | Al Jazeera available at: <https://www.aljazeera.com/news/2024/7/22/who-were-the-razakars-and-why-are-they-central-to-bangladesh-protests>

¹⁶ Quest for quota: On politics and the unrest in Bangladesh available at: Quest for quota: The Hindu Editorial on politics and the unrest in Bangladesh - The Hindu



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"I think the supreme court will deliver justice to our youngsters they wont be let down"¹⁷.

Notwithstanding Prime Minister Sheikh Hasina's consecutive election victories, the violent student protests in Bangladesh over the contentious job quota system, which have resulted in at least 163 fatalities, have highlighted the vulnerability of the civil society-state relationship in her nation. The issue was made worse by Ms. Hasina's handling of the crisis, even though the trigger was a High Court order last month to reinstate the previous quota system, which allocated 56% of government posts for various categories, including 30% for the descendants of liberation fighters¹⁸. She labelled the opposition Bangladesh Nationalist Party-backed student protestors as Razakars, a disparaging term for people who supported the Pakistani military's extermination of natives in what was once East Pakistan before it was divided into its current nation of Bangladesh. In addition to police and paramilitary personnel, there were claims that the Awami League student branch of Ms. Hasina attacked the demonstrators. The problem became unmanageable and brought Dhaka, a metropolis with 10.2 million inhabitants, to a complete standstill. Reducing the quota system on Sunday, the Bangladesh Supreme Court gave the demonstrators a significant win. With the reduction of the 30% quota to 5% and the remaining reservations to 2%, 93% of government positions will now be available to all citizens of Bangladesh¹⁹.

The legal framework addressing violations faced by journalists, enforced disappearances, freedom of association, and cases of torture and inhumane treatment.

Numerous lawsuits, harassment, and violent or fatal attacks are just a few of the various forms of pressure that journalists and media organisations must deal with. Under the AL, the number of arrests and physical attacks on journalists for their critical coverage of the administration increased and persisted in 2023. There is still a general atmosphere of impunity for attacks on media professionals, and since 2015, there hasn't been much movement in ensuring justice for a number of blogger murders.

Numerous bloggers are still in hiding or have fled. To replace and improve the 2018 Digital Security Act (DSA), which had been used to target critical journalists and others for online expression, the government passed the Cyber Security Act (CSA) in September 2023. Advocates are nonetheless worried, meanwhile, that the new law does not go far enough in reforming and would exert a comparable amount of repression

Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment was ratified by Bangladesh in 1998. Bangladesh was supposed to submit an initial report to the State party within a year, but it took them 20 years to submit their first report for review, which they did in July 2019. A writer and a cartoonist were imprisoned in May 2020 under the harsh Digital Security Act of the country for sharing satirical cartoons and commentary on the Bangladeshi government's handling of the Covid-19 pandemic on Facebook.²⁰

Attacks against journalists/Enforced disappearance: Anisul Huq, Bangladesh's law minister, refuted the existence of enforced disappearances in his country during the most recent Universal Period Review. He continued by saying that "the allegations of the so-called enforced disappearance were false in many cases, as the perceived victims had reappeared." 2. The Working Group on Enforced or Involuntary Disappearances reported in May 2020 that it had at least 603 active cases in its database pertaining to forced disappearances from Bangladesh. Photojournalist Shafiqul Islam Kajol, a Bangladeshi, disappeared from his office on March 10, 2020, and was not seen for 53 days. This raised suspicions that he had been forcibly disappeared by the police. On March 18, 2020, his son filed a missing person's report with the Dhaka police station located at Chalk bazar. a Dhaka police station. 53 days 4 after his disappearance, Shafiqul Islam Kajol was arrested under the Digital Security Act, rather than having his suspected enforced disappearance looked into.

¹⁷ Al Jazeera Staff What's behind Bangladesh's violent quota protests? available at : What's behind Bangladesh's violent quota protests? | Protests News | Al Jazeera

¹⁸ Anupreeta Das and Saif Hasnat *Bangladesh Scales Back Policy on Public-Sector Hiring That Sparked Unrest* available at: <https://www.nytimes.com/2024/07/21/world/asia/bangladesh-quota-court-ruling.html>

¹⁹ Abid Hussain Who were the Razakars and why are they central to Bangladesh protests? available at Who were the Razakars and why are they central to Bangladesh protests? | Politics News | Al Jazeera available at: <https://www.aljazeera.com/news/2024/7/22/who-were-the-razakars-and-why-are-they-central-to-bangladesh-protests>

²⁰ Odhikar BANGLADESH: Annual Human Rights Report 2023 available at | BANGLADESH: Annual Human Rights Report 2023 Odhikar



Bangladesh has promised to take a clear, no-punishment stand on law enforcement forces' involvement in kidnapping, but the country has yet to ratify the International Convention for the Protection of All Persons Against Enforced Disappearance.²¹

Contrarily, economic, social, and cultural human rights are included in Part II as essential tenets of state policy and are not subject to judicial enforcement as stipulated by Article 8(2).

