



# ANNUAL REPORT 2013



**NATIONAL HUMAN RIGHTS COMMISSION**





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## **National Human Rights Commission**

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## **National Human Rights Commission**

Annual Report, 2013

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Chairman, National Human Rights Commission, Bangladesh

## Introductory Remarks by the Chair

1. This annual report is for the calendar year 2013. However, it is mentionworthy that this report is also the last report of the first tenure of the present Commission. From that perspective, this report may be considered as a portrayal of the overall performance, achievements, lapses as well as the limitations of the National Human Rights Commission (JAMACON). Latter part of the report contains references to a number of events and incidents of pre-2013 origin. Therefore, it would be improper to consider this report as a description of JAMACON activities for merely one year. It is hoped that the readers will keep this in consideration as they go through the pages of this report.
2. From a position of being almost an unknown and unnoticed institution JAMACON has today established itself as an institution with own merit not only in the field of human rights protection but equally in larger arena of public life and consciousness. That probably is the reason why today we witness that increasing number of citizens are approaching JAMACON as a 'place of last resort'. Compared to three years ago, when we took over the responsibilities of the Commission, the number of complaints lodged with the Commission has witnessed an increase by more than 300 per cent. Is it merely an arithmetic figure or does it also contain a public recognition of the relentless and untiring work of the Commission?
3. Today, the strong and effective role played by JAMACON in the Human Rights Council of the United Nations, in the UN sponsored international conferences on specific issues, in various human rights platforms in the SAARC region, as well as in the Asia Pacific Forum of national human rights institutions is universally recognized and appreciated. As a representative of the human rights movement in the developing world, the presence of JAMACON has made a positive difference as much as its unbiased and just critique of the double standard of many states in issues of human rights has elevated it to a higher pedestal.
4. Unbiased and impartial role of JAMACON in various national human rights issues have made it possible to unveil narrow and vested political interests of a number of international human rights organizations. In the past, these organizations were found resorting to untrue, baseless, and partially true or fabricated reporting on human rights situation in the country. That however, has now been made impossible owing to the role played by JAMACON. The Commission has proved time and again that it will not give any concession to the state or its agencies in matters of human rights violations, yet at the same time it hinders any attempt to malign the state politically by exaggerating incidents of human rights violations. We never left any reason whatsoever to doubt our diligence and sincerity in identifying the lapses of the state in promotion and protection of human rights, yet in so doing we

never allowed any quarter to unduly and undeservingly undermine and humiliate the state. As a state institution we deem it our sacred responsibility and we try not to leave any stone unturned to ensure this.

5. We never compromised or deviated from our principle position to get any favour from the international community. Three years ago at the time of assuming the office we pledged to the nation that establishment of a 'human rights culture based on the values of our glorious liberation war' would be our ultimate goal. We strongly believe that we will certainly attain our goal of establishing 'human rights culture' by ensuring equality, social justice and human dignity as core values of our societal life. Therefore, we could not and never can support the pseudo-democratic movement of the forces opposed to the values of our liberation war. It is our strong conviction that democracy is both a pre-condition as well as a product of human rights. However, democratic rights may be enjoyed only in a democratic milieu and through exclusively democratic means. Arson, looting, violence, killing of innocent citizens by throwing petrol bombs, destruction of public property, posing threat to human life by uprooting railway tracks etc. cannot be acceptable in any civilized society. Under these circumstances we made our stand very clear - under the existing system right to vote necessarily includes a persons right not to vote, and neither can be enforced under threat of 'force'. Threat or use of force tantamount to infringement of individual rights and then it becomes incumbent upon the state to restrain anyone from threat or use of force. In such a critical situation we think it a moral as well as a legal obligation of JAMACON to stand beside the individual.
6. There is another additional issue in relation to which the position and

attitude of JAMACON remains crystal clear and unaltered. It concerns the trial of those accused of committing crimes against humanity during our war of liberation in 1971. Time and again we reiterated that for the sake of justice and fairness it is indispensable to prosecute all those accused of committing these heinous international crimes. At the same time, we never tired of reminding the state that the trial must be according to the law complying with the prerequisites of transparency and due process. The Commission contends that there is scope to debate the legal and moral grounds of legitimacy of death penalty in general, but in the prevailing situation when the provision of capital punishment is recognized in relation to almost 60 crimes and offences in the administration of criminal justice, questioning the legitimacy of death penalty for commission of most heinous and grave international crimes is evidently unreasonable and politically ill-motivated. We don't think it can be an agenda for discussion.

7. The reader must be aware of the fact that thanks to unceasing efforts of various human rights NGOs, human rights defenders and especially the emphatical role played by JAMACON with regard to 'extra-judicial killing', level of such incidents came down almost to zero towards the end of 2012. This was undoubtedly an encouraging development. Unfortunately, in February, 2013 in the aftermath of a verdict passed by the International Crimes Tribunal certain known quarters resorted to unprecedented violence, killings, arson, anarchy and chaos. The state also responded in the language of 'force', and once again we began witnessing incidents of 'extra-judicial killings'. However, this time it was accompanied by another no less evil - 'enforced disappearance'. Both are clear examples of flagrant violations

of human rights. It is simultaneously a violation of the fundamental rights of a citizen and a deviation from the pledge made by the state to the international community with regard to respecting international law. The Commission considers these violations with extreme concern and continues protesting such acts of human rights breaches and is engaged in attempts of different types to bring the state under some kind of accountability.

8. Different research findings demonstrate that incidents of 'preventive detention' and 'custodial torture' have increased. This is an ominous sign for human rights. The state needs to be more restrained, cautious and careful. The state machinery must always be on the guard and extremely watchful so that the law enforcement agency does not abuse its authority and act ultra-vires, and in case it is found guilty, concerned persons must be identified and brought under the purview of law at the soonest possible time. Only this can promote establishment of the rule of law. JAMACON is determined not to allow any laxity in this regard.
9. It should however, be recorded that whatever achievements adorn the crown of JAMACON is the result of collaborative efforts of all commissioners, officers and staff. The Honorary Members deserve special mention - their deep knowledge, rich experience and uncompromising commitment have smoothed our journey. Despite their busy life, they never shied away from their tasks at the JAMACON. Their constructive criticism has been critical in defining the strategy and implementation modalities. We strongly believe that had all of them been Full Time members (it requires amendment of the existing Act), the Commission would have been benefitted far more extensively.
10. The experience of the past three years has made JAMACON stronger and richer. We are now ready to play an even greater role by rectifying our past lapses and weaknesses. Deep in our heart we have this feeling that even with the existing human resources we can deliver more - we have acquired that skill and knowledge, even if it is not that huge. However, we must also be abreast of the fact that present day human rights challenges are equally mountain-high. However daunting the challenges may be we are determined to rise upto the occasion and protect human rights of the common citizens. The country is sure to witness an uninterrupted forward march of human rights!
11. In conclusion, it may not be out of place to remind ourselves that an indispensable pre-requisite of enjoyment of rights is performance of duties. Establishment of a 'Human Rights Culture' can not and must not be the endeavour of JAMACON alone. It is also not practical. Every single citizen should consciously fulfill his/her duties. That is the way we can reclaim 'Bangladesh of 1971'. We must never fail our duties. Let the following verse from Tagore be our guiding star for the journey into the future:
 

'It was a probe that  
bothered the setting sun;  
Who would take up my  
duty?  
The world stood still, silent,  
eager not to get burdened  
with  
When the small earthen  
lamp responded:  
'My Lord!  
What I am capable of,  
I shalt do...'

(Translation: Arpeeta Shams  
Mizan)



## Kazi Reazul Hoque

Full-Time Member

National Human Rights Commission, Bangladesh

# A Portrayal: Achievements and Challenges

### **NHRC more Capacitated to Fulfill Its Mandate:**

The National Human Rights Commission of Bangladesh was established under National Human Rights Commission Act 2009, to promote and protect human rights. During the years of journey of the reconstituted Commission, it has been able to establish the institution as an effective human rights watchdog. The Commission conducted the baseline survey, prepared five years' strategic plan, identified the vulnerable areas of human rights violation and addressed them by different thematic committees. The Commission has created awareness throughout the country and gained recognition at home and abroad including recognition of the International Coordinating Committee (ICC), Geneva, Switzerland and Asia Pacific Forum (APF), Sydney, Australia. The Commission promoted initiatives for capacity building of the Commissioners and staff in the core fields of monitoring & investigation, research, policy advocacy, campaign and complaint management handling. It has undoubtedly strengthened the Commission's capacity at large. In 2013, the NHRC requested the Asia Pacific Forum of National Human Rights Institutions (APF) to conduct a capacity assessment of the Commission. The Commission's active participation in this exercise reflected its strong commitment to institutional development. For their part, international and regional human rights bodies have recognized the NHRC as the independent national institution on human rights in Bangladesh. The BNHRC-CDP, sponsored by UNDP, DANIDA, SIDA, and SDC, have been

supporting the Commission for institutional and capacity development since 2010 under a Memorandum of Understanding (MoU).

### **NHRC Advocates for Policy and Legislative Reform:**

The NHRC has legal authority to review and monitor human rights-related national legislations and/or policies to ensure compliance with international law. In 2013, the NHRC provided high quality policy advice to the Government of Bangladesh on pressing human rights issues in compliance with international law. The policy papers were developed on Migrant Rights, the Convention against Torture, Civil and Political Rights, People with Disabilities, and Economic, Social and Cultural Rights. The NHRC reviewed various national legislations and submitted its recommendations to the Government.

### **Review of the NHRC Act 2009:**

The NHRC reviewed its founding Act (NHRC Act 2009) with a view to lobbying for specific changes that would bring the institution closer to complying with the Paris Principles. The Act defines the NHRC's mandate, roles and functions, and thus also controls the NHRC's level of independence. The objective of reforming the NHRC Act is to ensure the financial and administrative independence of the NHRC and to empower it to investigate violations of human rights by law enforcement agencies. An amendment of the NHRC Act, 2009, would further enhance its powers and increase its independence, in turn making the NHRC more effective in the protection and promotion of human rights in Bangladesh.



**Anti-Discrimination Legislation:** In 2013, the NHRC and the Law Commission jointly drafted the Anti-Discrimination Legislation, 2013, to protect the rights of the excluded group including Dalit community in Bangladesh, in accordance with international law. The Dalit are generally victims of human rights violations in their daily life. Their rights are violated in areas such as access to justice, education, water and sanitation, and housing. The NHRC drafted this new legislation following a number of dialogues and consultations. The draft Anti-Discrimination Legislation was submitted to the Ministry of Law of Bangladesh for review and enactment.

**Child Rights Act 2013:** The NHRC's Committee on Child Rights reviewed the then existing Children Act to identify gaps in order to comply with Convention on the Rights of Child (CRC). The NHRC submitted its recommendations to the Government of Bangladesh after wide consultations with the NGOs, INGOs, UN Bodies, and state actors for incorporation of their feedback in the newly enacted Children Act 2013. It is a significant achievement by the NHRC that most of the proposed recommendations were accepted and incorporated into the Act of 2013 which brought conformity with CRC. The NHRC will now lobby with the Government for proper compliance of the Children Act 2013 by adopting rules and an action plan, with a view to ensuring the full implementation of the legislation.

The NHRC also organized several meetings on combating child marriage, trafficking of children, and eradication of child labour in particular child domestic workers and submitted specific recommendations to the Government because these legislators and policies are under active consideration of the government.

**The Labour Act 2013:** The Rana Plaza tragedy was a wake-up call for all. The NHRC gave more emphasis to the rights of ready-made garments workers in order to ensure their safety, security and

welfare. As part of this process, the Commission conducted a study of how to improve conditions in the ready-made garments sector in Bangladesh. Based on this study, the NHRC Committee on Business and Human Rights organized Committee on Business and Human Rights a series of roundtables to define the roles of stakeholders and come up with recommendations on how to reform the legislation in order to ensure the safety and security workers and trade union rights of the garment workers. The NHRC recommendations/guidelines will be submitted to the government for compliance of all concern.

**The Rights of Persons with Disabilities:** The Commission thoroughly reviewed the Act on the Rights of the Persons with Disabilities (PWDs) 2013 and was highly involved in the drafting process, providing numerous recommendations which were eventually incorporated in the final Act. The Act was passed by Parliament in October 2013.

**Human Rights Council and Treaty Bodies:** One of the key functions of the NHRC's mandate is to submit a stakeholders' report to the United Nations Human Rights Council as well as to spearhead the process for preparing the Government delegation to participate in the Universal Periodic Review (UPR) process.

The NHRC submitted independently its alternative reports to the United Nations Human Rights Council in 2nd Cycle of Universal Periodic Review of Bangladesh in 2013 after a series of thematic basis stakeholder's consultations and national and grass root levels. The OHCHR and UN committees highlighted the views of NHRC in their compilation Report on Bangladesh Review on human rights. In addition, NHRC organized training for government officials and NHRC staff on reporting to treaty bodies in order to ensure country report as well as alternative report of NHRC to all relevant UN committees in time.

The robust approach of following-up

progress on the UPR recommendations, preparing a stakeholders' report and running Mock UPR sessions are a strong reflection of the NHRC's core capacity with respect to reporting to United Nations Human Rights and Council & Committees.

The NHRC delegation independently participated and lobbied with different members states and forum about the achievement after UPR in the second cycle of UPR in Geneva in April 2013. The entire process can be considered to have been a significant institutional capacity building exercise for the NHRC. The institution is now actively lobbying for the adoption of a human rights action plan focusing on the implementation of the recommendations received during the second UPR cycle.

**Shadow Report:** The NHRC drafted two shadow reports on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and on the right to food in order to submit it to the United Nations Treaty Bodies. This is further evidence of NHRC's increased engagement with international human rights monitoring mechanisms.

**Establishment of Thematic Committees:** Based on consultations within the Commission, the NHRC decided to set up and operationalise different thematic Human Rights Committees comprising members from civil societies, INGOs, UN Bodies and state actors. These Committees include the Committee on Women's Rights, the Committee on Chittagong Hill Tracts Affairs, the Committee on Dalits and other Excluded Minorities, the Committee on Business and Human Rights, the Committee on Persons with Disabilities, the Committee on Migrant Workers' Rights, the Committee for Protection of Religious Minorities, the Committee for Child Rights, Child Labour and Anti-Trafficking, and the Committee for Protection of Rights for Ethnic Groups and Economic Social and Cultural Rights.

The Committees started operation since 2011 under the umbrella of NHRC and contributed to promoting respect for human rights by addressing the needs of specific groups of human rights violations. Not only will the Committees enable the NHRC to go further in implementing its Strategic Plan, thus enhancing the NHRC's performance as a whole, but it has also created an opportunity to involve a highly committed group of honorary members in the regular work of the NHRC.

Some of the Committees were already piloted in 2011 to ensure that this institutional set up would be logical and yield results. In 2013, the **Committee on Business and Human Rights** focused on human rights in the garment industry, including workplace environment; current events; and a review of the Labor Act. The **Committee on Human Rights and Women** sought to outline the key issues for the Committee and map out the initial steps needed to ensure coherence between current issues and the NHRC's Strategic Plan. In 2013, the NHRC focused on the implementation of the Brave Men Campaign, a school-based campaign to address violence against women and girls in Bangladesh. In addition, the **Committee on Human Rights and Children** initiated a number of activities pertaining to the key areas of concern, which are also reflected in the NHRC's Strategic Plan. The Committee conducted a number of activities (workshops and policy advocacy) that dealt with, inter alia, corporal punishment in schools, child marriage, birth registration, children in prison, child labour/trafficking and child domestic workers.

**Research on Human Rights Issues:** Legally mandated to conduct research on human rights issues, the NHRC did a number of studies in 2013 on different national and international laws, policies, conventions and treaties to identify challenges in implementation, gaps and compliance issues. The research findings helped the NHRC to make specific recommendations to the Government to

ensure the effective adoption and implementation of international treaties, and adoption or amendments of national laws. The NHRC also conducted research on contemporary pressing human rights issues. Some of the research conducted in 2013 included 'Protecting Migrant Workers of Bangladesh: A Study on Compliance of Laws and Practices with the 1990 UN Convention on Rights of Migrant Workers and Members of Their Families'; 'International Convention on the Elimination of All Forms of Racial Discrimination: A Study on Bangladesh Compliance' and research on 'Implementation of Chittagong Hill Tracts Peace Accord: Challenges and Human Rights Issues'.

**Capacity Building and Awareness Raising Initiative:** The Commission took up a comprehensive approach to build the capacity of key actors working for the promotion and protection of human rights. The NHRC organized training for Government officials, Police, Ansar, Human Rights Defenders, NGO Representatives, Journalists, Judges, Lawyer, Students, Community Facilitators and Union Parishad Representatives. The training covered a wide range of issues, including reporting to treaty bodies, ToT on human rights, women, children and minority rights. As a result of this intervention, motivation and skills were developed among the training participants so that they were better equipped to protect human rights. In addition, the NHRC implemented a campaign program on human rights messaging at national and local level by using different modes of public communication, including service announcement, Billboard, Video Documentaries, Pot Song, Gamvira, and Drama, and in this way succeeded in reaching millions of people. The NHRC regularly organized seminars and workshops on different thematic issues at national and local level, including on the rights of minorities, women's rights, child rights, food security, garment workers' rights, etc.

**Enhancing partnership:** The NHRC has built a strong partnership with local NGOs, private sector, international non-governmental organizations (INGOs) and other civil society organizations (CSOs). In 2013, this partnership helped to develop and implement human rights awareness programs to build the capacity of human rights defenders, Government officials, judges, police, NGOs representatives and students concerning human rights.

This partnership greatly supported the Commission in human rights messaging at community level and in conducting policy advocacy on different issues, including child marriage, safety and security of garment workers, food security and women's rights. In 2013, the NHRC collaborated with Ain o Shalish Kendra (ASK), Save the Children, World Vision, Plan Bangladesh, Marks and Spencer's, JAAGO Foundation, JATIYA Tarun Sangha, Wave Foundation, Oxfam, Relief International, the International Labour Organization (ILO) and UNCHR.

The primary results of these partnerships have been to broaden the NHRC's scope and reach. The partnerships also helped the NHRC to increase its outreach at grassroots level for the purpose of raising awareness and education on human rights.

**Human Rights Monitoring:** In the area of human rights monitoring and investigation, the NHRC established collaboration with seven NGOs, namely Ain O Salish Kendra (ASK), Bangladesh Legal Aid Service Trust (BLAST), Bangladesh National Woman Lawyers' Association (BNWLA), Nagorik Uddyog (NU), Rights Jessore (RJ), Madaripur Legal Aid Association (MLAA) and Jatiya Tarun Sngho (JTS).