At its third Universal Periodic Review in May 2018, Bangladesh complied with recommendations regarding changes to laws, the freedom of expression, attacks on journalists, enforced disappearances, the ban on torture and other cruel treatment, extrajudicial killings, impunity, and accepting refugees.

Freedom of association: For Bangladesh, the end of 2023 proved to be especially dangerous. The process of determining the minimum wage took place in tandem with the national election, two momentous occasions for labourers nationwide. We express concern over the quantity of apprehensions, continuous incarcerations, unresolved legal matters, and measures implemented against labourers in Bangladesh subsequent to protests throughout this time frame. The use of accusations against sizable labour unions that are prosecuted collectively for the alleged criminal acts of individual members particularly worries us.²²

ILO convention No. 87, which defines the freedom of association and the right to organise, includes provisions for the right to strike. Worker representatives should not be subjected to discrimination and should be allowed to perform their representative duties in the workplace, according to the ETI Base Code. Workers or their representatives shall not be subjected to any kind of discrimination, either individually or collectively, for exercising their legal right to strike and protest. Because of the structure of Bangladesh's minimum wage setting procedure, which consists of a minor annual increase followed by pay setting negotiations every five years, the process is a focus for all parties involved.²³

This process was conducted in 2023 against the backdrop of a severe crisis in the cost of living, pressure on manufacturing expenses, and a genuine drop in the purchasing power of worker earnings.

Additionally, this process was conducted in the lead-up to national elections on both occasions, which in the larger context created a complex political dynamic. Although it is important to respect people's rights to organise, strike, and demonstrate, this does not excuse any party's alleged criminal behaviour, property destruction, or acts of violence. It seems sense that major harm would be detrimental to workers, factory owners, and Bangladesh's reputation when factories close as a result and wages are lost. Any action taken against the accused parties needs to be supported by proof and To hold people accountable, action against suspected offenders must be supported by evidence and adhere to the legal system's due process guidelines²⁴.

By eliminating opposition leaders and activists, the government instilled fear throughout the nation prior to and following the contentious elections in 2014 and 2018. In 2023, in advance of the 12th Parliamentary elections on January 7, 2024, the administration employed enforced disappearance as a tactic to stifle political movements and muffle critical voices. Dissidents and members of opposition parties make up the majority of individuals who vanished. Additionally, there are claims that some individuals were going missing because they were "Islamic militants." A guy and his whole family were supposedly abducted around this time and held missing month. Leaders and activists vanished after law enforcement officers broke up the BNP's large protest on October 28.

Threats to freedom of press: Violence, disinformation & censorship

People are risking their lives all around the world today to find the truth. There is a murder of a journalist worldwide every four days. UNESCO reports that 62 journalists lost their lives in 2020 alone while performing their duties. More than 1,200 media professionals died in this manner between 2006 and 2020. Nine times out of 10, the murderers escape justice. Journalists' lives are at danger when they investigate political or environmental issues, human rights violations, corruption, and trafficking in many nations. In order to support Member States in establishing or enhancing procedures for prevention, protection, and safety of journalists, UNESCO has established a number of initiatives, including a global plan of action for their safety.²⁵ and prosecution to bring journalists who have died to justice.

²¹ *Id*

²² UMAN RIGHTS VIOLATIONS COMMITTED BY THE GOVERNMENT OF BANGLADESH available at : Bangladesh-UPR-Fact-Sheet_2.pdf (rfkhumanrights.org)

²³ *Id*

²⁴ *Id*

²⁵ Md. Shahjahan Mondol , Reba Mondol Constitution of Bangladesh and Human Rights: A Comparative Study available at :B2211070918.pdf (iosrjournals.org)

The primary responsibility of UNESCO is to document and openly denounce any and all instances of journalistic homicide. In order to help journalists become more proficient in international standards for freedom of expression, investigative journalism, and conflict reporting, UNESCO also creates training materials and best practices.²⁶

In an effort to incite unrest around the nation, the Awami League purposefully advertised events at the same time, date, and location—copying every BNP program. The police and leaders of the ruling party targeted a variety of nonviolent events at this time, such as the BNP's founding anniversary, divisional rallies, sit-ins outside Dhaka's entry, protest rallies, and road march programs. Additionally, Awami League members attacked opposition leaders and activists as they were traveling to and from the rallies and came to the streets to impede them.

The police and leaders of the ruling party targeted a variety of nonviolent events at this time, such as the BNP's founding anniversary, divisional rallies, sit-ins outside Dhaka's entry, protest rallies, and road march programs. Additionally, on their route to and from the rally, Awami League members harassed and blocked opposition politicians and activists in the streets.

The constitutional provisions protecting human rights in Bangladesh and the challenges in ensuring effective accountability, particularly concerning media accountability and Government accountability, military, institution mechanisms violations against minority women and girls

National Obligations: Constitutional provisions

The Bangladesh Constitution also provides the provisions to ensure human rights such as: Promotion of international peace, security and solidarity (Article:25)²⁷

Right to protection of law (Article 31)²⁸ Article 31 guarantees that every person in Bangladesh has the right to be treated according to law and to receive equal protection of law.

Protection of right to life and personal liberty (Article 32)²⁹ Article 32 of the Constitution of Bangladesh states that no person shall be deprived of life or personal liberty except in accordance with law. This Article guarantees every individual the right to live freely, safely, and with dignity.

Safeguard as to arrest and detention (article 33)³⁰ Article 33 provides protection to individuals who are arrested or detained by the police or any authority. It ensures that a person cannot be secretly detained or treated unfairly after arrest.

Protection in respect of trial and punishment (article 35)³¹ Article 35 protects individuals during criminal trials and punishments. It ensures fairness, justice, and protection against abuse by the State.

*Freedom of movement (Article 36)*³² Article 36 gives citizens the right to move freely throughout Bangladesh.

*Freedom of assembly (Article 37)*³³ Article 37 gives citizens the right to gather peacefully and participate in meetings, protests, rallies, or demonstrations.

Freedom of thought and conscience and of speech (Article 39)³⁴ Article 39 protects freedom of thinking, expressing opinions, and speaking freely.

Protection of home and correspondence (Article 43)³⁵ Article 43 protects the privacy of individuals

Power of HCD to secure the enforcement of rights (Article 102)³⁶ Article 102 of the Constitution of Bangladesh gives the High Court Division (HCD) the power to protect and enforce the fundamental rights guaranteed by the Constitution. It is one of the most important constitutional provisions because it allows citizens to seek judicial remedies when their rights are violated.

Article 31 states that everyone has the right to the protection of the law, to be treated fairly under the law, and that no action that would be harmful to someone's life, liberty, body, reputation, or property may be taken unless it is permitted by the law.

²⁶ Universal Periodic Review of Bangladesh available at: UPR Mid-term review - template for Amnesty briefings (ohchr.org)

²⁷ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 25

²⁸ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 31

²⁹ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 32

³⁰ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 33

³¹ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 35

³² *The Constitution of the People's Republic of Bangladesh*, 1972, art. 36

³³ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 37

³⁴ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 39

³⁵ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 43

³⁶ *The Constitution of the People's Republic of Bangladesh*, 1972, art. 102



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In the case of Muhammad Hossain v. General Manager, E.B. Railway, the court determined that any violation of a citizen's rights, regardless of whether it comes from a private citizen, public official, or other entity, must be supported by a national law in order to be considered lawful. As a result, the court decided in **Brahmanbaria Paurashava v. Bangladesh** that a person or corporate body cannot be adversely affected by an activity unless it is done in compliance with the law.³⁷

Indirect protection against arbitrary arrest is provided under Article 32. That is to say, the relevant authority must act objectively rather than subjectively or solely to justify the government's interest if it becomes necessary to restrict someone's freedom for the sake of maintaining public safety or maintaining peace and order. The Indian Supreme Court once more ruled in **Bachan Singh v. Punjab** that the death penalty is constitutional, upholding the State's authority to take a person's life in compliance with a fair, just, and reasonable process set forth by law. Consequently, in cases where it is plausible to assume that an individual has violated the Penal Code, 1860 or other specific laws and has persisted in committing this infraction, only then is the right to pursue legal action to be denied their right to personal liberty upon a fair trial supported by sufficient evidence. The court decided in **Muslemuddin Sikder v. Chief Secretary** that the individual who has been arrested must be given a reasonable chance to defend himself.³⁸

The right of the arrested individual to know the reason for their detention is guaranteed by Article 33. It was decided in **Rowshan Bijoya S. Ali Khan v. East Pakistan** that, while it is not need to tell him every detail of the act, the information should be enough to provide him a general understanding of the offence he is allegedly accused of committing.³⁹

In order to protect social justice, equality, and human dignity—all of which are, in the truest sense, human rights—for the people of Bangladesh. What makes it not to be? The formation of a human right—people's right to self-determination—was the sole goal of Bangabandhu's inaugural address and Bangladesh's Declaration of Independence, which was recently acknowledged by the UN's DGICCP of 1960.

According to the Proclamation, Bangabandhu formally declared Bangladesh's independence on the evening of March 26 in order to fully realise the country's citizens' right to self-determination. At this point, it's important to understand how the three concepts of "equality," "human dignity," and "social justice" relate to human rights.