The NHRC developed a Roster of the Investigators, which allowed the institution to reach people in remote areas of the country. ASK, BLAST, MLAA, NU, RJ and BNWLA came forward to assist in developing the Roster by nominating staff to monitor the human rights situation at

the district level and refer cases to the NHRC. ASK and BLAST jointly conducted seven training sessions with the NHRC throughout the country for 172 members of the NHRC's Roster, of whom 46 members conducted fact-finding missions in their respective communities and reported to the NHRC. Thus, through the trained personnel, NHRC can now monitor the human rights situation in two thirds of the country. In 2013, the NHRC received a total number of 477 complaints, out of which 350 were dealt with and 127 were pending at the end of the year.

#### **Visit of Prison, Orphanage, Hospital and Juvenile Development Centre:**

In 2013, the NHRC visited a numbers of Prisons, Orphanages, Hospitals and Juvenile Development Centres. For instance, the NHRC visited Tongi, Gazipur Juvenile Development Centre and Jessore Child Development Centre after a serious incident that took place Jessore Child Development Centre when the detainees protested against mismanagement by the staff. The investigation team was led by the NHRC Full Time Member. Following the visit, NHRC made specific recommendations to create a better living environment for the inmates. As a response, the Government took prompt actions in regards to ensure better environment and by taking disciplinary actions against some of the staff and officers who found responsible for their negligence, which eventually have changed the quality of the management of those centres.

#### **Addressing Sensational Cases:**

Following the verdicts of the International War Crime Tribunal against a number of Jamat leaders accused of war crimes, the Hindu minority community was the target of attacks throughout the country. Faced with this situation, the NHRC addressed the issues diligently. The NHRC Chairman and the other Commissioners visited different areas where the incidents had taken place, including Banskhalia of Chittagonj, Sudargong of Gaibandha, Abhoynagar of Jessore, Sadar Upazilla of Dinajpur,

Greya Union of Thakurgaon and Sathia of Pabana district. The objective of these visits was to appraise of the overall human rights situation of the minority community, understand how the administration could address the issue, and the role of civil society in upholding and restoring peace.

After the visits, the NHRC made specific recommendations to the Government to ensure the safety and security of the minority community, arrest and punish the perpetrators as soon as possible, take appropriate measures to compensate the victims, and swiftly bring back a sense of security within the community.

The NHRC also addressed the issue of extra-judicial killing' or 'cross fire' by treating it as a major threat to the rule of law in the country. The NHRC believes that none is above the law, and that the principles of human rights must be respected by all parties in all situations. The extra-judicial killings or cross fire are allegedly executed by law enforcing agencies. The Commission made recommendations to the Government to take necessary actions, investigate such incidents, bring the perpetrators to justice and uphold human rights principles.

In 2013, the NHRC closely monitored human rights violations against disadvantaged and vulnerable groups with the aim of promoting their human rights. The NHRC actively advocated for the creation of an enabling legal and policy environment for the Hijras, Sex Workers, Dalit, Children and Minority groups. The Commission continued its supports to ensure access to health, education, housing and welfare for disadvantaged and social excluded people.

**ICC Application for "A" Status and Membership of APF:** As the apex national human rights institution in Bangladesh, the Commission has met some of the accreditation expectations by the International Coordinating Committee (ICC) of National Human



Rights Institutions (NHRIs). In 2011, the Commission earned "B" Status from the ICC. The Commission, then, continued its efforts to secure "A" Status and full membership of the Asia Pacific Forum. Meanwhile, the Commission has met basic requirements to get "A" status in ICC. Once the commission is awarded with 'A' status by ICC it would add additional weight to the NHRC of Bangladesh in the international arena.

**Recommendations to Government for Promoting Human Rights:**

In accordance with its legal mandate, the NHRC diligently monitored the human rights situation in the country. It also formulated a number of recommendations, which were regularly forwarded to the concerned Government authorities. In 2013, the NHRC received 263 responses from Government authorities on various human rights violations. This demonstrates the increasing trust, confidence and wider acceptance of the NHRC by the Government. The NHRC's recommendations or queries were either based on complaints by various sectors of the population or were suo moto cases by the Commission based on newspapers reports.

**Challenges and Way Forward:** In the path of its journey towards perfection, like any other newly established institution, NHRC has also been encountering difficulties in achieving

desired goals. For example, the Section 18 of the founding Act limits the jurisdiction of the NHRC in investigating into complaints against the discipline force. According to the NHRC ACT 2009 the commission shall have a secretary and other required number of officers to implement the commission's decisions. But the recruitment rules allows deputation from the government service to filling up the positions of secretary, Directors and Deputy Director. The NHRC has proposed a staff strength of 93 while only received 28 so far. Out of those, only 12 officers are capable to contribute in all its activities. It is hard to serve a huge population with this minimum staff strength. The NHRC does not have its own premises. The current rented office, which is located at 11th floor of a busiest vicinity, is not pro-people. The vehicles and other logistics are not sufficient to continue its activities including different investigations and fact finding missions. However, despite of these hardles, the NHRC sees lights at the end because of the continuous support provided by the government and other developement partners. Despite all these challenges, NHRC is now heading towards adopting and implementing its 2nd strategic plan (2015-2018).

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*Kazi Reazul Hoque is the Fulltime Member of the National Human Rights Commission and the Chair of the Child Rights and Anti Trafficking Committee; Migrants Workers Welfare Committee; Business and Human Rights Committee.*

# Acronyms and Abbreviations

APF	Asia Pacific Forum of National Human Rights Institutions
ASK	Ain O Shalish Kendra
BLAST	Bangladesh Legal Aid and Services Trust
BNHRC-CDC	Bangladesh National Human Rights Commission Capacity Development Project
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CMS	Complaints Management System
CRC	Convention on the Rights of the Child
CRPD	Convention on Rights of Persons with Disabilities
CSO	Civil Society Organization
DANIDA	Danish International Development Agency
ERD	Economic Relations Division
FIR	First Information Report
GoB	Government of Bangladesh
HRC	Human Rights Council
ICC	International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
JAMACON	Jatiyo Manobadhikar Commission
MWC	Migrant Workers Convention (Convention on the Rights of All Migrant Workers and Members of Their Families)
NHRC	National Human Rights Commission of Bangladesh
NHRI	National Human Rights Institution
OP	Optional Protocol
OPCAT	Optional Protocol to the Convention Against Torture
OPCRPD	Optional Protocol to the Convention on the Rights of Persons with Disabilities
SDC	Swiss Agency for Development and Cooperation
SIDA	Swedish International Development Cooperation Agency
SOP	Standard Operating Procedures
UNDP	United Nations Development Programme
UNHCHR	United Nations High Commissioner for Human Rights
UPR	Universal Periodic Review

# Chapter One

## Institutional Framework and Development

### Independence and Accountability

In continuation of independence issue of NHRC, Prof Mizan drew a vivid conclusion. He spelt out that "Being independent of the Executive does not mean, however, that we are not accountable. Our accounts shall be audited by the Comptroller and Auditor General and we are required to report annually to the President and to publicize our work. We are operating in a transparent manner to enhance this accountability."

In fact, independence is one of the key features of NHRC. But it does not mean they keep themselves isolated. They aim to develop active partnerships with civil society, international organizations like Relief International and government agencies. The Talk-show discussion also covered the areas of participant's freedom to be engaged with NHRC by Post and Web. The NHRC Act 2009 is, in fact, generally considered as a strong milestone in the human rights movement in the country.

The most interesting part of the Talk-Shows was that it also highlighted the elements of human rights violations in the country during the period under review, as has been reported in the media as well as in other fields. It talked about the Commission's function of inspecting places of detention, for example it can open doors that have traditionally been closed to NGOs. The talk-shows also covered the distinction between the Criminal Act and human rights violation.

### Recommendation Power of NHRC

The recommendation power of NHRC also came into play in the discussion. The NHRC will be making their own recommendations to the authorities on human rights policies, but they intend to cooperate with those already doing research on particular human rights to strengthen their recommendations in order to make them more useful, updated and to the point. The data collected will feed into the Commission's recommendations.

### National Conference for Human Rights Defenders

The National Human Rights Commission, Bangladesh (NHRC) organized a National conference titled " Role of Human Rights Defenders : Protection and Promotion of Human Rights in Bangladesh in Dhaka with as many as 215 including 174 men and 41 women participants from government and non-government organizations, university teachers, students and journalists. Kazi Riazul Haque, Fulltime Member of NHRC presented the welcome address while Professor Shah Alam, Member of Law Commission was the key-note speaker.

The key-note speaker in his paper titled "To provide Security of human rights defenders" focused on the secure work environment for human rights defenders and their freedom to work, which is one of the main requirements if they want to work for the protection and promotion of human rights. In addition, he mentioned some practical requirements for the promotion of human rights such as right to information, free from corruption, accountability, transparency etc.



*Submission of Annual Report of NHRC, 2012 to the Honorable President of the People's Republic of Bangladesh*

Mr. Nazrul Islam, country Director, Relief International in his speech proposed to establish a Ministry of Human Rights for ensuring and monitoring human rights activities in a legal and organized way. There was a session on "Defending all human rights in a better way" conducted by Rokeya Choudhury, Lecturer, Department of Law, University of Dhaka.

Advocate Fazle Rabbi Miah, Chairman, the Standing Committee, Ministry of Law, Justice and Parliamentary Affairs and now Deputy Speaker of the Parliament delivered his speech as the chief guest. In his speech he highly praised the vital role of the National Human Rights Commission in creating a good name for the country in the outside world.

Finally the chair of the conference Prof Dr. Mizanur Rahman, Chairman, NHRC in his speech pinpointed the attention of the state when it becomes the human rights violator. He elaborated some of the common allegations against the government in power and strongly

asked for enacting a law for protecting the human rights defenders. Actually promoting human rights in Bangladesh was the main objective of this conference.

### **Publication of Human Rights Defenders Guidebook for Bangladesh**

Human Rights Defenders (HRDs) all over the world are subject to risks and obstacles from both state and non-state actors. In order to ensure safe work space for the HRDs the United Nations adopted the Declaration on Human Rights Defenders in 1998. Following the adoption of the Declaration, several International Human Rights Organizations have adopted guidebooks or protection manuals for HRDs. The vulnerability of HRDs in Bangladesh has necessitated the formulation of a guidebook for HRDs.

Human dignity is the quintessence of human rights. Human Rights Defenders



act as driving force though an individual or community will be able to hold the government accountable to respect, protect and fulfill human rights. In this exclusive structure Human Rights Defenders lie at the centre which works, non-violently for protecting any of the enshrined rights in the Universal Declaration of Human Rights. National Human Rights Commission is committed to protecting the rights of HRDs and ensuring HRDs unleash their full capabilities. According to the United Nations, a HRD is "anyone who, either individually or in association with others, works through peaceful means for the protection and realization of Human Rights and fundamental freedom. "This handbook is aspired to address some of the needs identified by defenders themselves, including protection, net working, training and access to justice system that can take action on their behalf. The objective of publishing this handbook is to provide a practical resource for HRDs, allowing HRDs to draw upon in order to incorporate and ensure their safety when carrying out their work.

### **Reprint of NHRC Manual on Human Rights Complaint Procedure**

During the period under review the National Human Rights Commission reprinted 7000 copies of the guidebook on complaint procedures and distributed among the human rights defenders as well as members of the civil society, law enforcing agencies, government agencies and community members.

The Manual will help human rights defenders and victims of violations to learn appropriate procedures to submit a complaint regarding human rights violations. This user friendly manual has been published in Bengali and designed for lodging complaints. Any aggrieved person or anybody who will be interested to lodge a complaint can use it as a guideline to submit complaint to the NHRC.

### **Capacity Building of NHRC Using Social Media to Promote Human Rights**

Nowadays social media has become a very popular and commonly used tool for campaigning and for making any awareness programme effective and broadbased. The NHRC with the help of RI has undertaken a programme to take the advantage of social media as a popular communication tool to mobilize support and to allow citizens to interact with them. Thus they have developed a social media site on Facebook and have also trained 30 NHRC officials including nine women on use of social media. As a result, this page has emerged as a bridge between common people and the NHRC. The Facebook fan page has multiple benefits. Through this page, anyone can reach out to the NHRC officials to share their opinion on NHRC and its activities while it has been used to receive complaints on human rights violations.

### **Fact Sheets on Human Rights Developed and Published**

As many as three fact-sheets have been produced by NHRC which covered issues such as torture by Rapid Action Battalion (RAB) and Sexual Harassment.

### **NHRC's Role, Mandate and Function**

The NHRC in collaboration with the local administration increased awareness of 400 government officials, Law Enforcing Agency (Ansar), NGOs, Teachers, Students, Business Community Leaders, Lawyers, Doctors and Volunteers on the role, mandate and functions of NHRC, and on issues like Human Rights and Women and Child's Rights. At the same time, it conducted awareness campaign on human rights issues at community level reaching around 5134 people.

### Seminar on Training Workshop on Reporting to UN Human Rights Treaty Bodies

The NHRC organized two workshops in Dhaka in 2013 to train the NHRC officials, officials of the government and NGOs to follow-up the progress made in the implementation of the recommendations for Bangladesh in the first cycle of the Universal Periodic Review held in 2009.

According to the National Human Rights Commission Act 2009, one of the key functions of the NHRC is to research or study treaties and other international instruments on human rights and to make recommendations to the government for their effective implementation as well as to give advice to the government for ratifying or signing the international human rights instruments and to ensure their implementation.

Both the workshops were participated in by good number of senior government officials of different Ministries, Chairman, Full Time Member and some other officials of NHRC.

As the guest of honour at the inauguration, the former Foreign Minister Dr Dipu Moni said, the UPR process is a global exercise and a new concept for Bangladesh. Referring the first Cycle of UPR, she said despite many limitations Bangladesh has made good progress

towards achieving the commitments made in 2009 at the Geneva Review. She said that the government has taken a comprehensive programme to stop violence against women, human trafficking and child labour as well. She opined that the press of Bangladesh also enjoys their freedom which is one of the major parameters for upholding democratic values.

The NHRC chairman Prof Dr Mizanur Rahman while presenting the draft report pointed out that the international agencies expressed grave concern over extrajudicial killings and enforced disappearances allegedly committed by the country's law enforcers. 'The government will have to take visible action in this regards', he said

As the Special guest, the United Nations Resident Coordinator and UNDP Resident Representative in Bangladesh Mr. Neal Walker said Bangladesh received 42 recommendations to improve human rights protection and promotion. In response, Bangladesh had accepted 35 of them. He also emphasized that there was still much work to be done to implement the recommendations. He stressed the need to develop institutions and watch bodies such as the Judiciary, NHRC, the Right to Information Commission, that provide independent advice on effective and timely measures for improving human rights situation of Bangladesh. He also urged to end the culture of impunity



*18th Annual Meeting of Asia Pacific Forum of the National Human Rights Institutions held in Doha, Qatar*



*Meeting with Justice Bala Krisnanan, Chairperson National Human Rights Commission, India*



*Meeting with Kieren FitzPatrik, Director, Asia Pacific Forum*

that has allowed extrajudicial killing, enforced disappearances and torture by law enforcement officials.

Kazi Reazul Hoque, Full Time Member, NHRC, Bangladesh shared the objective of the national seminar.

Both the training sessions were facilitated by Professor LyalS. Sungo, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Lund, Sweden. The participants were introduced to UN Human Rights system and UN Human Rights Treaty bodies, UN Human Rights Special procedures, Universal Periodic Review, guidelines for reporting.

It is expected that in the preparation of the State Report and Stakeholders/Shadow Report on UN Human Rights Treaty bodies to which Bangladesh is a party, participants would be able to apply the knowledge and skills obtained through the training workshop.



## Chapter Two

# Human Rights Awareness and Education

### Awareness Creation

Human rights education through promotional activities is extremely necessary to enhance and improve people's awareness about human rights. Because human rights can be enjoyed only after one has become aware that he or she himself/herself is entitled to them. Basically human rights are a means for protecting and realizing the dignity and value of every human being. For this reason, they are precious and valuable and that must be protected in our daily lives, not only for the socially vulnerable but for all of us equally.

Bearing this in mind, the National Human Rights Commission (NHRC), during the year 2013, carried out a number of activities in collaboration with several relevant agencies both public and private to achieve the desired goal of protecting, promoting and providing guarantee of human rights properly as has been stated in the National Human Rights Commission Act, 2009.

### Radio Talk-Show

Awareness is the requisite to building up human rights culture in Bangladesh and taking up a project named RI- NHRC has been a gigantic step to promote human rights culture in the country to reduce the vulnerability of impoverished sectors of the society. To fulfill such a goal, NHRC during 2013 implemented several forward looking programmes. One of such as an illuminating initiative was the Radio Talk-Show which guided a large number of people to share their grievances and ask their relief towards NHRC through this programme. Radio Today FM 89.6 broadcasted a series of episodes specially illustrating and highlighting the dynamic activities and powers of NHRC and informed people

about their rights and duties in simple language. To put importance and emphasis on such Talk Shows, those were participated in by Chairman of NHRC Professor Dr. Mizanur Rahman and high officials of Relief International (RI). This wonderful on air chemistry successfully created an effective bond between NHRC and the mass people resulting in a long lasting impact on the minds of the listeners.

The major themes of such discussions in the Radio Talk-Shows included on the role, function and activities of such an important national organization like NHRC and its special place in the national administrative hierarchy. It has been emphatically told that NHRC is a state organization, established by legislation, funded by the government and appointed through state structures. But like NGOs, they are also independent of government control and are in charge of their own budgets, appoints their own staff, and they fix up their own priorities and strategies. The issues like mission and vision of NHRC as stated in the Act have been elaborately discussed in the Talk-shows.

### Human Rights Promotion, Education and Awareness

The discussions of the Radio Talk -Show also covered the issues of human rights promotion, education and awareness raising system of NHRC. Issues like raising public awareness of their rights and freely exercising them and state actors meeting their responsibilities also came up for discussion.

### Concluding Remark

In the concluding remark of the Talk-show, it was very clearly spelt out that NHRC would never compromise with ideals and values of the country's

liberation war and would tirelessly endeavour towards creating, nurturing and nourishing a "human rights culture" in Bangladesh. It may sound ambitious, but the NHRC is confident enough that it is ultimately achievable.

### Respect Human Rights Roundtables

The NHRC with the cooperation of Relief International organized eight roundtables under the title "Respect Human Rights", with the participation of human rights activists, community and religious leaders, educators and youths, bodies of local government, law enforcement agencies and local government Administration. The main theme of these roundtables were human rights related issues and the mission and vision of NHRC aiming to generate awareness and respect for human rights.