Human Rights in Bangladesh's Current Constitution The 1948 UDHR is the primary global human rights document. It outlines twenty-nine civil and political rights and six economic, social, and cultural rights, totalling twenty-five human rights. Because they originated and developed in capitalist and socialist nations, civil and political rights are sometimes referred to as bourgeois/capitalist rights, whereas economic rights are known as socialist rights. The United Nations General Assembly enacted the ICCPR and the ICESCR on December 16, 1966, in order to give the UDHR rights legal effect in the State-Parties. With a few exceptions, they primarily contain the UDHR rights. Bangladesh's capitalism economy means that capitalist human rights are included as essential rights in Part III of the Constitution, and under Article 102, enforceable in court

In 2023, leaders and activists connected to the ruling Awami League, Jubo League, Chhatra League, and other related organizations have been the target of several accusations of violence and criminal activity. These incidents demonstrate impunity and a lack of accountability. Conflicts have also arisen between members of the ruling party as they compete for control and establish superiority within their own ranks. Allegations of violence against the Awami League and its member organizations during this reporting period included rape, stabbing businessmen, beating teachers, extortion, accepting bribes in exchange for jobs, corruption, control of Jal mahals and Balu mahals, attacks on doctors and government officials, and more.⁴⁰

Theme: A41 Constitutional and legislative framework

A41 Legislative and constitutional framework D43 Freedom of expression and opinion Those impacted: the general public and the media Implemented in part The Information and Communication Technology Act's Section 57 is no longer in effect.

³⁷ Suraya Momtaz Human Rights Violations in Bangladesh: A Study of the Violations by the Law Enforcing Agencies available at: (PDF) Human Rights Violations in Bangladesh: A Study of the Violations by the Law Enforcing Agencies (researchgate.net)

³⁸ *Id*

³⁹ Md. Shahjahan Mondol , Reba Mondol Constitution of Bangladesh and Human Rights: A Comparative Study available at :B2211070918.pdf (iosrjournals.org)

⁴⁰ Universal Periodic Review of Bangladesh available at: UPR Mid-term review - template for Amnesty briefings (ohchr.org)



However, Section 57 of the ICT Act was enlarged into multiple parts with penalties up to life in jail by the Digital Security Act, which was implemented October 2018. Provide a democratic environment free from limitations on the exercise of the rights to peaceful assembly and freedom of expression for all political actors, including the application of domestic legislation (Switzerland); A41 Legislative and constitutional framework D43 Freedom of expression and opinion D44 The freedom to assemble in peace Those impacted: the general public and the media prosecutors, attorneys, and judges.⁴¹

The Digital Security Act underwent cosmetic revisions prior to its eventual introduction in October 2018. As of July 11, 2021, Bangladesh had at least 433 inmates under the Digital Security Act, primarily detained on charges of disseminating "false or offensive information" in violation of Section 25. On July 11, 2020, precisely one year ago, the nation had 358 inmates under the Digital Security Act. Since December 24, 2018, the law has held the longest-serving prisoner until at least July 11, 2021. Sections 25 (publishing of false or offensive material), 29 (publication of libelous information), and 31 (offence and punishment for deteriorating peace and order) of the Act have been weaponized by the authorities in a troubling pattern, according to Amnesty International and silence dissenting opinions. As of July 11, 2021, Bangladesh had 185 inmates under Section 25, under Section 29, and 163 under Section 31, according to the nation's Department of Prisons. It's possible that a single prisoner was connected to several charges⁴².

Theme: B51 Right to an effective remedy

Examine every instance of murder and assault against bloggers and journalists, and prosecute those suspected of committing these crimes (Slovakia). B51 The right to a successful remedy Impunity in B52 A47 Effective leadership Those impacted include the media. Impunity Prevent harassment of journalists and human rights advocates by fighting impunity and making sure that all abuses against them are promptly and fairly investigated (Netherlands); B52 Impunity H1 Defenders of human rights D51 Fair trial and administration of justice Those impacted: human rights advocate in the media.⁴³

Women's and Girls' Rights

Bangladeshi women still have few options for obtaining aid, protection, or legal action in cases of domestic abuse. Bangladesh has the unfortunate distinction of being one of the few nations in the world to have legalized child marriage in recent years, and it still has one of the highest rates of child marriage in the world, with a startling 51% of girls getting married before the age of 18. Less than 1% of rape cases that are investigated by the police in Bangladesh are thought to result in conviction; women and girls are subjected to widespread sexual assault with no protection or recourse.⁴⁴

Rape and gang rape have affected women and children of all ages, including those with disabilities. There were claims of rape against ruling party leaders and police officers throughout this reporting period. Numerous raped women and children have died or gone on to commit suicide.

Additionally, the accused filed complaints against rape victims after being attacked for bringing cases against the accused.

In Bangladesh, a sizable portion of sexually harassed women are teenagers. Under the cover of the ruling party, a criminal gang known as the "Kishoregang" made up of young offenders has emerged throughout the nation, especially in Dhaka. This gang's members have a history of stalking women. While this Female victims were attacked and stabbed over the reporting period for turning down romantic proposals.

VII. MILITARY ACCOUNTABILITY

The Indian Border Security Force (BSF) persisted in violating Bangladeshi people's human rights throughout 2023. Attacks on Bangladeshi nationals entering Bangladeshi territory were among these violations, as were instances of Bangladeshi nationals being killed, kidnapped, and tortured along the border. The BSF has frequently asserted that people from Bangladesh were shot dead while smuggling cattle. However, the BSF is directly involved in smuggling cows into Bangladesh, according to charges made by India's Enforcement Directorate (ED) in a case involving cow smuggling in West Bengal, India Concerns are raised by this revelation regarding the BSF's actions and how they

⁴¹ *Id*

⁴² Odhikar BANGLADESH: Annual Human Rights Report 2023 available at | BANGLADESH: Annual Human Rights Report 2023 Odhikar

⁴³ Md. Sultan Mahmud, Md. Alomgir Hossan*, Mahmudul Huda Department of Political Science, University of Rajshahi, Bangladesh

Role of Bangladesh Government in Making Accountability Effective (2009-Present) available at: (PDF) Role of Bangladesh Government in Making Accountability Effective (2009-Present) (researchgate.net)

⁴⁴ Universal Periodic Review of Bangladesh available at: UPR Mid-term review - template for Amnesty briefings (ohchr.org)

affect the safety of Bangladeshi nationals' lives and property along the Indian border.⁴⁵

The present condition of accountability of the government of Bangladesh

Accountability and Parliament Ensuring accountability is a critical function of the Bangladeshi government in upholding the nation's integrity, transparency, and good governance. A number of clauses in the 1972-adopted Bangladeshi Constitution provide the fundamental foundation for guaranteeing accountability in the country.

Article 55: The concept of the cabinet's common accountability to the Jatiya Sangbad (National Parliament) is outlined in this article of the Constitution. It declares that the prime minister leads the government, which is all answerable to the parliament.

Article 56: The Prime Minister's responsibilities are outlined in Article 56. It states that the President will designate the Prime Minister, who must be a member of parliament who, in the President's view, enjoys the trust of the majority of the parliament members.

Article 70: In Bangladesh, there has been debate concerning Article 70's implications for parliamentarians' accountability to their political parties. It states that if a member of parliament elected as a candidate of a political party resigns from that party or votes against the party whip in parliament, they must leave their position. This clause has drawn criticism for perhaps suppressing dissent and preventing legislators from being held accountable to their people.

Article 76: At least two parliamentary committees are mandated under the Bangladeshi Constitution: 1. A Committee for Public Accounts 2. A Committee on Privileges⁴⁶

The plight of Hindus in Bangladesh is also analyzed, highlighting the lack of legal protections and targeted violence.

Following Prime Minister Sheikh Hasina's ouster, numerous homes and businesses belonging to the minority population were vandalized, prompting hundreds of Bangladeshi Hindus to make an unsuccessful attempt to escape to India this week. According to the Bangladesh Hindu Buddhist Christian Unity Council, this week saw attacks on primarily Hindu residences, places of commerce, and temples in 45 of the nation's 64 districts. It stated that 45 people had been injured and a school teacher had been killed. About 8% of Bangladesh's 170 million Muslims are Hindus, who have historically favoured Hasina's Awami League party, which describes itself as predominantly secular, against the opposition alliance, which also includes a hardline Islamist party.⁴⁷

Hasina fled the nation on Monday amid widespread protests against her autocratic leadership, which infuriated some Bangladeshis toward its neighbour. She has since sought asylum in India. According to locals, many individuals who live near India are attempting to escape but are encountering opposition from both sides. Since the violence, both nations claim to have increased border patrols. According to Mohammad Rakibul Hasan, a local government official in the northwest Bangladeshi district of Thakurgaon, 700–800 Hindus attempted to escape to India on Wednesday night after some of their homes were plundered and attacked. "After we gave them protection, they went back home," Hasan told Reuters. "The region is being patrolled by border guard forces. There have been no more reports of violence, so everything is good now. There have been no more reports of violence, so everything is good now. Approximately 300 Bangladeshis gathered at a border crossing close to the Jalpaiguri district of India, but they eventually left. Indian border troops were seen by Indian media around a gathering of individuals there. A Hindu goldsmith in the Narsingdi neighborhood, approximately an hour from Dhaka, who wished to remain anonymous out of concern for retaliation, claimed that two young people wanted protection money of one million Bangladeshi taka (\$8,550) and only gave in after agreeing to pay 100,000 taka.⁴⁸