### Public Service Announcement (PSA)

In order to publicize the services provided by NHRC specially to make the public aware of their role and functions, the National Human Rights Commission with the help of RI designed and publicized several PSA in print and electronic form. The PSAs were published in the popular national newspapers and Radio was also used for broadcasting the same.

### Translation and Publication of 13 Legal Instruments into Bengali

The NHRC reprinted as many as 13 important international legal Instruments in Bengali. The publications included among others the followings:

1. Universal Declaration of Human Rights, 1948
2. Refugee Convention, 1951
3. Elimination of all kinds of Racial Discrimination, 1965
4. International Covenant on Civil and Political Rights, 1966
5. Convention relating to the Status of Refugees, 1967
6. Child Rights Convention, 1989

### Human Rights Education and Awareness

In the modern world the promotion of "Human Rights Education and Awareness" has assumed tremendous importance and significance. The multi-dimensional endeavor of the government as well as the NGOs of creating, assimilating and disseminating knowledge and awareness is a robust way of bringing about an attitudinal change among the people from all walks of life specially with regard to their archaic perceptions and thought. The National Human Rights Commission (NHRC) under took various initiatives to promote the cause of human rights education and awareness during the year 2013.

The national Human Rights Commission is a statutory independent institution responsible for the protection and promotion of the rights of the people of

*Seminar on Human Rights and Communal Harmony*

The main objectives of these roundtables were to develop the overall human rights situation and human rights culture of Bangladesh, to promote national human rights commission by generating extensive publicity for the NHRC across the country and reach even their most marginalized populations.

The location of the roundtables covered the districts such as Mymensing, Dinajpur, Sirajgonj, Kustia, Rajshahi, Jessore and Noakhali. A total of 270 participants including 43 women took part.

Bangladesh. After the reconstitution of the commission in June, 2010, it has already drafted its five-year strategic plan where it has identified Human Rights Promotion, Education and Awareness raising as one of the three major areas where the commission has started its efforts more vigorously from the beginning. The Commission has already started its efforts to develop a human rights culture throughout the country. In doing so, the Commission believes that only legal awareness is not enough; rights based awareness is needed.



*Students sharing with Chairman NHRC on human right issues at Notre Dame College Auditorium, Dhaka*

To create a Human Rights culture throughout the country, the first thing needed is to plan Human Rights Education activities to enhance the capacity of the Commission as well as of the human rights actors. Secondly, it is needed to take comprehensive activities for public awareness. The NHRC considers partnership with important stakeholders to raise awareness about human rights in the country. The NHRC has also developed a specific and comprehensive strategy in the area of partnership building.

The NGOs have a vital role in the protection and promotion of human rights. In Bangladesh they are also primarily considered as Human Rights Defenders. To launch a broad-based campaign across the country NHRC as has been mandated has already developed partnership with local NGOs to raise the awareness of the citizens about human rights related issues.

## Human Rights Awareness Campaign

During the year 2013, the National Human Rights Commission reached around 39950 community people through interactive cultural programme i.e Pot Song, Gamvira and Drama for disseminating messages on NHRC, Human Rights, Child Rights, Birth Registration, and Domestic Labour, Violence against women and migrant workers and social discrimination issues in 20 districts of Bangladesh. It raised awareness of 3000 garment workers through partnerships with Marks and Spencer's in two garment factories on human rights issues focusing particularly on child marriage and birth registration.

The interactive cultural programme like Gamvira, pot song and drama highlighting human rights issues were performed at the field levels. The audiences were exposed to the roles and responsibilities of Human Rights Commission, Human Rights, Prevention of Human Trafficking, Birth Registration, Child Labour, Dowry, Early Marriage, Violence Against Women and Children and such other human rights related issues.

There have been 24 performances- 20 at out-door level and other four shows were at in-door level in two garment factories.

The field-level performances of such a programme appeared to be successful in bringing satisfactory results having impact on the audiences. Such performances were of immense benefit to the audience who could get acquainted with such issues and become aware of preventing human right violation at home and in the community.

## Brave Men Campaign

Violence against women remains an existing social problem in contemporary Bangladesh like most other countries of the world. Brutal attacks on women have become a commonplace and widespread affair across the country. Brave men campaign involves young men particularly the school going students





*Meeting of Child Rights Committee, NHRC*

aged between 12-15 to motivate them for taking action that would break men and boys silence on violence against women in the community

Primarily this is a pilot project of NHRC and for this purpose as many as 16 schools were selected- mostly from Dhaka city and some were from outside the city to run the training programme. The purpose of this campaign was to deconstruct the concept of bravery that is to respect woman, protect woman and stand strongly against any kind of violence.

The NHRC together with the Centre for Men and Masculinity Studies, a research based NGO developed this project to:

1. Promote a discourse on "brave men" that would encourage young men to say no to violence against women;
2. Explore different perceptions and experiences of boys regarding women's rights and violence against women (VAW)
3. Initiate gender sensitization training to promote an understanding and respect for women's rights and encourage equality between the sexes and
4. Raise awareness of violence against women.

### **Celebration of International Women's Day**

The NHRC organized a seminar in celebration of the International Women's Day in 2013 in partnership with Oxfam with due importance. As many as 120 participants attended and a number of issues were discussed concerning the existing problems in promoting the human rights of the rural women. JAGGO Foundation has launched a Parents Club where the parents of the students of JAGGO schools sit together to discuss their problems and other issues basically on human rights related matters. The major objectives of their activities were to help the urban slum



*Kazi Reazul Hoque, Full Time Member, NHRC visiting an Old Home, Gazipur*

community people and raise awareness among them about their rights and recourses available which would improve their quality of life. They would help the parents with the medical needs, partner with other clinical diagnostic centres to provide discounted services and medicines.

The Public Service Announcements in four Television channels were watched by 610000 viewers on International Women's Day 2013. The focused awareness was on NHRC mandate, Human Rights, Women Rights, Child Rights and Migrant workers, Social Discrimination etc. The NHRC also implemented inclusive human awareness campaign by engaging youth and students and focusing on marginalized and disadvantaged community. It has been found from media reports and on field level contacts with different sections of people that the trend of raising human rights awareness on NHRC mandate is progressively increasing.

The NHRC developed capacity of quite a good number of human Rights Defenders and Students on human rights and legal

issues. The other workshops organized by NHRC during 2013 in promoting human rights included an advocacy workshop conducted on the promotion of human rights focus on women and child rights at community level with the number of 286 local government officials, a workshop with 20 journalists on the freedom of the media and safety and security issues of the journalists and a workshop with 24 local NGOs for the promotion and protection of Human Rights.

The NHRC also conducted orientation programme for the NHRC staff members on Right to Information Act.

### **Projection through TV and Other Media**

A good number of efforts were undertaken to implement the human rights awareness programme during the year. As a result increased visibility of NHRC through its activities for creating a human rights culture in the country was remarkable. The NHRC website was properly updated and maintained. While 72 Billboards were installed in 24



districts in the year 2012, the process for installation of Billboards hampered to some extent due to political unrest in 2013, although estimated number of persons reached through the Billboards, according to the impact evaluation team of the Billboard, were 2628000.

In a drive to ensure better community education and to raise awareness about the NHRC, its mandate and structure as well as human rights in general, the NHRC has undertaken the programme of displaying Billboards depicting the NHRC's mandate and human rights issues in general particularly in the rural and semi rural areas. The Billboards generally seek:

1. To sensitize the broader public about the NHRC and Human Rights issues in General;
2. To disseminate messages on specific issues such as the adverse effects of gender-based violence;
3. To ensure that key messages reach a broader audience also outside the larger cities;
4. To increase the visibility and subsequently the use of the NHRC in particular in rural and semi- rural areas.

### Workshop on Press Freedom and Security Issues of Journalists

The NHRC considers media and the journalists as important stakeholders to raise awareness about human rights and to monitor the human rights situation in Bangladesh, although journalists are in most cases seen as the news publisher, not as human rights actors. But journalists have a vital role in the protection and promotion of human rights. In Bangladesh they are also primarily considered as Human Rights Defenders.

But the issue of safety and security of the journalists has been a widely discussed subject everywhere for the last few decades. And considering this fact the NHRC organized a workshop on press freedom and security issues of the

journalists in Bangladesh with the working journalists to understand challenges in this regard.



*Workshop on Press Freedom and Security Issues of Journalists*

The primary goal of the workshop was to address the challenges that are being faced by the journalists to perform their professional duties and search out the areas where the NHRC can intervene and that would finally contribute to improve human rights culture in the country. The NHRC would submit the recommendations to the respective government authority that may help to ensure safety and security of journalists. To identify future areas of cooperation to work with the journalists is also a matter which needs to be considered.

### Awareness Campaign at Bogra and Gaibandha

The NHRC organized two more workshops as a part of the campaign to raise awareness about human rights- one at Bogra and the other at Gaibandha. Prof Dr. Mizanur Rahman attended both the workshops as the chief guest. The objective of the campaign was to raise awareness of key stakeholders on human right issues.

Speaking at the Bogra workshop, Prof Rahman told the gathering that NHRC was doing everything possible in favor of people's interest and taking initiative to raise awareness on human rights issues. Mentioning the recent rape incidents in India, he emphasized the role of individual and collective efforts to protect



*NHRC delegation with others in the Universal Periodic Review in Geneva*

the rights of the vulnerable groups. He urged the local administration to play a strong role to protect the rights of vulnerable groups specially the women and school going girl students to protect them from sexual harassment.

Mr Md. Mozammel Haque, the Police Super of Bogra opined that the people did not get justice due to the challenges in accessing justice. He stressed that the Police Act of 1861 does not contain human rights principles. The rights of the people cannot be ensured if you can't develop pro-people mind set of the police forces, he added. The Deputy Commissioner of Bogra Mr Sarwar Mahmood also spoke on the occasion.

The Gaibandha workshop was also widely participated and the discussion was lively. It was attended , among others including officials of local administration, Advocate Faruk Ahmed, president of local Bar Association and members of local elite.

Speaking on the occasion the NHRC chief said that public education was important to build a human rights culture in the country. He also added that the NHRC initiated Brave Men campaign is a bold step towards building gender friendly mind set among the youths and students.

### **Promoting Human Rights Awareness in Rural Communities**

The majority of our population live in the rural areas and in consideration of that the major emphasis for undertaking promotional human rights awareness endeavor should be in the rural areas and the National Human Rights Commission was able to start a training programme in the rural communities during the year 2013 in collaboration with Jatiya Tarun Sangha (JTS). Sixteen staff members of JTS comprising of clinic managers, counselor, and paramedic and service promoters of the rural clinics attended the training programme. They came from eight clinics out of 27 run by JTS across the country.

The objective of the training was to enhance understanding of human rights principles and practices and role and responsibilities of the NHRC, its complaints mechanism; empower participants to act as human rights defenders at the community level.

The rural community clinic members of JTS are primarily responsible for collecting medicines and contraceptives from the clinic and distribute them amongst the community people mainly women. The NHRC considered the clinic

members as a conduit at community level in human rights messaging. Through the partnership, NHRC and JTS trained 16 clinic members commonly known as community service providers to act as focal points for disseminating messages on human rights issues in the rural areas of six districts.

At the inauguration of the training programme, the NHRC chairman Prof Dr. Mizanur Rahman said that the NHRC has the mandate to build partnership to create awareness at grassroots level. He remarked that in Bangladesh, the human rights campaign is basically focused on Dhaka. He emphasized that the NHRC has a plan to break the cycle in order to reach at the community level; because, he added, the poor always pay high price in getting justice but they should be given access first.

The training session focused on the concept of human rights, core human rights treaties and their domestication, human rights and state responsibility, the National Human Rights Commission, its role to protect and promote human rights. The other areas covered in the training were, among others, the NHRC complaints management system, gender, women and child rights and the right to health, the role of clinic managers on monitoring human rights violations and report to the NHRC.

## Chapter Three

# Human Rights Monitoring, Complaint and Inquiry and Fact-findings

### Complaint- Management Procedure

The Talk-show discussion also covered the topic of complaint management system through which people can directly lodge their complaints maintaining the prescribed means adopted by NHRC. Nonetheless, the conversation unveiled an important issue: significantly through which people became aware about suo moto power of NHRC regarding complaint management mentioning specifically that any aggrieved individual can lodge a complaint to NHRC. However, by securing changes in the system, they can best affect very large numbers of people. Whatever possible, they will work to achieve large-scale changes affecting groups of their constituents. It also covered the system and process of complaint lodging procedures followed by NHRC. Taking part in the Talk-Show, the NHRC chairman also pointed out that an individual can put forward his/her complaint in diverse ways like e-mail, post and others. Prof Dr. Mizanur Rahman also answered the questions put by friends of NHRC through Facebook Fan Page.

### Mediation System

The NHRC Chairman in his Talk-Show presentations has elaborately discussed about the benefits of Mediation System which, if and when, pursued and followed by the relevant parties, can bring in immediate relief to them.

### NHRC Investigation System

The investigation processes of NHRC were elaborately discussed in the Talk-Shows. The NHRC currently receives a regular flow of complaints of human rights violations and expects these to

grow exponentially as the Commission's profile rises. It has been found that Human Rights grievances have been effectively resolved in major cases through investigation and conciliation. Progressive and sustained reduction in human rights violations by the authorities have also been reported. Speaking generally the overall impact of complaint management system of NHRC among the people has been very good.

### Speedy Actions of NHRC

The National Human Rights Commission firmly believes that attainment of well being of mankind and ensuring justice to all through the realization of the pledges made by the government to promote and protect human rights in the country is the real goal of this organization. And it was revealed in the Talk-Show that as an exclusive state organ like NHRC is obliged to perform speedy actions for reducing the severe human rights violations and establishing justice throughout the country. In the cases of several human rights violations like the incident occurred in Manirampur and Eidgar, Ramu, Physically disabled Akbar Ali's case, Hadisha Aktar Poppy's dowry related case, Jeshmin Aktar's husband related case and in such other almost similar cases speedy punitive actions were taken under the initiative of the National Human Rights Commission.

### Eidgar Case

The Staff Reporter of the daily Cox's Bazar Times reported through NHRC social media site on Facebook that the number of child labourers is increasing in the Eidgar Union of Ramu Upzilla. Most of those child labourers are only 10 to 12 years old and are being engaged in the



hotels, restaurants, tea shops, brick breakings etc. These children are even beaten mercilessly by the employers when damages are done and prices of those items are recovered from them if any utensil is broken.

Upon receiving the report of child labour, the NHRC formed a two-member investigating team to examine the case suo moto. After visiting the Eidgar Union the investigation team found no evidence of formal child labour in the area. However, due to poverty, lack of awareness of the parents, weak education system, irregularities in distribution of government relief and corruption, child labour exists in some informal sectors. The investigating team placed few recommendations including ensuring transparency in the distribution of stipends, VGD, VGF and other programme of the government and persons convicted of these irregularities should be punished properly and effectively so that others rectify themselves for not engaging child labour.

### Manirampur Case

The online version of a Dhaka Daily newspaper published a news item entitled " Borborota Tobuo Nirbikar Police"( barbaric acts, the police is still silent). The report said that a women was brutally tortured at Bijoyrampur of Monirampur Upzilla , Jessore district. No case was filed even though the woman was stabbed in her pelvic area while sleeping. No investigation was undertaken by the police. Due to poverty the woman faced cumbersome obstacles to receive proper treatment. As soon as the news drew the attention of NHRC, it formed an investigating committee to investigate the case.

On August 5, 2013, Jharna, daughter of Gautam Ghose was sleeping in the Varanda of their home where she was brutally tortured by some local perpetrators. While she was profusely bleeding, she was taken to the Upzilla health complex where the doctor just sewed her injured area and sent her

back home. When her condition further deteriorated, she was again taken to the Upzilla health complex, Manirampur. Seeing her serious condition, the doctor sent her to Jessore General Hospital.

The National Human Rights Commission considered the case as a gross violation of human rights and immediately formed a committee to investigate the case. First of all, the committee ensured proper treatment of the injured and finally took up the case with the law enforcing agency to ensure justice to the victim.

### Physically Disabled Akbar Ali's case

A report published in the daily Ittefaq on July 13, 2013 under the caption "Akbar Ali moving door to door on the shoulder of his wife seeking justice from the administration" created quite a sensation. Akbar ali. A disabled person of Kaunia Upzilla of Rangpur district was given a plot of land near the Women's College. But failing to take possession of the land from the local influential people, he being disabled, chose the path of going door to door being on the shoulder of his wife for seeking justice specially for getting possession of the land.

The NHRC , considering this as a human rights violation case, took it up with the Additional Deputy Commissioner, Rangpur asking him to submit a report after due investigation. The ADC after proper enquiry took the necessary action and handed over the possession of the land to Akbar Ali.

### Hadisha Aktar Poppy Rescued from Dowry Seeking Husband

Hadisha Aktar Poppy of Kutubdia under Coxes Bazar district was married to Md. Rahimullah, a sepoy of Bangladesh army a few years back. After marriage her husband started torturing her on different pretexts and finally asked for fifty thousand taka as dowry. Md Rahimullah was posted to Saidpur cantonment and Poppy went there and lodged a complaint to his commanding officer Major Azam where Rahimullah

claimed to have divorced her. Hearing this, she became senseless. However, she was assured from there that her husband would go back to her and they would be able to lead a normal life.

Later, her husband came home on leave and started living with another woman remaining aloof from Poppy and he went back to job after the vacation. After that finding no other alternative, Poppy complained directly to the National Human Rights Commission. The NHRC immediately took up the case with the Defense Ministry and an Enquiry Court was formed at the initiative of the Defense Ministry. The Enquiry Court after completing due administrative processes ordered Rahimullah to accept Poppy as his wife and punitive action was taken against him for submitting the divorce letter illegally.

### **Jeshmin Aktar Got Back Her Husband**

Jeshmin Aktar, a Bsc student of Badrunnessa Govt. Girls College, Dhaka married Mr. Mahfuzur Rahman on 16.4.13 after knowing each other for six years. In a complaint lodged with the NHRC, Jeshmin Aktar informed the commission on Nov 26 that the parents and one brother of her husband tortured him severely both mentally and physically in order to make him a mental patient and finally admitted him in the paid ward of Pabna Mental Hospital as a mental patient. Jeshmin Aktar came to know this through some students of Dhaka University and Eden College who went to visit PabnaMental Hospital. In her petition she requested the NHRC to help her in rescuing her husband from the Pabna Mental Hospital.

The NHRC took up the matter seriously and immediately sent a letter to the Pabna mental hospital authorities to let them know the physical condition of the above mentioned patient along with their comment within a specific dateline. The hospital authorities examined the case again and informed the NHRC that the patient was suffering from Bipolar

Affective Disorder disease and took medicine irregularly. The Medical Board of the hospital, however, declared him fit for release from the hospital although advised for a follow-up treatment. As a result, Jeshmin Aktar got back her husband.

### **Physical Disability No Barrier to Success**

Farzana Aktar, a blind girl faced challenges regarding her blindness from many potential employers and while they each stated a number of flimsy excuses. She knew that the real reason was her blindness. Finally, the rejection from a Dhaka based bank was where she drew the line "The bank refused to give me an admit card for the recruitment test citing 'various reasons' which they then refused to specify" said Ms Aktar.

After a daily newspaper reported her case in details, Sara Hossain, a leading human rights lawyer brought it to the notice of the National Human Rights Commission. The NHRC promptly stood by her side and assisted her in her fight against discrimination. Within a few days of NHRC's queries, the respective bank's senior management contacted Ms Aktar and allowed her to appear at the recruitment test and she was able to cross all the hurdles to get the job.

### **Sexual Blackmailing Through Use of Technology**

A school teacher in Kustia along with his associates sexually harassed more than 100 school girls and recorded the crime scene in a hidden camera. The accused used to blackmail the girls and their families with the recorded video clips. To compound further the trauma and abuse the school girls had to undergo, the families of the victims also became socially and mentally traumatized with the spread of the news.

On receiving this sensational news, the NHRC immediately contacted the district administration and organized a meeting with more than 200 representatives representing the local civil society organizations, human rights defenders,

local law enforcing agencies and government administration.

Presided over by NHRC Chairman, the meeting was also attended by Ms Sultana Kamal, Executive Director, Ain O Salish Kendra, Deputy Commissioner, Police Super and community leaders. The NHRC chairman also met some of the affected families to learn more about the incidents and assured that the culprits would be brought to justice. He asked the parents to become conscious against the commercialization of education. He expressed his hope that awareness is an important step towards ensuring rights of women and to prevent violence against women.

The meeting recommended several immediate actions including taking urgent and immediate legal steps such as filing of cases, investigation and arrest of the accused by the law enforcing agencies.

### **Nawrin Nowroz Got Five Lac Taka as Maintenance Allowance**

Nawrin Nowroz married Mr. S. Mobin Choudhury in 2008. Her husband and his family treated her badly and they tortured her both physically and mentally. Her husband's family didn't even feed her enough and as a result she became sick and suffered from anemia. Finding no other way out, she finally divorced her husband in 2011 as it became very difficult for her to continue with such a torture. Afterwards, her husband refused to return her dowry and denied to pay taka five lac as dower.

Seeking support and assistance, Nawrin filed a complaint with the National Human Rights Commission against her former husband Mr. Mobin Choudhury. The Commission took immediate action, sending an order to both the parties to appear before the NHRC with all the necessary documents in order to settle the issue. The Commission after due hearing resolved the issue through mediation

and helped Nawrin get the maintenance she owed which included take five lac and other belongings.

### **Fact Sheet: Sexual Assault and Killing of a Woman in Narayangonj**

Shabnam Roy is the name of a woman of Narayangonj who has been brutal killed as she did not agree to accept the proposal of the perpetrators for having sex with them. She was living with her parents in the absence of her husband. She tried in all possible ways to escape from the perpetrators. But she could not save herself.

The NHRC sent a mission to conduct an investigation so that the main offenders can be identified and punished.

### **Fact Finding Missions**

While documentation helps present a detailed picture about human rights violations, fact finding missions comprise of the activities which are undertaken to generate the important facts which later help in preparing documentation. Four fact finding missions were conducted by the NHRC along with RI. Normally upon collection of the fact finding reports and data, the reports are shared with the relevant stakeholders such as government officials, policy makers and members of renowned civil society organizations which have a stake in the human rights situation of the country.

Fact Finding Mission: Rights Violations of Munda Community in the Sundarban Mangrove Forest Region in Southern Bangladesh.

A fact finding mission was conducted to know the current situation of the Munda community in Satkhira district in the southern Bangladesh. Munda is a small minority group heavily dependent on the resources of the forest and wage labour. In recent years, they have been subject to immense rights violation including eviction from their home and land which they have been using for generations. Many members of Munda community lost



their home and land to growing shrimp business and became landless. The fact finding mission looked into the history and background of rights violation of the Munda community and drew the attention of the policy makers and local and national administration to the sufferings of the community.

### **Fact Finding Mission: Communal Violence against Buddhist Community in Chittagong Hill Tracts**

As the follow up action of the Ramu incident of September 30,2012, a four-member NHRC team led by Md Imam uddin Kabir visited all the affected Ramu areas, where the temples and houses which have been rebuilt and rehabilitated by the government on August 20, 2013. The attack appeared to be a planned and purposeful one as only the Buddhist homes and establishments were ablazed. The muslim houses nestled between the Buddhists houses were left untouched. The attack spanned over six hours. The attackers swept across Ramu, demolishing temples and houses neighborhood after neighborhood.



*Professor Dr. Mizanur Rahman exchanging views with a Buddhist Monk after Ramu Tragedy*

A large number of monasteries, temples, houses and establishments of the

Buddhist communities of the area, and even those belonging to some of the Hindu communities in Ramu, Ukhiya and Teknaf had been subject to open arson and looting on September 29,2012 lasting three straight days.

However, the National Human Rights Commission took the complaint suo-moto and sent a fact finding committee led by its Deputy Director Md. Imam uddin Kabir to Ramu, Coxes Bazar earlier and that committee submitted an investigation report. The NHRC sent the same committee again to Ramu to follow up the latest situation of that affected area and they submitted another report with several recommendations.

According to that report the Buddhist community leaders of Ramu appeared to be satisfied with the immediate response of Prime Minister Sheikh Hasina who also visited the area soon after the riots and ordered for quick rebuilding of all destroyed temples and houses. The report added that inspite of increased security arrangement around the Ramu area by the government; many Buddhists were still feeling insecure. They were of the view that the muslim community there should be more helpful at the time of such a situation in future.

The recommendations of the committee, included among others, to ensure the security of the Buddhist monasteries, people, temples, idols and locality, to pressurize the police station to give the charge-sheet of the filed cases, to maintain the rebuilt temples and idols with the direct government supervision and to take some measures to create a friendly environment where people of all communities including Muslims, Hindus, Buddhists and Christians can live together in peace.

### **Fact Finding Mission: Communal Violence by Bengalee Muslims in Matiranga, Khagrachori**

On August 3, 2013, Bengalee Muslims attacked six Hill Tract villages in Taindong under Matiranga Upzila in Khagrachari district of Chittagong Hill Tracts. The



villages that were attacked include Bandorshing Para, Boga Para (Naya Para), Boga Para (Main), Monudas Para, Sorbeshwar Para, Talukdar Para- all under Taindong Union. The National Human Rights Commission (NHRC) on the basis of an application by an organization named Kapaeing Foundation which has been working there for the protection of the indigenous people took the complaint and sent a five-member fact finding mission to Matiranga, Khagrachari on August 18, 2013. The NHRC also requested the Ministry of Hill Tracts to investigate the incident and submit the investigation report to the Commission.

#### Observations:

It became clear from the interviews with the victims and eyewitnesses that the attack on Jumma villages in Taindong on August 3 was preplanned and racially motivated by Bengali settlers. Before the attack, for several days anti-Jumma sentiment and communal hatred had been spread among Bengali. They had let the conspirators to go ahead with their plans. During the procession on the night of July 31 the Bengalis gave anti-Jumma slogans for creating communal hatred.

The attack could have been averted if the local law enforcement agencies had taken immediate action against those fanning communal tensions. The aim of the attack was to drive the Jumma people out of their lands and destroy their economy. The Jummas have already been evicted several times since the arrival of the settlers in 1979 on a large scale. Attacks in the past forced them to vacate their lands that were later occupied by the Bengali. The attack of August 3 followed the same old pattern.

Due to the influx of the settlers over the last few decades the Jumma people in Taindong have been reduced to a minority. They live in constant fear of attack by Bengalis. Moreover, they have become subject to frequent raids, arrests, and harassment by a law enforcing agency. They are forced to live

in an environment where they have no security of life and property.

#### Recommendations:

1. To improve the communication system of these villages with the union parishad and improve the present condition of the road,
2. To ensure regular police visits in the remotest villages for the security of the Jummas at least once in a month,
3. To carry out a free and fair investigation to find out the actual criminals and not to harass any innocent people,
4. To ensure the punishment of all the criminals relating to this inhumane incident
5. To take necessary steps to stop all kind of extortion.



*Professor Dr. Mizanur Rahman, Chairman NHRC visiting the spot of Rana Plaza after its tragedy*

#### **Fact Finding Mission: Access to Compensation to Victims of Multi-storied Garment Factories in Savar**

In April, 2013, the collapse of Garment factories in the multi-storied Rana Plaza, Savar was a horrible incident where more than 1,100 workers died. A group of survivors of the Rana Plaza collapse who have been fighting with their lives, demanded adequate



*A seminar on Business and Human Rights*

compensation. Many survivors still have yet to receive the compensation promised by the government as well as by some other organizations. The National Human Rights Commission took the initiative to send a fact finding mission to observe the situation whether the victims have received any compensation or any kind of relief from the government or RMG sectors or from the owners of the factories. The inspection team completed the observation of the place of incident and also visited the Centre for the Rehabilitation of Paralyzed (CRP) which took the initiative to rehabilitate 317 victims of Rana Plaza.

#### Core Observations:

According to the Executive Director of CRP, they have received little aid from the government for the rehabilitation process. Only the handicapped victims were able to draw any attention from the government and received substantial help and assistance. The people who were injured badly but did not lose their organ, were not generally able to receive any help. The CRP did their best with the help of different NGOs and grant but it was not quite sufficient. The story of the missing workers was more pathetic as no one from any corner was there to help their families financially or otherwise. The findings indicated a great lack of coordination in the compensation process

led by the government.

The NHRC fact finding mission observed that no one from any corner came forward in the help of the missing workers and the compensation issue for them was out of all discussions. The findings indicated a lack of co-ordination in the compensation process led by the government. The compensation issue was thus alive throughout the year and lot of complains were made by the victims and their close relations for not receiving due compensation and the rehabilitation issue of missing victims remained mostly unresolved.

Following the Rana Plaza tragedy, the NHRC organized a multi-stakeholder consultation meeting in Dhaka in June with 35 representatives from the key stakeholder groups including the government of Bangladesh, UNDP, the private sector, media, civil society, industrial labour experts and analysts.

The NHRC Chairman Prof. Dr. Mizanur Rahman called for a greater focus on the rights of the workers and for the workers to be placed at the centre of all reforms and legislation and re-articulated the NHRC's commitment to ensuring that workers rights and dignity would be respected. He urged the western buyers to keep trust and confidence on the people of Bangladesh and requested them not to shy away from Bangladesh market.





*Workshop on Anti Discrimination Act*

The participants of the discussion highlighted the need for better co-ordination between the government, civil society, unions, and the private sector to ensure that the working conditions improved. Moreover, the participants called for the formation of an independent mechanism to monitor implementation levels and working conditions.

### **Limon Hossain- an innocent victim who was tortured by RAB**

Limon Hossain's case raised alarming questions of the impunity enjoyed by the country's security forces such as RAB, poor administration of justice by the state agencies and intimidation by local authorities. The RAB had shot a college student causing a permanent disability in Jhalkathi district. On March 23, 2011 a team of RAB -8 stopped Limon, a 16-year old college student and shot in his thigh. As a result Limon's left leg has been amputated.

The victimization of Limon by the RAB is an example of prevalent human rights violation in Bangladesh by the Law enforcing agencies. The NHRC took this case suo moto for observing whether the state has violated the rights of Limon. The commission has raised awareness about the

case through the media and public events.

The incident of Limon is against the natural justice principle and depicts the feature of violation regarding that unfortunate incident. If Limon does not get justice, it would set a negative example in the society and frustrate the nation's aspirations for democracy and promoting human rights and particularly the constitutional right to life and equality under the law.

### **NHRC's Concern at the Confinement of Jahangirnagar University Pro VCs**

The Chairman of the National Human Rights Commission Prof Dr. Mizanur Rahman in a Press statement expressed his concern at the confinement of two Pro VCs of Jahangirnagar University and requested the teachers of the university to resolve the crisis through discussion and wisdom without hampering the scheduled academic programme of the university.

As the normal academic activities of the university like classes and examinations were not being held, the students became the worst victims of the circumstances and as such Prof Mizanur Rahman in his statement hoped that the Education Ministry, the



*Training of Human Rights Investigators on Fact-findings*

University Grants Commission and the teachers of the Jahangirnagar University would be able to resolve the issues amicably and in a peaceful manner.

### **NHRC's Concern at the Political Violence like killing and Damage of National Property**

The NHRC released a Press statement on May 30, 2013 expressing grave concern at the frequent hartal and Aborodhs called by opposition political parties causing enormous financial losses of the country by disrupting economic activities, education of the students and communication systems. Even the normal human rights issues became vulnerable and people at large became panicky and helpless.

The worst affected section of our people were the daily labourers and people of low income groups who were not able to earn their daily wage and had to remain without food because of frequent hartal, Abarodhs and other political programme. Burning of public transports like Railways, Public Busses and Private cars became really alarming for the common people and people in general became frustrated at the behavior of the political parties. Criminal acts like killings,

burnings and damage of national properties were being undertaken by some political parties in the name of protecting Islam.

In such a situation, the NHRC appealed to the Political parties, politicians, Journalists, human Rights activists, Members of the legal profession, Doctors, Professors and patriotic citizens of the country to come forward and work for restoring justice, humanity and rule of law in the country fighting against fanaticism, brutality and barbarism.

### **Statement against Attack on Hindu Community at Bashkhali, Chittagong**

The National Human Rights Commission (NHRC) issued a press statement on March 9, 2013 condemning the attack on the Hindu Community at Bashkhali in the district of Chittagong after the International Crimes Tribunal ordered death sentence to the Jamaat Leader Delwar Hussain Sayedee for war crimes committed during our liberation war in 1971.

As a reaction of the verdict, the Jamaat supporters started atrocities across the country to destabilize and create fear among the common citizens of the country. The Jamaat and their supporters



was continuously vandalizing, torching and damaging public property, private homestead and temples of Hindu community. By that time around hundreds of people including policemen were killed in the country.

As part of the violence, a severe incident happened in Bashkhali Upazilla in Chittagong where the Hindu minority community was attacked, their homestead and temples were vandalized and torched. As reported in the media, intimidation and life threat were common phenomena in their daily life and they were living in an insecure and fearful environment.



*A woman of the Hindu community in Gaibandha expresses grief after a brutal attack of post award of death sentence of a Jamaat leader in accusation with International War Crime*

Under these circumstances, a team of NHRC led by its Chairman Prof. Dr. Mizanur Rahman as mandated to protect and promote human rights went to the affected areas. The NHRC was shocked to see the brutality and inhuman activities of the Jamaat and its followers. They simply created a reign of terror and their main target was the innocent people of the Hindu Community including women, children and the old in the area of Bashkhali. They burnt down the office of the Up-Zilla Executive Officer, the Court Building and the office of the Education officer including important office files and other documents. They also set to fire the local bank, shops and mandirs and residential houses.

The NHRC statement appealed to the

political parties, politicians, members of all professional bodies and the local people in general to come forward and maintain communal harmony at any cost in the spirit of our liberation war.

### Human Rights Fact-Finding Missions and Investigative Techniques

The National Human Rights Commission organized two training programmes on human rights fact finding missions and investigative techniques for NHRC staff and roster of investigators during the year. The objectives of the training were to build the capacity of the NHRC to conduct investigations and fact finding missions to investigate human rights violations and enhance their knowledge in investigation techniques in order to improve the commission's capacity to carry out its mandate.

The first training programme aimed at building the capacity of a core group of investigators as a part of the NHRC roster. A total number of 34 NGOs representatives attended the training. The second programme was attended by NHRC commissioners and staff members

Inaugurating the training programme of NHRC roster of investigators, Aroma Dutta, Honorary Commissioner, NHRC highlighted the importance of the training for improving the systematic approach to investigate human rights violation cases in Bangladesh. She reiterated that the NHRC needed the support of investigators to assist them conducting investigation following international standards. A close collaboration between the NHRC and NGOs is very important to enable the commission to reach people at the districts level, she added

In his closing remarks, Professor Dr. Mizanur Rahman, Chairman of NHRC said that though the commission has the mandate to investigate human rights violations they did not have sufficient resources and needed the support of the roster of investigators to investigate human rights violation cases on behalf of the NHRC.

## Chapter Four

# Human Rights and Policy Advocacy

### Publication of Policy Advocacy Papers

The National Human Rights Commission has chosen three very important current issues for developing policy papers since the regular laws provide no legal straightforward solution to the conflicting cases involving these areas. The areas are Enforced Disappearances, Custodial Torture and Minority Rights.

### Enforced Disappearance

"Enforced Disappearance" at present has become a somewhat significant addition to the general crimes in Bangladesh. The legal definition of the term is inexistent in the language of domestic laws, hence, nothing may be interpreted legally as enforced disappearance. Consequently, the regular laws provide no straightforward solution to it, which perhaps provides a justification to needs of adopting a new law prohibiting this covert operation.. Also, there are some technical similarities between the definitions of enforced disappearance and abduction, where the former is crime under domestic penal laws. To mention the prime asymmetry is that in case of enforced disappearance the state is the key responsible which endorses supports and entices the crime. Yet the similarities opens the door of countermanding arguments and impositions as, it is difficult to identify without sufficient investigation to state which crimes are enforced disappearance and which are not( or, abduction by nature). So, often the social discourses and political opponents alike ( yet with different objectives) engage in parlance incriminating the state ( or, specifically the government). Even if we disregard the tendencies to accuse the government

without sufficient proof, this simply does not denounce the fact that the state is the key responsible to protect human rights. State being the mightiest existence within its terrain, might be only persuaded to stop enforced disappearance if the people and the electorates unite to promote the culture of transparency and democratic norms. This may bring a shift in the political consciousness to act reasonably and increase tolerance, resulting the elimination of enforced disappearance.

### Custodial Torture

A modern democratic state cannot think of running its affairs without an organized police. The complicity, technicality, anonymity and differential professional groups have given birth to different types of policing. The police play the most important role when they ensure the rights of the people by maintaining order and ensuring peace in the society. In this sense, an organized police Service is the most effective Department to ensure human rights of the people. The moment human rights are declared by the international instrument or are guaranteed by the constitution of a country, they create obligations for a state to protect, respect and fulfill the rights,

States vis-à-vis the rest of the international community and other people are under an obligation not to violate the rights of the people. From human rights perspective, human rights cast 'positive duty' on the police officials, as they have to ensure security of the people and protect their lives. But sometimes their obligation takes 'negative form', as human rights remain better protected if they do not interfere with the people's rights. For example,



*Orientation Session for Bangladesh Civil Service Cadre (Ansar) on Human Rights at NHRC office*

everyone has the freedom from arbitrary arrest and detention. If police officials refrain from arbitrary arrest and detention, people's rights are better protected.