⁴⁵ Md. Sultan Mahmud, Md. Alomgir Hossan*, Mahmudul Huda Department of Political Science, University of Rajshahi, Bangladesh Role of Bangladesh Government in Making Accountability Effective (2009-Present) available at: (PDF) Role of Bangladesh Government in Making Accountability Effective (2009-Present) (researchgate.net)

⁴⁶ Id

⁴⁷ Ruma Paul and Krishna N. Das Hindus in Bangladesh try to flee to India amid violence available at: Hindus in Bangladesh try to flee to India amid violence | Reuters

⁴⁸ Md Mizanur Rahman The Quota Reform Protest In Bangladesh Is Much More Than It Seems available at :<https://thediplomat.com/2024/07/the-quota-reform-protest-in-bangladesh-is-much-more-than-it-seems/>



In response to the cancellation of their gathering on October 28, the BNP began to stage frequent strikes and blockades throughout the nation. Numerous cars, buses, and trains were burned and destroyed during the strikes and blockades, causing loss of life, property, and means of subsistence. Although the true perpetrators of these crimes are yet unknown, the opposition and the administration have placed the blame on one another. Conflicts between the opposition leaders and activists and the police and Awami League members occurred throughout the nation during the strike-blockade. Mohammad Abdur Rashid, a BNP leader, was allegedly beaten to death by criminals in Mohammadpur, Dhaka, during the countrywide strike on October 29.⁹⁰ When Chhatra Dal⁹¹ conducted a torchlight parade in Feni on November 22, in support of the barrier, a gang led by a Jubo League leader opened fire on the parade, injuring 10 leaders and workers of Chhatra Dal.

Many regular students suffered injuries in 2023 as a result of the careless violence committed by Chhatra League leaders and activists in various locations and educational establishments throughout the nation. They have been accused of a variety of violent crimes, including as sexually abusing and beating students, as well as taking seats in the university residence halls. The accused Chhatra League leaders and activists were exonerated by the educational institutions' administration in these cases. Supporters of the university unit Chhatra League general secretary Tanvir Hasan Saikat assaulted and wounded four leaders of Chhatra Union⁹⁸ on December 14 at Dhaka University, including general secretary Moin Ahmed and president Meghmallar Bose. Meghmallar Bose was taken to a hospital in Dhaka after suffering serious eye damage.

The International intervention involvement of United Nations and influenced of international treaties and UDHR the covenants such as ICCPR and ICSCER and humanitarian intervention

Bangladesh has a lengthy and traumatic history of enforced disappearances, a topic that the UN Human Rights Office and UN human rights institutions have vigorously promoted. We are prepared to assist the Commission in its work, which must adhere to international human rights norms, including the rules governing the search for missing persons, and be conducted in close consultation with victims and their families.

In order to revitalize democracy, pursue accountability and reconciliation, and promote human rights for all Bangladeshis, the UN Human Rights Office is eager to assist the interim government and people at this crucial juncture.⁴⁹

A primary report released on August 16 by the UN Office of the High Commissioner for Human Rights states that about 650 people were killed in Bangladesh between July 16 and August 11 as a result of student-led protests and the overthrow of Hasina's Awami League rule. almost 250 people were killed when the Awami League-led administration was overthrown on August 5 and 6, compared to almost 400 killings reported between July 16 and August 4. According to the OHCHR, the reported death toll is probably underestimated because movement limitations brought on by the curfew and the internet shutdown have made it difficult to gather information. The UN human rights body added that it is yet unknown how many retaliatory deaths have been reported since August 5. Protesters, onlookers, reporters covering the events, and a number of security personnel are among those murdered⁵⁰.

Equality: Articles 2, 7, and 21(2) of the UDHR explicitly recognize equality as a human right. Everyone has the right to all the freedoms and rights outlined in the UDHR, according to Article 2, without exception for any kind of discrimination based on a person's race, color, sex, language, religion, political opinion, national or social origin, property, birthplace, or other status. Furthermore, no distinction should be made based on a person's country or territory's political, jurisdictional, or international status, including whether it is independent, trust-based, non-self-governing, or subject to any other form of sovereignty constraint. According to Article 7 of the UDHR, everyone is equal before the law and has the right to equal protection of law. Everyone has the right to equal protection against discrimination that violates this Declaration and from incitement to discrimination. Everyone has the right to equitable access to public service in their nation, according to Article 21(2) of the UDHR⁵¹.

Human dignity: The right to human dignity is guaranteed by Articles 1, 6, and 9 of the UDHR. All people are born free and equal in terms of their rights and dignity, according to Article 1 of the UDHR. They ought to treat one another with brotherhood since they are endowed with reason and conscience.