Bangladesh constitution in its Articles 31 and 32 has guaranteed very important right to life and liberty of the citizens. A person cannot be deprived of his/her right to life or a citizen's liberty cannot be curtailed except in accordance with law. A person has four constitutional rights under Article 33 when that person is arrested and Article 35 of the constitution has provided a number of rights as to trial and punishment. Bangladesh police has constitutional obligation to respect the human rights of the arrested persons. They, on the other hand, cannot apply third degree method to extract information or compel any accused to make confessional statement.

These are strictly prohibited by the provisions of the code of Criminal Procedure 1898 and Evidence Act 1872. Nevertheless, Bangladesh police frequently tortures the detainees for achieving both lawful and unlawful purposes. According to one estimate of the Ain O Salish Kendra, 91 people were tortured to death in 2012 by the law enforcing agencies, 100 people died in 2011, 133 in 2010, 377 in 2005 and 212 in 2004. Custodial torture has become integral part of the police investigation of any criminal case. Police is also alleged to have tortured people for extortion. Brutal and inhuman torture cause unnatural death, grievous physical injury or mental trauma. Bangladesh police allegedly continue this practice in total negation of the provisions of the Constitution, Cr. P.C and Evidence Act.





*Workshop with NGOs for Building Partnership with NHRC*

### Minority Rights- Bangladesh Perspective

The minority communities in Bangladesh took the emergence of a secular nation state as an end to the reign of terror and communal tension they were facing since the start of Pakistan movement and which continued till the last days of Pakistan. Unfortunately they could not remain free from that nightmare for long in the new country also. Gradually the anti-secular beliefs were incorporated throughout the constitutional amendments, state laws and policies. An active effort was always there to turn the secular Bangladesh into an 'Islamic' state. Along with these state sponsored terrorism, unhealthy state policy, abduction, torture, land grabbing, desecration of religious institutions, forcible eviction, violation against women, electoral atrocities etc appeared as a serious threat to the minority existence in the country. Under this socio-political situation the once financially and politically dominating minority groups suddenly found themselves helpless and frustrated and that led them a huge migration to neighboring India and other places.

Bangladesh must come back to its original "secular" position and must respect human rights and fundamental

freedoms for all irrespective of religion, race, language and cultural identities of its citizens. And it has to ensure that everybody's human dignity has been respected and protected in all state activities. Some affirmative actions have been a must to ensure constitutional equality as has been enunciated in the Constitution.

### NHRC Position on Human Rights Watch Report 2012

During the year 2013, as many as forty press releases were released by the NHRC projecting the activities of the organization. Some of these press releases were issued contesting the factually incorrect and untrue statements of some organizations and individuals regarding the existing state of affairs relating to human rights situation in Bangladesh.

To be specific, the 2012 report of the Human Rights Watch made certain comments about the formation and the trial processes of the International Crimes Tribunal which was not based on facts and reality. As such, the NHRC, through its press release issued on February 6, 2013 strongly rejected the statement of the Human Rights Watch regarding the legality of the formation of the Internal Crimes Tribunal and its trial



processes which are being conducted strictly following the legal procedures.

The press release also stated in clear terms that National Human Rights Commission has already sent their request to the relevant agencies of the government specially Home Ministry and Police Headquarters to take appropriate actions against the complaints of torture in the custody, abduction and Extra Judicial killing following the legal procedures. As they have informed the NHRC, some of the positive actions taken by the relevant law enforcing agency specially Rapid Action Battalion (RAB) like punitive actions taken against the killing of Nur Alam Babu and Tushar Islam Titu by Rab had not been mentioned in the report of the Human Rights Watch, the press release added.

### Advocacy to Stop Child Marriage

A survey conducted in 2012 by World Vision reveals that that Bangladesh ranks third amongst the 25 countries with the highest early marriage rates. It is estimated that in Bangladesh 32% of women get married or are in union before the age of 15 and 66% before the age of 18 years old.

The impact of marriage on the lives of girls and boys can be catastrophic, ranging from severe sexual and reproductive health complications and an increase in child mortality, to domestic violence, social isolation and extreme poverty.

To address this issue, the National Human Rights Commission has started campaigns against child marriage. The objective of the campaign is to strengthen the role of stakeholders to stop child marriage.

To start with, NHRC organized a workshop in Gopalganj on February 9, 2013 with Kazi Reazul Hoque, Full Time Member of the organization in the chair. The NHRC in the workshop called for the protection of the rights of the children, advocating for the revision of the Act related to child marriage and

sensitizing key stakeholders on the consequences of child marriage on the physical and emotional development of children.



*Launching Campaign on Bride Not Before 18*

Speaking at the workshop, Kazi Reazul Hoque urged girls to raise their voice and express their strong protest against child marriage. The NHRC advocated for the effective implementation of child marriage Restraint Act 1929, he added.

Mr. Mizanur Rahman, Police Super of Gopalganj said that the police should be informed if anyone gets to know incidents of child marriage so that the police can take appropriate actions to stop it.

### The following recommendations were made in the workshop:

The NHRC should advocate for the introduction of a birth registration in all union parishad and should urge the government to take legal action against marriage registrars who would be solemnizing a marriage of a child.

### National Seminar on 'Protecting the Rights of Dalits as the Most Vulnerable Marginalized Communities in Bangladesh'

The National Human Rights Commission and Bangladesh Law Commission jointly organized a seminar on 'Protecting the

Rights of Dalits as the Most Vulnerable Marginalised Communities in Bangladesh'. The seminar was participated in by about 400 people including members of Dalit community, academics Dalits rights activists, lawyers and Students.

The objective of the seminar was to get a critical analysis of the human rights situation of Dalits in Bangladesh following the presentation made by the speakers and discussion with the participants and to define the way forward to address the human rights situation of Dalits, activities at the policy level and to raise awareness to the public about their situation.

During its first UPR (universal periodic Review), Bangladesh received 42 recommendations to improve human rights protection and promotion among which includes taking further steps to address discrimination against vulnerable groups. The specific suggestions for a stronger policy and engagement on the Dalit agenda on Bangladesh were placed in a joint submission for the second universal periodic Review at the 16th UPR session in 2013.

The NHRC in its independent Stakeholders Report on UPR has identified that excluded groups including Dalits remain some of the poorest people in Bangladesh and face marginalization and discrimination and recommended to take steps to protect excluded groups including Dalits from discrimination.

## Present Condition of Dalits

Dalits are generally considered 'untouchable' and 'impure': they are denied entry to the temples, tea-shops, restaurants, to houses of non-Dalits, schools, Hospitals; the living conditions of Dalits are far below the poverty line and they do not have adequate supply of food; they experience extremely limited access to health services, education and employment and work almost exclusively in the service sector, doing unclean jobs in urban areas such as street sweeping etc; they live in separate colonies with very poor housing, where they fear eviction. They do not have a proper access to water and sanitation; Dalit women and girls face multiple forms of discrimination, exclusion, violence as a result of both their caste and gender, deprived from inheritance in cases of hindu women; prohibition of inter-caste marriages; lack of access to justice and often subject to discrimination and violence of law enforcement agencies and finally cultural aggression, social segregation, extreme poverty and conversion.

Recommendations made:

1. Introducing anti-discrimination legislation prohibiting discrimination and ensuring development of Dalits and other excluded and vulnerable groups



*NHRC Commissioners in the Universal Periodic Review in 2013*



2. Defining Dalit, and discrimination on the ground of caste, race and profession and prohibition of discrimination. On this point the definition of UN Draft Guidelines may be followed
3. For ensuring appropriate remedy for the violation of the human rights of the Dalits introduce compensation, establish easy accessible administrative forum
4. The NHRC and the Law Commission should work together for proposing anti-discrimination legislation and take lead on this which will also ensure government and civil society participation
5. The NHRC should play a leading role in raising public awareness on the social inclusion of the Dalits
6. To ensure effective implementation, monitoring, follow-up on the international conventions/covenants which Bangladesh has ratified/signed and
7. Arrange social inclusion trainings of Dalits for school teachers, law enforcement agencies

### Achievements

This joint initiative of NHRC and the Law Commission has opened a new door for the NHRC to work together with the Law Commission for making proposal for new legislation, examining/reviewing existing legislation and policies, verifying their conformity with international human rights standards. The seminar has provided an opportunity to the NHRC to take a leading role to follow-up on the recommendations made by the NHRC in the stakeholders UPR Report.

### Protection of Ethnic Minorities and their Rights

Bangladesh is home to around three million indigenous and tribal people, from 45 or more different ethnic groups with their distinct, language, culture and heritage. As in other parts of the world, indigenous and tribal peoples in Bangladesh are the most marginalized and excluded groups in society due to loss of land and forest/ natural resource rights, displacements, loss of culture and social disintegration, loss of local self-governance, discrimination and violent suppression of autonomous movements.

The conflict among different communities



*Celebration of World Environment Day*

in CHT region has become a regular phenomenon over the years even after the signing of the famous Peace Treaty. National Human Rights Commission being a national watchdog of the human rights conditions of every citizen including indigenous and tribal people, has adopted strategic planning inter alia for the promotion and protection of the rights of the indigenous peoples.

As part of this process, the NHRC arranged a regional training workshop in the first week of April, 2013 titled "The members of the Police and Border Guard of Bangladesh on Human Rights of Ethnic Minority Peoples of Bangladesh " The participants acquired knowledge on fundamental concepts of human rights, rights of indigenous and tribal people. The introductory speech was delivered by the chairman of NHRC Prof Dr. Mizanur Rahman.

Another national seminar was arranged in the last week of April, 2013 titled "Current Implementation Status of CHT Accord, 1997." Member of the Parliament and Chairman of the Standing Committee on Ministry of Education and at present minister for Civil Aviation, Mr. Rashed Khan Menon was the chief guest while Mr. Naba Bikram Kishore Tripura, Secretary of Ministry of CHT was the guest of honour.

It was presided over by Prof Dr. Mizanur Rahman and Dr. Shourav Sikder, Dept of Linguistics; University of Dhaka presented the key-note paper.



Book Launching titled BANGABANDHU Manabadhikar Darshon



# PROFILE OF COMMISSIONERS

The reconstituted National Human Rights Commission (NHRC) started working with Chairman, Full Time Member and five honorary members in June 2010. After completion of the first tenure in June 2013, six out of seven members were appointed for 2nd tenure and one new member was appointed in June, 2013. The profiles of current Commission members are:





## Professor Dr. Mizanur Rahman

Professor Dr. Mizanur Rahman was appointed by the President of the People's Republic of Bangladesh as the Chairman of National Human Rights Commission in June 2010 with the privileges and remuneration of Appellate Division Judge of Supreme court of Bangladesh.

Dr. Mizanur Rahman is Professor and former Chairman of the Law Department at the University of Dhaka. He had been a professor of Baltimore University at Maryland, USA as a Fulbright scholar. Until recently, he was a visiting professor at several Universities including Umeo University in Sweden, Oslo University in Norway, Tivier University in Russia, Tashkent University in Uzbekistan, Kathmandu School of Law, Nepal etc.

Dr. Rahman is the founding coordinator of the Continuing Legal Education Program (CLEP), the professional legal education program of the Bangladesh Bar Council, now known as the Bar Vocational Course (BVC). He pioneered the Clinical Legal Education program in Bangladesh.

Dr. Rahman is a veteran Human Rights activist who has been

dedicated to Human Rights promotion and research for over two decades. He has been conducting Human Rights Summer School (HRSS), an initiative towards human rights education in favour of the rights of the poor and marginalized people since 2000. This initiative has gained popularity around the world and students from India, Nepal, Iran, Pakistan and Canada are participating in the course. Dr. Rahman also initiated the Community Law Reform (CLR) program which has helped to widen legal education outside the classroom. He contextualized the idea of 'Street Law' in Bangladesh which is practiced in over 70 countries of the world. These initiatives have made Dr. Rahman a great organizer. He also established a nonprofit voluntary organization named Empowerment through Law of the Common People (ELCOP) in 2000 and served as its Honorary Executive Director before being appointed to the present position.

Dr. Rahman has been a consultant to a wide range of national and international organizations including the Government of Bangladesh, The

World Bank, UNDP, UNICEF, ILO, Ford Foundation (USA), Soros Foundation (USA).

Save the Children, NORAD, European Commission, IOM etc. He has received a number of awards in recognition to his expertise in Law and Legal Education. He has travelled to numerous countries in Asia, Europe and the Americas as an invited guest speaker.

Dr. Rahman is also a renowned researcher. He is the author of 8 research monographs and more than 75 research articles. He has edited more than 18 books on Law, Human Rights, Legal Education and Governance and sits on the Editorial Board in a number of reputed

scholarly journals at home and abroad.

Recently Dr. Rahman has been awarded the 'Professor N.R. Madhava Menon Best Law Teacher Award 2010, which is considered to be the most prestigious law teacher award in the SAARC region. He is a lifetime member of a number of organizations like the Bangla Academy, the Asiatic Society, the Legal Education and Training Institute (LET[]), the Global Alliance for Justice Education (GAJE), the Old Rajshahi Cadets'Associations (ORCA) etc.





## Kazi Reazul Hoque

**K**azi Reazul Hoque was appointed by the President of the People's Republic of Bangladesh as the Full Time Member of the National Human Rights Commission with the privileges and remuneration of High Court Division Judge in June 2010. Commissioner Hoque is also the Chair of different thematic committees of NHRC such as - Child Rights Committee; Business and Human Rights Committee; Migrant Workers' Welfare Committee of NHRC Bangladesh. His wide experiences and strong commitment in the field of social service and human rights have strengthened the capacity of the committees to develop innovative solutions in addressing abuse, violence and exploitation against the children and workers and in formulating legislations and policies in regards to child rights.

After obtaining his Masters degree from Dhaka University, Kazi Reazul Hoque joined the Bangladesh Civil Service. After serving in administration, autonomous bodies and Bangladesh Secretariat, he retired as a Secretary to the Government of the Peoples' Republic of Bangladesh in 2006. While serving

as a District Commissioner & District Magistrate, Mr. Hoque established the KhuIna Foundation, Khulna Shishu (Children) Hospital, Liberation War Martyrs Monument at Gollamari and the Rabindra Complex at Dokkhindihi, Khulna. During his service in the Ministry, Mr. Hoque played a key role in formulating the National Rural Development Policy-2000 and in establishing the Rural Development Foundation, the largest foundation in the public sector to reduce poverty.

On retirement from Government service, Mr. Hoque has served as the Executive Director of the Legal Education and Training Institute (LET), a think tank in the legal arena, at Bangladesh Bar Council for almost four years where he has successfully commissioned a series of human rights training programmes and research work on Child rights and juvenile justice, trafficking and migration, related laws, instruments etc in collaboration with UNICEF, USAID, UNDP, IOM, UNHCR and the Australian Bar Association.

Mr. Hoque has studied Law, Public Administration and Management at several institutions at home and

abroad including the Bangladesh Civil Service Academy, Birmingham University, UK, the British Civil Service College UK and the International Law Institute and Georgetown University, Washington D.C, USA.

Mr. Hoque was the President of Khulna District Sports Association, President of Khulna District Shilpokala

(Cultural) Academy. During his Presidency those institutions earned huge reputation in the field of sport & culture. For excellent performance record and outstanding contribution in education health and family planning, nutrition, and other economic social and cultural rights, he was awarded life membership by many organizations.



## Professor Mahfuza Khanam

Professor Mahfuza Khanam is a name well known in the academic, cultural, social and political arena in Bangladesh. She was the first woman leader in the Dhaka University Central Students Union (DUCSU). She has been in the vanguard of any progressive movements and fighting for the amelioration of the life of the womenfolk in the country.

Professor Mahfuza Khanam was born in 1946 in Dhaka and obtained her Master's in Physics from the University of Dhaka in 1967 in first class. She began her teaching career by joining Purana Paltan Mahila College as a lecturer in 1969. She joined the Eden Government College as lecturer in 1972. Through her long teaching profession, she served many govt. colleges which include Eden University College, Leather Technology College, Comilla Mahila College, Manikgonj Govt. Mahila College, Govt. Science College, Govt. Music College and Jagannath University College. In 2001 she became Professor and joined Govt. Music College as Principal. After joining the Music College she warmed towards the cultural life and soon drew the attention of the music lovers and social and cultural activists. She addressed herself to the development of a neglected sector of our cultural life. She organized a five day Sangeet Sammelon (Music festival) under the aegis of UNESCO. A

total number of 200 members from different music organizations and singers from different parts of the country participated in the music festival. Five musicians received awards posthumously. In the sports arena, Professor Mahfuza Khanam made her mark. She was one of the marquee manes in sports. She has played valuable role in the development of sports among the womenfolk. She is a good athlete. She became an athletic Champion in her school, College and University life. She was a Blue Bird and Girls guide. She is a founder member of the Women's sports Federation. Her mission is to inspire the women folk to get down to the development works of the country and uphold the cause of the women for the greater interest of the nation.

Professor Mahfuza Khanam was a well-known student leader in the progressive wing in the '60s. She was elected Vice President of the Dhaka University Central Students Union in 1966-67. She took active part in the movement against the Hamidur Rahman Education Commission to realize autonomy for the then East Pakistan. Most of the Awami league activists were at that time in jail and the task of leading the six points movement in the Dhaka University campus devolved upon the DUCSU V.P. Mahfuza Khanam. As the V.P. of the Dhaka University

Central Students Union, she evinced keen sense of leadership and prudence in leading the students of the Country to a greater movement for realizing the demands of the people of then East Pakistan.

Professor Khanam has a strong feeling of patriotism. She couldn't sit idle as a woman when the liberation war starts. She forsook her comfort and pleasure and acted on behalf of the freedom fighters leaving behind her five month old baby. She turned her Purana Palton residence into a camp for freedom fighters. Her residence became a centre for the people working as helpers to the freedom fighters. This centre arranged food, medicine and accommodations for the freedom fighters who were preparing operations in Dhaka. She provided important information and help in the USIS Library operation, TV tower operation and Siddirgonj Power station operation. For her active role in the liberation war she and members of her family were put behind bars on many occasions.

Professor Khanam made important contributions to different social movements alongside the Students movements. She formed the 4th Class Employees organization of the Dhaka University in 1967 and is associated with many labour and woman organizations.