⁴⁹ *Id*

⁵⁰ Ravina Shamdasani Update on UN Human Rights Office work in Bangladesh available at: Update on UN Human Rights Office work in Bangladesh | OHCHR

⁵¹ *Id*



Everyone has the right to be recognized as a person before the law everywhere, according to Article 6 of the UDHR. No one may be arbitrarily arrested, detained, or exiled, according to Article 9.

Social justice: The right to social justice is guaranteed by Articles 23(1), 23(2), and 25(1) of the UDHR. Everyone has the right to work, to freely choose their job, to fair and favorable working circumstances, and to be protected against unemployment, according to Articles 23(1) and 23(2). Everyone has the right to equal compensation for equal work, free from discrimination. According to Article 25(1), everyone has the right to a standard of living sufficient for his or her own and their family's health and well-being, including food, clothing, housing, medical attention, and essential social services. They also have the right to security in the event of unemployment, illness, disability, widowhood, old age, or other lack of income due to uncontrollable circumstances.⁵²

The UDHR cannot be enforced in court. Two international covenants, the ICCPR and ICESCR, were enacted by the UN General Assembly in 1966 and made available for state signing and ratification in order to make the UDHR rights legally enforceable. They became operative in 1976 following the required ratifications. Both covenants have been ratified by Bangladesh. Other rights under the UDHR are also included in the Covenants. The fact that human rights are recognized and upheld by the state-authority of Bangladesh is demonstrated by the Constitution's endorsement of these rights and its implementation mechanism.⁵³

Although the ICESCR is a socialist covenant and, as might be expected, its rights may be included in Part II of the Constitution as policy rights that cannot be enforced in court due to the nation's capitalist economy, two of these rights are taken as fundamental rights in Part III, which is a step forward for their ability to be enforced in court under Articles 44 and 102 of the Constitution. Article 36 of the Constitution and Article 8 of the ICESCR provide the freedom of association, whereas Article 40 of the Constitution and Article 6 of the ICESCR guarantee the

freedom of profession and occupation. Instead of the Constitution's admirable influence Some crucial human rights have been overlooked in the Constitution and Article 6 of the ICESCR due to the UDHR and the covenants. The UDHR and the agreements have had a commendable influence on the Constitution, however several crucial human rights have been overlooked and left out.⁵⁴

These include: (i) the right to be recognized as a person before the law everywhere (Article 6, UDHR, and Article 16, ICCPR); (ii) the right to seek and enjoy asylum from persecution in other countries (Article 14.1, UDHR); (iii) the right to nationality (Article 15, UDHR); (iv) the right not to be imprisoned for failing to fulfill a contractual obligation (Article 11, ICCPR); (v) the right of an alien who is lawfully in the country and not to be expelled without a valid decision, unless national security (Article 13, ICCPR); (vi) the prohibition of propaganda for war and advocacy of national, racial, or religious hatred (Article 20, ICCPR); and as well as (viii) the right of men and women of marriageable age to be married and have a family (Article 23.2, ICCPR), and (ix) the right of every child to protection, registration, naming, and nationality (Article 24, ICCPR).⁵⁵

Human Rights as Fundamental Rights in Bangladesh's Current Constitution 17 of the 18 fundamental rights protected under Articles 27–44 of Part III of the Bangladeshi Constitution are derived from the 1948 Universal Declaration of Human Rights. Six of them apply to and are enjoyed by everyone who lives or stays within the country's borders, whether they are citizens or not. The remaining twelve are exclusively for citizens. The following six fundamental rights bear similarities to the UDHR's articles: (i) The right to life and personal freedom, unless otherwise permitted by law (Article 32 of the Constitution and Article 3 of the UDHR) (iii) Right not to be subjected to forced labour (Constitution Article 34, and UDHR Article 4), (iv) Right to protection in respect of trial and punishment (Constitution Article 35, and UDHR Article 10), (v) Right to freedom of religion subject to law, public order and morality (Constitution Article 41, and UDHR Article 18), and (vi)

⁵² Md. Sultan Mahmud, Md. Alomgir Hossan*, Mahmudul Huda Department of Political Science, University of Rajshahi, Bangladesh Role of Bangladesh Government in Making Accountability Effective (2009-Present) available at: (PDF) Role of Bangladesh Government in Making Accountability Effective (2009-Present) (researchgate.net)

⁵³ Ruma Paul UN team in Bangladesh to discuss modalities of human rights probe

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⁵⁴ Md. Sultan Mahmud, Md. Alomgir Hossan*, Mahmudul Huda Department of Political Science, University of Rajshahi, Bangladesh Role of Bangladesh Government in Making Accountability Effective (2009-Present) available at: (PDF) Role of Bangladesh Government in Making Accountability Effective (2009-Present) (researchgate.net)

⁵⁵ *Id*



Right to enforcement of fundamental rights (Constitution Article 44, and UDHR Article 8).⁵⁶