Professor Mahfuza Khanam has made valuable contributions in the intellectual and academic arena. She has been elected Senate Member of the Dhaka University by the vote of its registered graduates on 29 September 2013. Previously, she was Senate Member of Dhaka University for consecutive four terms. Professor Khanam's heart bleeds for the needy and the poor. She works for the interest of the common people wherever she goes. As the General Secretary of the Asiatic Society of Bangladesh (2008-2009, 2010-2011) a

premier learned body in the country, she has made immense contribution to the Society. She got the Service Rule of the Society passed by the Council and took personal interest in setting up a Welfare Fund for the employees of the Society.

A patron of learning Professor Mahfuza Khanam has set up Saleha Khanam Trust fund, Mustafizur Rahman Khan and Saleha Khanam Trust Fund and Professor Mahfuza Khanam and Barrister Shafique Ahmed Trust Fund at the Asiatic Society of Bangladesh. Besides these, she opened Trusts in the Insurance Academy and in the Siddeswari Girls College. She set up a Trust for the poor and talented students of Manikgonj and started offering scholarship grant to the Students of Manikgonj from 2003. Through these funds she and her family members and making positive contributions to the Society. Many poor and talented students are receiving fund from these trusts for their studies.

Imbued with the ideals of Begum Rokeya, Professor Mahfuza has devoted her life to the spread of education among the neglected womenfolk of the country. Her publications include Gana Manusher Mukti Andolaon (Freedom movement for the people) 1st and 2nd volumes, Madhuda, Compilation of Mustafizur Rahman Commemorative volume and many other articles published in various journals and Newspapers.

Professor Khanam has won many prizes, gold medals, laurels and honour for her positive contributions to education, social and cultural fields.

Happy and proud in family life with three children, Professor Mahfuza Khanam is married to Barrister Shafique Ahmed, a prominent lawyer and jurist and former minister for Law and Parliamentary Affairs, Government of the People's Republic of Bangladesh.





## Selina Hossain

Selina Hossein is an acclaimed writer in Bangladesh. She has been writing for over four decades. In addition to writing stories, novels and articles, she has edited several books on women's rights, women's empowerment, gender and development issues. Several of her books have been included in the syllabus of the leading universities of Bangladesh, India and OKTAN Community College, Chicago, USA.

Mrs. Selina Hossain is the Executive Director of Fareea Lara Foundation. She worked at the Bangla Academy for 34 years in various capacities. In addition, she is actively involved in cultural and social work in the areas of human rights and gender issues at national and international levels. She has received several awards including Bangla

Academy Literary Award and Alaol

Literary Award. She received the national 'Ekushe Paclak' award in 2009.

She was conferred with the D.Lit (honoris ausa) degree from Rabindra Bharati University, India in 2010. Recently in 2011 she received the 'Premchand Fellowship' from the Kolkata Sahitta Akademi (Academy of Letters). She also received the 'Rabindra Smriti Puraskar', British Council Fellowship and Ford Foundation Fellowship, among many others.

Mrs. Hossain is a member of the governing council of the Delhi-based SAARC Writers and Literature Foundation. She has been nominated to join the UNESCO Executive Board as the Representative of the Bangladesh Government.



## Advocate Fawzia Karim Firoze

**A**dvocate Fawzia Karim Firoze is a practising lawyer, Supreme Court of Bangladesh; Human Rights Activist and Women's Rights Advisor. She is the President of the Bangladesh National Women Lawyers Association (BNWLA). Besides BNWLA she is the president of the Workers Rights Coalition; SEWA (an organization of women workers in the informal sector); and Legal Secretary, Bangladesh Labour Foundation. Advocate Karim started her career as a lawyer in 1982 practicing in Civil, Criminal, Labour and Corporate Law.

She obtained her Honours and Masters in Law from Dhaka University. In addition, she was awarded an Advocacy Fellowship from the Advocacy Institute, Washington D.C, USA and Parliamentary fellowship from the Institute for Constitutional and Parliamentary Studies, New Delhi, India. She has a significant number of publications in legal and human rights issues.



## Aroma Dutta

**A**roma Dutta is the Executive Director of the PRIP Trust, a national NGO working to meet the development needs of the poor in Bangladesh since 1989. She has expertise in management, institutional development, planning, monitoring and evaluation, gender and development and governance/local governance.

Ms. Dutta is also an Executive member of a number of national and international organizations working for poverty reduction and upholding human rights for the poor and disabled persons

including the Interna

tional Center for Non-Profit Law (ICNLUSA); Proshika; Campaign for Popular Education (CAMPE). She also worked for NORAD, USAID in the field of women in development, health and family planning, small scale cottage industry, rural development, rural credit programmes.

Ms. Dutta completed her Masters in International Management from E.I.L., Vermont, USA and in Sociology from the University of Dhaka. She started her career as a Lecturer at Dhaka University.



## Nirupa Dewan

Nirupa Dewan is a retired Headteacher of Rangamati Government High School with 35 years experience in teaching. She is a member of several renowned national and international organizations including the National Social Welfare Council; District Women's Sport Association; Bangladesh Girls Guides Association; Red Crescent Society and Rotary Club.

Ms. Dewan was awarded the 'Star of Bangladesh' in 1994 from the Bangladesh Girl Guides Association and in 2001 she received a national gold medal award as

the best Girl Guides teacher. She has participated in several meetings and seminars at home and abroad representing the Bangladesh Girl Guide Association. She has recently received a "life time achievement award" by Nari Uddyog-Kendra", Bangladesh and "Sultana Kamal Independence Day Award" from the National Women's Sports Association, Bangladesh for her outstanding contribution in the field of women's sports.



# ANNEXURE

Act No.53 of 2009  
**An Act to establish  
 National Human Rights Commission\***

Whereas protection, promotion and providing guarantee of human rights have been enshrined in the Constitution of Peoples Republic of Bangladesh as the main aim of the State; and

Whereas it is expedient and necessary to establish a National Human Rights Commission and make provisions in this behalf for protecting, promoting and providing guarantee of human rights properly;

It is hereby enacted as follows:

**CHAPTER 1  
 PREAMBLE**

1. Short title and commencement:

- (1) This Act may be called the National Human Rights Commission Act, 2009.
- (2) It shall be deemed to have come into force on the 1st September, 2008.

2. Definitions: In this Act, unless there is anything repugnant in the subject or context,

- (a) "Commission" means the National Human Rights Commission;
- (b) "Chairman" means the Chairman of the Commission and the person acting as the Chairman of the Commission;
- (c) "Public servant" means the public servant as defined in section 21 of the penal code;
- (d) "Penal Code" means the Penal code, 1860 (XLV of 1860);
- (e) "Rules" means the rules made under this Act;
- (f) "Human Rights" means Right to life, Right to liberty, Right to equality and Right to dignity of a person guaranteed by the constitution of the People's Republic of Bangladesh and such other human rights that are declared under different international human rights instruments ratified by the People's Republic of Bangladesh and are enforceable by the existing laws of Bangladesh.
- (g) "Discipline force" means the discipline force stated in the Article of 152(1) of the Constitution of the People's Republic of Bangladesh;
- (h) "Member" means a Member of the Commission and also includes the Chairman;
- (i) "Evidence Act" means the Evidence Act, 1872 (1 of 1872);
- (j) "Constitution" means the Constitution of the People's Republic of Bangladesh.

**CHAPTER-II****ESTABLISHMENT OF HUMAN RIGHTS COMMISSION****3. Establishment of the National Human Rights Commission:**

- (1) After the Act comes into force, a Commission to be called as the National Human Rights Commission shall, as soon as possible, be established for carrying out the purposes of this Act and in accordance with the provisions of this Act.
- (2) The Commission shall be a statutory independent body having perpetual succession and the power, among others, to acquire, hold, manage, dispose of property, both moveable and immoveable, and shall by the said name sue and be sued.
- (3) The Commission shall have an official seal, which shall be kept under the authority of the Secretary of the Commission.

4. Office of the Commission: The Head office of the Commission shall be situated in Dhaka and the Commission in case of necessity may establish offices in the Divisions, Districts and Upazillas.

**5. Formation of the Commission:**

- (1) The Commission shall consist of a Chairman and Members not exceeding six.
- (2) Chairman and one Member of the Commission shall be full time and other Members shall be honorary.
- (3) Among the Members at least one shall be woman and one shall be from the ethnic group.
- (4) Chairman shall be the Chief Executive of the Commission

**6. Appointment, terms of office, resignation, etc of the Chairman and Members of the Commission:**

- (1) The President shall, upon recommendation of the Selection Committee, appoint the Chairman and Members of the Commission, provided that, no person shall be qualified for appointment to the post of the Chairman or a Member of the Commission if he is less than 35 years of age and over 70 years of age.
- (2) The Chairman and the Members of the Commission shall, subject to the provisions of this section, be appointed from amongst the persons who have remarkable contribution in the field of legal or judicial activities, human rights, education, social service or human development.
- (3) The Chairman and Members of the Commission shall hold office for a term of three years from the date on which he enters upon his office; provided that a person shall not be appointed for more than two terms as a Chairman or Member of the Commission.
- (4) The Chairman or any Member of the Commission may, before completion of his tenure as stated in sub-section (3), resign his office by writing under his hand addressed to the President.
- (5) If a vacancy occurs in the office of the Chairman or if the Chairman is unable to discharge the function of his office on account of absence, illness or any other reason, the Full Time Member of the Commission shall act as Chairman until a newly appointed Chairman holds office or until the Chairman resumes the function of his office, as the case may be.

## 7. The selection Committee:

- (1) To make recommendation on the appointment of the Chairman and Members, a selection Committee shall be constituted consisting of the following seven Members:
  - (a) Speaker of the parliament who shall also be its Chairman
  - (b) Minister, Ministry of Law, Justice and Parliamentary Affairs
  - (c) Minister, Ministry of Home Affairs
  - (d) Chairman, Law Commission
  - (e) Cabinet Secretary, Cabinet Division
  - (f) Two Members of the Parliament, nominated by the Speaker of the Parliament, out of whom one shall belong to the Treasury Bench and the other from the opposition.
- (2) The Ministry of Law, Justice and Parliamentary Affairs shall provide the Selection Committee with necessary secretarial assistance for discharging its function.
- (3) The presence of four (4) Members shall constitute the quorum of the Selection Committee
- (4) For the purpose of making recommendation on the appointment of the Chairman and Members, the Selection Committee, Shall recommend two names against each vacant post on the basis of the decision of the majority of the votes of the Members present, and in case of equality of votes, the person presiding over the meeting shall exercise casting vote.
- (5) The Selection Committee shall determine the procedure of its meeting.

## 8. Removal of the Chairman or a Member:

- (1) The Chairman or any Member of the Commission shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court.
- (2) Notwithstanding anything contained in sub-section (1), the President may remove the Chairman or any other Member from his office, if he -
  - (a) is declared insolvent by any competent court; or
  - (b) in case of Chairman and Full Time Member engages himself in any post extraneous to his own duties during his term of office for remuneration; or
  - (c) is declared by a competent court to be of unsound mind; or
  - (d) is convicted of any offence involving moral turpitude.

9. Vacancies to the post of Members not to invalidate any act or the proceeding of the Commission: No act or proceeding of the Commission shall be invalid or called in question merely on the ground of existence of any vacancy in the office of the Member or defect in the constitution of the Commission.

## 10. Salaries, allowances etc of the Members:

- (1) The Chairman shall be entitled to get salaries, allowances and other privileges as a Judge of the Appellate Division of the Supreme Court.
- (2) The Full Time Member shall be entitled to get salaries, allowances and other privileges as a Judge of the High Court Division of the Supreme Court.
- (3) The Honorary Members shall be entitled to get Honorarium and allowances for discharging their duties including attending Commission Meeting at the rates as determined by the Commission.



## 11. Meeting of the Commission:

- (1) The Commission shall, subject to the provisions of this Act, determine the procedure of its meetings.
- (2) The Chairman shall preside over all the meetings of the Commission and in his absence the Full Time Member shall preside over the meeting.
- (3) The presence of the Chairman and at least three Members shall constitute the quorum of a meeting
- (4) For taking decision in the meeting of the Commission each Member shall have one vote and in case of equality of votes, the person presiding over the meeting shall have a second or casting vote.
- (5) There shall be at least one meeting of the Commission within two months.

**CHAPTER-III****Functions of the Commission**

## 12. Functions of the Commission:

- (1) The Commission shall perform all or any of the following functions, namely:
  - (a) to inquire, suo-moto or on a petition presented to it by a person affected or any person on his behalf, into complaint of violation of human rights or abetment thereof, by a person, state or government agency or institution or organization;
  - (b) to inquire, suo-moto or on a petition presented by the person affected or any person on his behalf, into any allegation of violation of human rights or abetment thereof or negligence in resisting violation of human rights by a public servant;
  - (c) To inspect any jail or any other places where persons are detained or lodged for the purpose of correction, custody, treatment, or such other welfare, and to make recommendation to the government thereon for the development of those places and conditions;
  - (d) To review the safeguards of human rights provided by the Constitution or any other law for the time being in force and to make recommendation to the government for their effective implementation;
  - (e) To review the factors, including acts of terrorism that inhibit the safeguards of human rights and to make recommendations to the Government for their appropriate remedial measures;
  - (f) To research or study treaties and other international instruments on human rights and to make recommendation to the government for their effective implementation;
  - (g) To examine the draft bills and proposals for new legislation for verifying their conformity with international human rights standards and to make recommendations for amendment to the appropriate authority for ensuring their uniformity with the international human rights instruments;
  - (h) To give advice to the Government for ratifying or signing the international human rights instruments and to ensure their implementation;
  - (i) To research into the field of human rights and to take part in their execution in educational and professional institutions;
  - (j) To publicize human rights literacy among various sections of society and to promote awareness of the safeguards available for the protection of those through publications and other available means;

- (k) To encourage and coordinate the efforts of Non-Governmental Organizations and institutions working in the field of human rights;
  - (l) To enquire and investigate into complaint related to the violation or probability of violation of human rights and resolve the issue through mediation and conciliation.
  - (m) To advise and assist the Government by providing necessary legal and administrative directions for protection and promotion of human rights.
  - (n) To make recommendation to the Government so that the measures taken through the laws of the land in force and administrative programs are of international standard ensuring human rights;
  - (o) To assist and advice the organizations or institutions working in the field of human rights and generally the civil society for effective application of human rights;
  - (p) To raise public awareness through research, seminar, symposium, workshop and relevant activities and to publish and disseminate the outcomes.
  - (q) To provide training to the members of the Law enforcing agencies regarding protection of human rights;
  - (r) To provide legal assistance to the aggrieved person or any other person on behalf of the aggrieved person to lodge a complaint before the Commission;
  - (s) To undertake such other functions, as it may consider necessary for the promotion of human rights;
- (2) Notwithstanding anything contained in sub-section (1), the following matters shall not be included into the functions or duties of the Commission, such as:
- (a) Issues relating to the cases being tried before a court;
  - (b) Issues being considered by the ombudsman under the ombudsman Act, 1980(XV of 1980);
  - (c) any issue relating to the service matters of the public servants of the Republic and any employee engaged in the service of a statutory government authority which is triable in any Tribunal established under the Administrative Tribunals Act, 1980(VII OF 1981)

#### 13. Reference from the Supreme Court:

- (1) The Supreme Court may send any issue derived from an application made under article 102 of the Constitution, to the Commission for submitting report after enquiry.
- (2) The Commission shall, after making an enquiry into the matter under sub-section (1), submit the report to the Supreme Court within the time frame, if any, mentioned in the reference.

#### 14. Steps to be taken in case of revelation of Human Rights violation:

- (1) If any human rights violation is revealed from the enquiry of the Commission, the Commission may take steps to resolve it through mediation and conciliation.
- (2) If the mediation and arbitration under sub-section (1) does not succeed, the Commission shall-
  - (a) Recommend to the appropriate authority to file case or take any proceedings against the human rights violator;

- (b) Recommend to the appropriate authority or person to prevent and take remedial measures for protecting the violation of human rights.
- (3) The Commission shall not make any recommendation under this section without giving opportunity of hearing to the person who has been accused for violation of human rights or who is about to violate human rights.
- (4) The Commission shall send a copy of the recommendation of the Commission under this section to the complainant.
- (5) The Commission may require the person or authority, to which the recommendation is sent for action, to send a follow up report on the measures taken according to the recommendation and it shall be the duty of the person or authority to send the report required.
- (6) If any person or authority to whom recommendation was sent under this section from the Commission, fails to submit the report required, or if the Commission considers the action taken or proposed to be taken as insufficient, the Commission shall, if it considers appropriate, send the full description of the issue to the President and the President shall take necessary measures to lay a copy of that report to the Parliament.

15. Appointment of mediators or conciliators:

- (1) If any issue is sent under this Act for mediation or conciliation, the Commission shall appoint one or more persons to mediate or conciliate between the parties.
- (2) The procedure of appointment and power of the mediator and conciliator shall be determined by rules.
- (3) The Commission may order the concerned parties to be present before the mediator or conciliator for mediation or conciliation.
- (4) The sessions of the mediators and conciliators may be held in open or in camera.
- (5) If the issue is not resolved through mediation or conciliation or any party objects for the mediation or arbitration, the mediator or arbitrator shall inform the matter to the Commission.
- (6) If there is a settlement through mediation or conciliation, the mediator or conciliator shall inform the matter to the Commission.
- (7) In order to execute the settlement made under sub-section (6), the Commission may, along with other instructions, give instruction of imposing fine as it deems appropriate.

16. Powers relating to inquiries: The Commission shall have the following powers of the Civil Courts as specified in the Civil Procedure Code, 1908 (Act no. 5 of 1908) for the purposes of investigation and inquiry under this Act, namely:-

- (a) Summoning and ensuring the attendance of witnesses and examining them;
- (b) Summoning for giving written or oral evidence by oath.
- (c) Summoning any person living in Bangladesh to give evidence being present before any meeting of the Commission and to produce any document which remains in his possessions;
- (d) Providing authorization for or against the public participation in an investigation or inquiry.

## 17. Investigation as to complaint:

- (1) The Commission, while investigating into the complaints of violation against human rights, may call for the report or information from the Government or any authority of the Government or any other organization within the time specified by the Commission.
- (2) If the Commission does not receive the report or information within the time specified under Sub-section (1), the Commission may, on its own, start investigation.
- (3) On receipt of information under sub-section (1) if the Commission
  - (a) is satisfied that there is no necessity of further investigation; or
  - (b) The Government or the Authority, as the case may be, has taken proper action or has started initiative to take up proper action –

then the Commission will not proceed to make any inquiry into the matters.