International obligations:

Despite some significant objections, Bangladesh has ratified all of the key international human rights accords. In addition to ratifying the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention Against Torture (CAT), Bangladesh is a party to the International Covenant on Civil and Political Rights, 1966 (ICCPR) (Article 6, 7, 9, 10). However, Bangladesh has implemented a number of reservations that have rendered it ineffectual and denied women's equality.⁵⁷

The Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), to which Bangladesh is a party, states that any act of torture must be illegal under its criminal code. The same will hold true for attempts at torture as well as any actions taken by anyone that amounts to cooperation or involvement in torture. Additionally, it states that the State party must impose suitable sanctions for these offenses, taking into consideration their seriousness. No one shall endure torture or cruel, brutal, or humiliating treatment or punishment, according to the 1966 International Covenant on Civil and Political Rights. Additionally, torture of any kind is prohibited by the Bangladeshi Constitution⁵⁸.

Articles 3, 5, 7, 8, 9, 10, and 11 of the Universal Declaration of Human Rights (UDHR) are universally regarded as the *jus cogens*, from which no other source can be derived. As of right now, no legislation against torture has been passed. In other words, "torture" is still not a crime in Bangladesh, but Sri Lanka has passed legislation outlawing it, and torturing someone is punishable by seven years in prison. In Bangladesh, however, "torture" is just defined as "hurt." Once more, we are drawn to another topic about the Convention against Torture. Article 14 of the aforementioned Convention was reserved by Bangladesh.

Every State Party must guarantee in its legal system that the victim of torture receives redress and has an enforceable right to just and sufficient compensation, including the resources for the most complete rehabilitation feasible, according to Article 14(1). His dependents will be entitled to compensation if the victim passes away as a result of this abuse. Therefore, the Bangladeshi government invalidates the constitutional obligation under Article 35(5) of the People's Republic of Bangladesh and denies such compensation or rehabilitation by reserving Article 14 of the aforementioned Convention.⁵⁹

Every human being has the inalienable right to life, according to the ICCPR, which Bangladesh signed on September 5, 2000. It states that this right must be upheld by the law and that no one's life may be taken from them without cause. However, it has been stated that state security forces were still in charge of extrajudicial executions and custodial deaths in 2007 and 2008.⁶⁰

Recommendations and potential solutions to control and mitigate human rights violations in Bangladesh

Policies that promote universal social protection, health care, education, and a dignified living have proven to be effective in generating broader societal, economic, and personal advantages. Widespread involvement by individuals, including youth, and open, accountable institutions can promote social harmony, economic sustainability, and creativity. Equality-promoting laws and policies benefit political, social, and economic systems both immediately and over time. We must eliminate the discrimination that prevents so many people from achieving their full potential in order to eradicate poverty and inequality and increase social stability.⁶¹

The human rights agenda provides direction for settling disputes and complaints, enhancing people's lives, and fostering greater justice, peace, and sustainable development.

⁵⁶ Ravina Shamdasani Update on UN Human Rights Office work in Bangladesh available at: Update on UN Human Rights Office work in Bangladesh | OHCHR

⁵⁷ Universal Periodic Review of Bangladesh available at: UPR Mid-term review - template for Amnesty briefings (ohchr.org)

⁵⁸ HUMAN RIGHTS VIOLATIONS COMMITTED BY THE GOVERNMENT OF BANGLADESH available at: Bangladesh-UPR-Fact-Sheet_2.pdf (rfkhumanrights.org)

⁵⁹ *Id*

⁶⁰ Ruma Paul UN team in Bangladesh to discuss modalities of human rights probe

available at: UN team in Bangladesh to discuss modalities of human rights probe

⁶¹ *Id*



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A strong framework for preventing conflict and crises is provided by norms and standards, monitoring and reporting, and technical assistance. By comparing risks to widely recognized standards, rights-based interventions can be used to address them before they lead to conflict or violence. Alongside the particular human rights issues that are their main emphasis, the human rights mechanisms—such as treaty organizations and special procedures—can be crucial in detecting and addressing structural risk factors.⁶²

ESCRs, such as access to employment, livelihoods, education, healthcare, and social security, for example. If people are unable to resolve these violations through political engagement or the legal system, they are more likely to turn to violence.⁶³

VIII. CONCLUSION

The future of human rights in Bangladesh largely depends upon the restoration and strengthening of democratic institutions, judicial independence, protection of political dissent, accountability for state violence, minority protection, constitutional reform, and effective international cooperation. A democratic system cannot function effectively where institutions remain politically influenced and citizens are unable to freely exercise their constitutional rights. Therefore, rebuilding public trust in constitutional governance and ensuring institutional accountability remain essential for long-term human rights protection.

⁶² *Id*

⁶³ *Id*