## 18. Procedure to be followed in case of disciplined force:

- (1) Notwithstanding any other provision of this Act, the Commission on suo-moto or on the basis of any application may call for report from the Government on the allegation of violation of human rights by the disciplined force or any of its members.
- (2) If any report is called for under Sub-section (1), the Government shall submit the report to the Commission.
- (3) On receipt of the report under Subsection (2), the Commission
  - (a) if satisfied, would not proceed in the matter any further.
  - (b) if it deems necessary, may make recommendation to the Government for actions to be taken into the matter.
- (4) On receipt of the recommendation under subsection (3) the Government shall inform the Commission in writing about the action taken into the matter within six months from the date of receipt of the recommendation.
- (5) On receipt of the report under sub-section (4) the Commission shall furnish its copy to the Complainant or his representative, as the case may be.

## 19. Procedure after inquiry:

- (1) Notwithstanding anything contrary contained in the Act, if the Commission finds the complaint is true, after concluding the inquiry, the Commission may,
  - (a) recommend to the Government to initiate proceeding for prosecution or take such other legal action against the concerned person and, at the same time, shall describe the type of case or other appropriate legal proceedings in the recommendation.
  - (b) submit or cause to submit a petition before the High Court Division of the Supreme Court on behalf of the aggrieved person if it is competent to pass order or to give instruction under Article 102 of the Constitution.
- (2) The Commission may under sub-section (1) recommend to the Government or concerned authority to sanction such amount of temporary grant to the victim or his family as the Commission may consider appropriate.
- (3) The Commission shall provide a copy of the inquiry report to the aggrieved person or his representative.



- (4) The Commission shall send a copy of the inquiry report with recommendations made under sub-section (1) and (2) to the Government or to the concerned authority and the Government or the concerned authority shall, within a period of three months from receiving the report, inform the Commission about the action taken or proposed to be taken thereon; provided that, if the Government or the authority contradicts with the Commission, or fails or denies to take decision according to the recommendations of the Commission, the Government or the authority shall inform the Commission about the reasons of such contradiction, inability or denial within the aforesaid time limit.
- (5) The Commission shall publish the summary of its inquiry report and its decision or recommendation on the report, in such manner as it thinks fit; provided that, if the Commission is satisfied that it is necessary to publish the whole or any part thereof for general information considering its importance, it shall publish the whole or any part of the report, as the case may be; provided further that, if the Commission is satisfied that, it is not necessary to publish the summary of any report, it shall not be necessary to publish anything of the said report.
- (6) The Commission shall have the right to intervene being a party to any proceeding involving allegation of violation of human rights pending before any court or in any legal proceeding.

20. Privileges of the witness giving evidence to the Commission:

- (1) The person who gives evidence to the Commission shall have the same privileges of the person who gives evidence to the court.
- (2) No suit or prosecution shall lie against any person for his statement or speech that is recorded as evidence before the Commission and that statement or opinion shall not be used in any proceeding of criminal or civil nature; but he shall not be absolved of any offence for false evidence; if there is any, in his statement or speech.

21. Execution of summons:

- (1) Each summons under this Act shall be issued with the signature of the Chairman or any Member or an officer of the Commission authorized by it for this purpose.
- (2) Each summon will be issued and dispatched to the person described in it and, if not possible, to the last residential address of that person by delivery or by registered post.
- (3) The person to whom the summons is served, shall be present before the Commission in the time and place mentioned thereon and that person shall answer all the questions asked by Commission and, in accordance with the spirit of the summon, also submit all the documents which are in his possession.

22. Annual report of the Commission:

- (1) The Commission shall submit an annual report to the President regarding its activities of the previous year within 30 March in each year.
- (2) There shall be a memorandum with the annual report under sub-section (1), in which, among other things, the reasons of not taking necessary action or steps by the Government or concerned authorities in accordance with the recommendations of the Commission, as far as known to the Commission, will be written.

**CHAPTER-IV****Officers etc of the Commission**

23. Officers and employees of the Commission:
- (1) There shall be a Secretary of the Commission.
  - (2) The Commission may, under this Act, appoint such officers and employees as it considers necessary for the efficient performance of its functions.
  - (3) Salary, allowances and other terms and conditions of the services of the Secretary and other officers and employees of the Commission shall be determined by rules; provided that the salary, allowances and other terms and conditions of the service of the Secretary and other officers and employees shall be determined by the Government until such rules are made
  - (4) The Government may, on request of the Commission, appoint any officer and staff of the Republic to the Commission on deputation.
24. Human Rights Commission Fund:
- (1) A fund to be called as Human Rights Commission Fund shall be formed for carrying out the purposes of the Act.
  - (2) The Management and administration of the Human Rights Commission Fund hereinafter referred to as the Fund in the section, shall, subject to the provisions of this section and of the rules, be vested on the Commission.
  - (3) Salary, allowances and other monetary facilities in accordance with the terms and conditions of the service of the Members, officers and staff of the Commission and other necessary expenses of the Commission shall be disbursed from the fund.
  - (4) The following money shall be deposited to the Fund, such as
    - (a) Annual grant allocated by the Government;
    - (b) Grants provided by the local authorities.
25. Financial Freedom of the Commission:
- (1) The Government shall allocate specific amount of money for the Commission in each fiscal year; and it shall not be necessary for the Commission to take prior approval from the Government to spend such allocated money for the approved and specified purpose.
  - (2) The provisions of this section shall not be construed to have prejudiced the rights of the Auditor-General under Article 128 of the Constitution.
26. Audit and Accounts:
- (1) The Commission shall maintain its accounts properly and prepare annual statement of its accounts.
  - (2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General of Bangladesh, hereinafter referred to as the Auditor-General, every year and a copy of the audit report shall be submitted to the Government and to the Commission.
  - (3) For the purpose of an audit under sub-section (2) the Auditor General or any

person authorized by him in this behalf shall have access to all records, documents, cash or deposited currency to the bank, securities, stores and other property of the Commission, and may examine any Member of the Commission or any other officer or employee/staff of the Commission.

27. Public Servant: the Chairman, Members, Secretary, other officers and staff and every officer assigned to work under this Act by the Commission shall be deemed to be public servant as it is defined under section 21 of the penal code.

28. Delegation of Power: The Commission may delegate any of its powers to the Chairman, Members or Secretary, subject to such terms and conditions as it may determine.

29. Protection of action taken in good faith: No suit or prosecution or other legal proceedings shall lie against the Government, the Commission, any Member, officer and employee/staff of the Government or the Commission for any publication, report or any other activity of the Government and the Commission, for anything which is, in good faith, done under this Act or the rules made there under, for any damage caused or likely to be caused by such thing.

30. Power to make rules:

The Commission may, with prior approval of the President and by notification in the official Gazette, make rules for carrying out the purposes of this Act.

31. Publication of English text:

- (1) The Government shall, after the commencement of this Act, by notification in the official Gazette, publish an authentic text of authorized translation in English of the Act.
- (2) In the event of conflict between the Bangla and the English text, the Bangla text shall prevail.

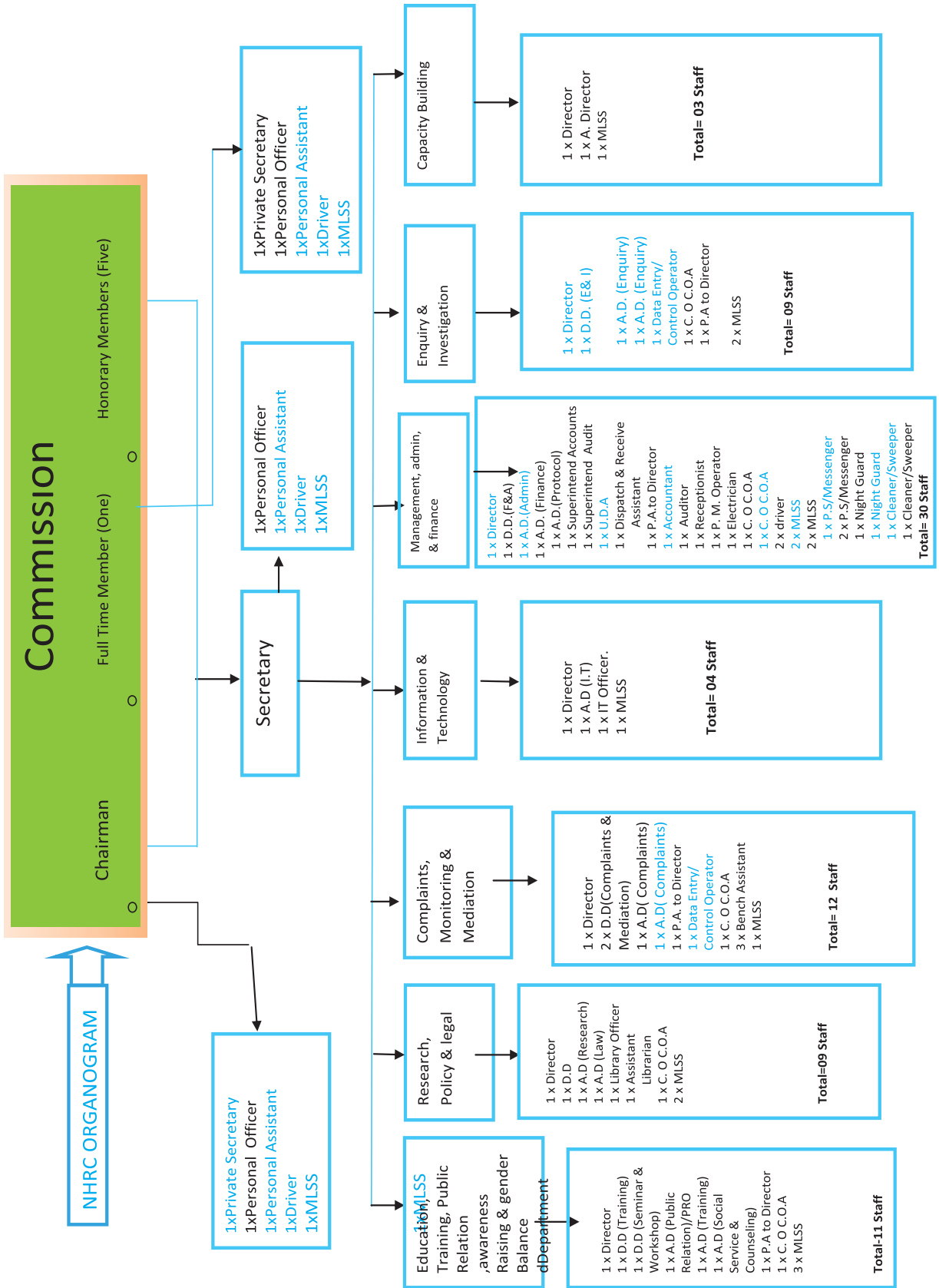
32. Provision as to saving:

- (1) Anything done or any action taken under the National Human Rights Commission Ordinance, 2007 (Ordinance 40 of 2007) hereinafter referred to as the aforesaid Ordinance, shall be deemed to have been taken and done under the provisions of this Act.
- (2) Notwithstanding the cessation of the aforesaid Ordinance under the provision of Article 93(2) of the Constitution of the People's Republic of Bangladesh any act done or action taken in continuity shall, subject to the provisions of this Act, be deemed to have been done or taken under this Act.

Ashfaque Hamid  
Secretary

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\*Pending with the government for authentication of the version





Existing posts- Green colored  
 Proposed posts-black colored

- D.D= Deputy Director
- A.D= Assistant Director
- P.A= Personal Assistant
- U.D.A= Upper Division Assistant
- C.O.C.O.A= Computer Operator Cum Office Assistant
- P.S= Process Server

**Total 93**

Footnote: An organogram of 93 personnel was approved by NHRC. 28 officers and staffs were initially approved by the Government who had already been appointed by the Commission. Another 20 personals have recently been cleared by the Government who are in the process of appointment. Commission is pursuing with the Government for the clearance of rest 45 personnels.

# 2nd Strategic Plan of NHRC (2015-2018)



## National Human Rights Commission

Gulphesha Plaza, Level 13, 8 Shahid Sangbadik Selina Parveen Sarak,  
Boro Mogbazar Dhaka-1212

## The Strategic Plan of National Human Rights Commission (Duration: 2015-2018)

### Introduction:

The National Human Rights Commission (NHRC), Bangladesh was established as a statutory and independent institution under the National Human Rights Commission Act, 2009 in conformity with the UN Paris Principles. NHRC serves as the national human rights watchdog, advocating for and monitoring implementation of state obligations to respect protection and the fulfillment of the rights of the citizens. It addresses specific human rights complaints through investigation, mediation and conciliation and, more broadly, through raising public awareness.

The NHRC adopted its first strategic plan in 2010. It covered the years 2010-2015. This Strategic Plan builds on the first and covers the years 2015-2018. The NHRC follows core values of human rights including, accessibility, accountability, diversity, equality, impartiality, independence, integrity, participation and transparency. The NHRC follows the spirit

of these values in designing its activities.

The NHRC has prepared this Strategic Plan of its activities, learning, challenges and future plan. This is not only an exercise to disseminate its information for the national and international audience but also to ensure focus, effectiveness and accountability in its work.

### Background:

The seven members Commission, one Chairman, one Full Time Member and five honorary members, is responsible for policy decisions and disposal of sensitive human rights violation cases. Currently the Commission is addressing human rights issues with 28 full time staff, supported by almost ten staff and experts from its CDP with its only one office in the capital city Dhaka. The Commission has approved a 93 personnel organogram. Another 20 staff are already in the process of recruitment. The Commission has also made the

decision, once they get the required number of staff to open four more offices in four parts of the country.

Despite its limited funding and small number of staff, the NHRC has begun to build its capacity to act as an effective watchdog, and has engaged in targeted activities to protect and promote human rights.

In response to the Commission's need for considerably more foundational support than the Government was able to provide at the time, on 6 May 2010 a project document was signed between development partners and the NHRC, and the Government of Bangladesh to commence a five-year capacity development project. The first stage of the project's overall goal was to improve the promotion and protection of human rights for all, particularly disadvantaged and vulnerable groups such as women, disabled persons, ethnic minorities, and children, through the institutional development of the NHRC.

This project has assisted the Commission to fulfill its mandate to promote human rights and combat all forms of discrimination by reviewing national laws and policies, offering a platform to the Government and NGOs to debate human rights issues, handling complaints about human rights violations, and delivering human rights education to the general public, civil servants, and other stakeholders to ensure that all members of the Bangladeshi society enjoy human rights and basic freedoms. The implementation of the project will end on April, 2015.

In addition to seeking increasing Government resourcing of the Commission, this Strategic Plan also seeks a renewed project with its development partners.

### **Priority human rights issues for 2015-2018**

The NHRC has identified the following human rights issues as priorities for 2015-2018:

1. Implementation of Capacity Assessment Recommendation conducted by APF, OHCHR, UNDP
2. Review of the recommendation of the 2nd Cycle of the UPR and Reporting to OHCHR and relevant UN Treaty Committees;
3. Complaint Management System (Special Focus on Child, Disability and Minority issues)
4. Reforms of Police Act-1861;
5. Monitoring the Detention place and the Detainee;
6. Ratification of OPCAT; OP-CRC-3
7. Investigating by NHRC of incidents of extra judicial killing and enforced disappearance;
8. Strengthening the different thematic committees' also follow-up workshop;
9. Conduct a number of National Inquires
10. Participation in Un Convention for the rights of the older persons;
11. Compliance with safety and welfare standards of the Garments workers: Reform of the labor law;
12. Review the conditions of the migrant workers and existing laws: Challenges, the risk and implementation;
13. Compliance of the CHT peace accord (specially focusing on the land rights);
14. SoP for Commission and its committee functioning

### **Proposed areas of the Strategic Plan for July 2015-June 2018:**

**Vision:** A human rights culture throughout Bangladesh

**Mission:** To ensure the rule of law, social justice, freedom and human dignity through promoting and protecting human rights

### **Proposed Strategic Priority-1:**

#### **Institutional Capacity Building of National Human Rights Commission**

Over the past four years, in collaboration with the NHRC's dedicated staff, the project has worked tirelessly to strengthen the NHRC as an effective and efficient institution. Subsequently, the NHRC is now equipped and operational with modern administrative system, and most rules and procedures are in place. However, the following objectives are to be accomplished in order to sustain the goals achieved so far and to fulfill NHRC's commitment.

#### **Proposed Strategic Objectives:**

1. To enhance institutional capacity of NHRC so that it can implement its mandate given by the founding act;
2. To establish a well set-up own office with infrastructures and resources at Dhaka and divisional level
3. To strengthen capacity of NHRC to undertake monitoring, investigation, policy research and advocacy and human rights education in collaboration with the relevant government ministries, departments and civil society organizations (INGOs, NGOs, Media, Research based Organizations and Professionals bodies)
4. To revise the rules of NHRC in compliance with AFP conducted capacity assessment report;
5. To develop complaint management rule and rules for reconciliation and mediation of NHRC
6. To develop SOP/Manual for Finance and Administration

#### **Proposed Expected outcome:**

Human rights promoted and protected in better way through enhanced institutional capacity of NHRC. The NHRC is fully equipped and operational with modern administrative systems, rules and procedures.

### **Proposed Strategic Priority-2:**

#### **Accelerating Law Enactment and Amendment, Policy Review and Implementation of the Recommendations of UPR**

As per founding Act, NHRC is mandated to review existing laws and making proposal to ensure human rights based approaches in them. Meanwhile, the NHRC has been successful in reviewing a few drafts, e.g. rights of the persons with disability law, children act, human trafficking act, following-up the UPR recommendations of 1st and 2nd cycle and their accomplishment and doing necessary for implementation. More laws are to be reviewed and updated drafts prepared in next priority.

#### **Proposed Strategic Objectives:**

1. To advocate to the Bangladesh Government for enactment of Anti Discrimination Legislation
2. To advocate implementation of the recommendations of UPR 2nd Cycle;
3. To foster the law reformation process that is essential for promotion and protection of human rights ;
4. To advocate for ratifying OPCAT and ensured compliance of CHT accord;
5. To establish better coordination between government and civil society organizations for the reformations of the selected laws.

#### **Expected outcome:**

Targeted laws including Anti Discrimination Act, Amendment of Child Marriage Restrains Act 1929 and the Police Act 1861, Ratification of OPCAT and compliance of CHT accord, The NHRC Act is better aligned with the Paris Principles, legal protections are strengthened to eradicate discrimination, to establish rule of law and to ensure child rights are recognized in law and in practice. The recommendations of UPR are accepted and acted on.



### **Strategic Priority-3:**

#### **Strengthening Monitoring and Investigating of Human Rights Violations**

A significant development has taken place in dealing with complaints with online complaints submission, computerized complaints management system (CMS). The trend of the number of complaints and number of responses from different authorities is increasing. This needs to be continued until more staff are recruited and more branch offices are established. In coming years, the focus will be on child, women, disability and religious & ethnic minorities and other excluded groups including Dalits issues.

#### **Strategic Objectives:**

1. To make more people aware of and able to access, specially the poor and marginalized, the complaint procedures of the NHRC
2. To enhance the institutional capacity of NHRC to monitor and investigate human rights violations cases including through national inquiries and fact finding missions;
3. To maintain an efficient and effective complaints management system so that the victims can get remedies
4. To enhance capacity of the law enforcement agencies on human rights issues
5. To develop data management system
6. To assist to improve human rights situations in the different detention centres through regular and robust monitoring visits, investigation of complaints and to promote implementation of relevant laws
7. To develop NHRC guidelines on custodial death and torture issues for compliance by all concern including the law enforcing agencies
8. To develop NHRC guidelines on arbitrary arrest to be comply by the law enforcing agencies

#### **Expected outcome:**

Human rights grievance effectively resolved through investigation and conciliation. A progressive and sustained reduction in human rights violations by authorities

### **Strategic Priority-4**

#### **Enhancing scope, coverage and standard of Human Rights Research, Reporting and Policy Advocacy**

With the technical and financial assistance of the Project a good number of research reports and studies have been done, such as CAT, ESCR, CEDAW, CRC, CHT etc. A baseline survey was conducted to assess the attitude, perception and understanding of the population regarding human rights situation in the country. Yet NHRC needs to expand its research on different thematic issues.

#### **Strategic Objectives:**

1. To enhance NHRC capacity in order to conduct human rights research;
2. To strengthen NHRC's role for protecting the safety and rights of the garment workers; and reforms of labour laws
3. To take part in the preparation process of the UN Convention for elderly people
4. To take measures for protection of the rights of HIV/AIDS population and other excluded Groups.

#### **Expected outcome:**

The rights of the garments workers and elderly, minority, children, women and disabled people protected

### **Strategic Priority- 5**

#### **Raising Human Rights Education and Awareness among the citizen**

The pursuit of human rights promotes the freedom, dignity and worth of every person. When human rights are made real, the poor can participate in decisions affecting their lives; the absence of such

rights is a defining characteristic of human poverty. The Constitution of Bangladesh provides for the protection of human rights of all citizens. The rights to life, to liberty, to equality and non-discrimination, and to be treated in accordance with law, are the fundamental human rights principles enumerated in the Constitution, as are a range of civil, political, social and cultural rights.

However, human rights awareness is lacking amongst the general public. The findings of a Baseline Survey conducted in 2011 on human rights in Bangladesh indicate that less than half of respondents in

the household survey had heard the term 'human rights' while a substantial number of those who had heard the term (18.1%) were not able to describe what it means. At the same time, low levels of understanding that the Constitution and other laws include and protect human rights indicate too that all human rights messages will need to draw attention to this. Within this framework, the NHRC has started campaign to raise awareness about human rights.

People are only able to claim and protect their rights when they know what human rights are, that they are (mainly) legally enforceable, and when they are aware of what institutions, including the NHRC, exist to assist them when their rights are violated or ignored.

#### **Strategic objectives**

1. To increase human rights awareness and education at different levels of the society with special focus to reach poor, vulnerable and marginalized population
2. To build partnerships with national and international organizations for implementing human rights education program;
3. To develop capacity of the human rights defenders including students, NGOs, media and others key stakeholders to deliver education programs

4. To engage youth and students in implementing human rights campaigns
5. To train-up the government officials on human rights issues

#### **Expected outcome:**

Public awareness and education on human rights increased and their rights freely exercised; state actors performed better in fulfilling their responsibilities

### **Strategic Priority-6**

#### **Revitalizing NHRC response on emerging human rights issues**

The NHRC addressed the social cohesion and integration issue as emerging concern for Bangladesh as a transitional society. The political landscape of the country is polarized by the two major political streams which negatively affected all spheres of public life. Today, the divisions at different societal levels based on political faith are threatening social cohesion and integration. Without cementing the social fabric and building mutual trust, it is difficult to build peaceful nation.

#### **Strategic objectives**

1. To strengthen NHRC's role in building social cohesion
2. To develop partnerships with national and international agencies

#### **Expected outcome:**

Social cohesion strengthened.

It would be useful to provide a brief timetable which indicates in broad terms which of the specific objectives the NHRC will focus on in each of the years 2015-2018. That timetable does not need to be definitive and should of course be reviewed on an annual basis during in preparation of each year's operational plan.

It would be helpful as background to have an operational plan for 2014-2015 to show the priorities and key activities of the NHRC in the next 12 months beginning 1 July.

# NATIONAL HUMAN RIGHTS COMMISSION STANDARD OPERATING PROCEDURES FOR DECISION-MAKING AND FOLLOW-UP

## **PART I: COMMISSIONERS ACTING COLLECTIVELY AS THE COMMISSION**

### **1.1 Introduction**

The NHRC is a new institution in Bangladesh and because of its independence from the Executive, it is able to determine its own work methods rather than using the more bureaucratic processes of the public service. In any event, it will necessary to develop effective and efficient systems to cope with the anticipated workload. So the Commission will need to adopt modern policy and decision-making processes. These are designed to ensure that the Commission meets the burden of the considerable expectations that have been placed on it by its stakeholders, and which require it to operate effectively and efficiently. It can do so only if its corporate governance - planning, setting goals, prioritising and overseeing staff implementation of Commission policies - is transparent and successfully carried out.

These Standard Operating Procedures (SOP) have been developed to ensure that all the Commission members, whether full-time or honorary, as well as the staff, have clarity about their respective roles, understand their responsibilities within the Commission's corporate structure and can be held accountable where these are breached.

The Human Rights Commission Act 2009 sets out the responsibilities of the

Commission, Commissioners and staff. These Operating Procedures set out how the Commission and staff will comply with the legislation and undertake best practice in all the Commission's endeavours.

### **1.2 Independence**

According to its legislation, the Commission is "a statutory independent body." Independence is also emphasised in the Commission's Strategic Plan and, world-wide, is an essential requirement for institutions like the NHRC. Unless the Commission is independent, unless it acts independently and unless it is seen to act independently, it will not have the credibility it needs to act effectively. If the NHRC is not independent, it will not be trusted by its constituency, especially the poor, the vulnerable and the disadvantaged. It also needs to be seen as neutral and non-partisan.

Given the importance of independence, the Human Rights Commission Act has entrenched the NHRC's independence in a number of ways. Commissioners serve for fixed terms - three years - and cannot be removed, even by the President, during that time except by due process in accordance with the Act, or after following the process for the removal of a Judge of the Supreme Court. Commissioners also expect the staff to carry out their responsibilities in an independent manner.

### 1.3 Membership of the Commission

The members of the Commission, both full-time and honorary, under the leadership of the Chairman, are the governing body of the organisation. In this SOP, "the Commission" refers to the Commissioners acting as the governing body of the Human Rights Commission.

### 1.4 Governance Responsibilities

The Commission has adopted the following governance responsibilities based on the Human Rights Commission Act 2009, the Paris Principles and other good practice guidance that is consistent with the Act:

#### **Set strategic direction**

- Decide the Commission's vision and mission, values, strategic priorities, as detailed in the Strategic Plan and Operational and Annual Work Plans;
- Ensure that there are adequate resources available to give effect to the strategy;
- Monitor the overall implementation of the Strategic Plan;
- In a general sense, determine the nature of the activities to be undertaken in the performance of the Commission's functions.

#### **Monitor and enhance performance**

- Ensure accountability and transparency within the Commission, through effective reporting processes;
- Foster constructive relationships with the Commission's stakeholders, encouraging them to engage effectively with the Commission;
- Identify risk and protect the Commission's reputation;
- Ensure that adequate conditions exist for proper management and oversight and for the Commission's efficiency and effectiveness.

### **Ensure accountability and foster high ethical standards**

- Act diligently, prudently and in a financially responsible manner;
- Act consistently with the Commission's responsibilities, functions and objectives;
- Observe high ethical standards in the spirit of service to the public and consistent with the Commission's Code of Ethics (Appendix I);
- Act honestly, with integrity, in good faith and in the Commission's best interests;
- Encourage strong and service-oriented performance;
- Act as a "good employer".

### 1.5 Functions of the Commission

All decisions relating to the operations of the Commission must be made collectively by, or under the authority of, the Commission, via the following mechanisms:

#### **In setting strategic direction, the Commission:**

- Engages in a continuous cycle of Strategic Planning (approval, implementation, review and evaluation);
- Approves Commission strategies, programmes and activities initiated by individual Commissioners;
- Approves, reviews, evaluates Commission strategies, programmes and activities proposed to the Commission by staff and Directors/Secretary;
- Approves the Annual Report for the previous year;
- Approves the Operational and Annual Work Plans, including budget, prepared by the Directors and the Secretary; and the project manager, as the case may be,
- Sets the parameters for the Commission's internal policies,



approves the Commission's Values Statement and other strategic documents.

#### **In monitoring and enhancing performance, the Commission:**

- Reviews performance against indicators via the consideration of a monthly report from the Directors and the Secretary and other internal and external evaluations and reports;
- Assesses and manages risk on an ongoing basis through the same monthly report and through other forms of internal evaluation;
- Monitors and approves the Commission's monthly financial reports (including budget review) of the Director, Administration and Finance

#### **In ensuring accountability and fostering high standards, the Commission:**

- Ensures the quality and independence of internal monitoring and audit processes
- Delegates authority on financial and human resource management to the Full Time Commissioners (pending the Commission's appointment of its own Managers and Staff), Secretary and Director, Administration and Finance;
- Delegates specific responsibilities in relation to complaints and monitoring to the Commissioners ((pending the Commission's appointment of its own Managers and Staff), Director, Complaints and Inquiries;
- Delegates authority to implement Commission strategies in the areas of their responsibility to the Commissioners (pending the Commission's appointment of its own Managers and Staff), Director, Research, Policy and Legal and the Director, Education and Training;
- Sets standards and guidelines for the performance of each Department as

developed by Directors and coordinated by the Secretary;

- Appoints the Secretary and, in consultation with the Secretary, the Directors;
- Approves staff appointments on the basis of the recommendations made by the Secretary and Directors;
- Reviews the performance of the Secretary and, in consultation with the Secretary, of the Directors;
- Approves overseas travel undertaken by Commissioners on behalf of the Commission, or for training purposes on the advice of the Director of the staff member undertaking the travel.

#### **1.6 Specific Functions of Individual Commissioners**

The Commission will agree on the allocation of spheres of responsibility to Commissioners, including through the establishment of thematic committees. To give effect to these responsibilities, the Commissioners lead discussion, provide advice and mentor the Director and staff operating within their sphere of responsibility. Reporting to the Secretary and thence to the Commission within these spheres of responsibility remains the responsibility of the relevant Director.

## **PART II: COMMISSION OPERATING PROCESSES**

### **2.1 Commission Meetings**

The Human Rights Commission Act 2009 provides that there shall be at least one meeting of the Commission every two months (s.11(5)) but the Commission can decide to meet more regularly if this is necessary. Commissioners are expected to attend all meetings of the Commission unless agreed otherwise with the Chairman. The Secretary is responsible for keeping minutes of Commission meetings, ensuring they are accurate and distributing them in a timely manner.

The Chairman and the Full-time Member set the times and places for Commission

meetings and the Secretary will ensure that Commissioners are promptly advised of the time and date of the meeting. A quorum is three Commissioners and either the Chairman or the Full-time Member if the Chairman is absent. Decision-making is by consensus where possible, but where a vote is taken, each Commissioner has one vote and the Chair of the meeting has a casting vote. Commissioners are presumed to have agreed to a resolution of the Commission unless he or she expressly dissents from it. A resolution signed or assented to in writing (including by electronic communication) by all Commissioners is as valid and effective as if it had been passed at a meeting of the Commission.

The Secretary, the Chairman and the Full-time Member liaise over meeting agendas to ensure adequate coverage of key issues and an appropriate balance of strategic, performance and compliance matters. The Secretary and Directors attend the meeting as requested by the Chairman and liaise with Commissioners as necessary between meetings. The Secretary and the Directors are responsible for providing reports and other papers for the Commission agenda that provide high quality advice and analysis, propose strategy, provide quality performance information for monitoring purposes and propose parameters and framework policies for implementation by management of the Commission's decisions.

## 2.2 Commissioner-only Meetings

Commissioners also hold informal meetings attended only by Commissioners, which are private meetings for the purpose of:

- Canvassing matters relating to the Commission itself;
- Dealing with staff matters in confidence, including the performance of the Directors and Secretary;
- Discussions about the external environment in which the Commission operates.

Such informal meetings may be held before or after regular meetings of the Commission or on other occasions. Minutes may not be kept of all matters dealt with at informal meetings, but where decisions are taken for implementation by management or the staff, these may be reduced to writing.

## 2.3 Framework for Delegation of Authority

Decisions relating to the operations of the Commission may be delegated to management and staff. Specific standing delegations to the Secretary include:

- Implementing the Commission's decisions;
- Developing recommendations, in consultation with the Director of the relevant Department, for the appointment, assigning and management of staff. Directors are appointed by the Commission in consultation with the Secretary;
- Approving and varying expenditure and entering into contracts for services to implement the Commission's decisions;
- Developing policies and processes within parameters set by the Commission;
- Producing an Operational plan and budget and/or Annual Work Plans;
- Sub-delegation to the Directors.

## 2.4 Performance of the Commission and staff

The primary mechanism for fulfilling the Commission's responsibility to monitor and enhance performance, is the performance evaluation the Commission (or delegated Commissioners) undertake(s) of the Secretary. The evaluation is based on the Secretary's job description and performance objectives along with quality indicators relating to leadership, style, vision, integrity and effectiveness. Similarly, the Secretary and the Commissioner designated with responsibility for a particular Department

undertakes the performance assessment of the relevant Director.

Directors are responsible for monitoring the performance of the staff in their team and reporting on such performance to the Secretary and thence to the Commission. As a matter of principle, performance feedback is provided to the staff member at the earliest opportunity in order to maximise learning from the experience.

### 2.5 Register of Interests

The Commission requires the Commissioners, the Secretary and Directors to submit, on an annual basis, a Declaration of Interest in relation to financial affairs, business relationships and significant memberships. Disclosure of any conflict of interest is required to be made at the beginning of any meeting at which the conflict is relevant.

## PART III: WORKING RELATIONSHIPS BETWEEN COMMISSIONERS AND THE SECRETARY AND BETWEEN COMMISSIONERS AND THE DIRECTORS

### 3.1 Introduction

The purpose of this Part is to set out the responsibilities, functions and work processes which enable the Secretary, Directors and staff to provide the best possible service to Commissioners. It is intended to provide clarity to Commissioners and staff members alike, to assist the Commission to be an effective organisation, comply with statutory requirements and to fulfil its purpose to promote and protect human rights in Bangladesh.

### 3.2 Principles

- The Secretary and Directors support the Commission to fulfil its statutory responsibilities and functions;
- The Commission supports the Secretary to achieve his or her responsibilities.

The responsibilities, functions and work processes outline below support this relationship when Commissioners are engaged in activities, to ensure that:

- The Secretary and Directors deliver work to purpose, to high standards and to deadline;
- Directors engage strategically on substantive issues and on approaches to best practice and are in a position to make strategic connections between issues and between activities across the Commission;
- Directors facilitate contact between Commissioners and staff so that work flows smoothly.

### 3.3 Commissioners' Responsibilities in Activities

The governance responsibilities of Commissioners are set out in Part I. However, often it will be necessary for Commissioners to become involved in non-governance activities, such as considering whether to uphold complaints of human rights violations. The involvement of Commissioners in this way adds value to the work of the Commission in bringing the experience and expertise of Commissioners as well as their strategic and tactical thinking and the profile they can bring to an issue or activity. This involvement can be at a strategic level or at an operational level.

#### At the strategic level:

- Providing external profile through giving speeches, media interviews and giving presentations/undertaking training of senior target groups;
- Steering, writing or contributing to high level reports, policy submissions and documents that are for external consumption;
- Leading keynote external events on behalf of the Commission;
- Strategic relationship building;
- Advising on programme development.

At the operational level:

- Delivering projects and activities;
- Writing or contributing to media releases;
- Contributing to the Strategic Plan and the Annual Report.

At times, Commissioners will undertake these functions or activities through acting alone or with external partners. On other occasions, Commissioners will work alongside Directors and staff on the implementation of activities agreed by the Commission.

### 3.4 Responsibilities and Functions of the Directors and the Secretary

The responsibility of the staff of the Commission and the Directors to whom they are accountable is to implement the decisions of the Commission through carrying out its strategic direction. In this, the Secretary is responsible to the Commission and reports to the Commission on a regular basis.

Broadly the responsibilities and functions of the Management Team (Secretary and Directors) are set out below:

- The responsibility of the Management Team is to lead and develop staff, manage resources, provide advice to the Commission on the development of the Operational and/or Annual Work Plans and to ensure the strategic implementation of plans;
- The functions of the Management Team are to:
  - Propose strategy and plans to the Commission;
  - Develop, monitor and manage the delivery of agreed plans, including strategic implementation through agreed approaches;
  - Lead, motivate and develop the Commission's staff;
  - Set and maintain standards
  - Support Commissioners in the delivery of activities through quality engagement in the

substance of the issue and in the management of the task

- Develop and implement processes, systems, infrastructure and ways of working to manage the organisation, meeting the responsibility to be a "good employer" of the staff;
- Manage the organisational finances, human and other resource allocation;

These responsibilities and functions are part of the job description of the Secretary who is responsible for:

- Providing strategic advice;
- Internal and external relationship management;
- Resource management.

## PART FOUR: MANAGEMENT SUPPORT OF COMMISSIONERS' ENGAGEMENT IN ACTIVITIES

### 4.1 Strategic Engagement

In support of a Commissioner's responsibility to provide advice, leadership and high level guidance or input into substantive activities, the appropriate Director will hold a briefing meeting with the Commissioner and assigned staff at the beginning of an activity or project to:

- Agree and define the task with the Commissioner, including consideration of the substantive issues and of strategic approaches;
- Allocate adequate resources and redefine the task if resources are not available;
- Ensure that the purpose, content, standards, points of communication and deadlines are clear and that assigned staff fully understand what is required of them.

The Director will communicate a written note of this meeting. Following this briefing meeting, the Director will:



- Be accountable for the delivery of the activity or project;
- Manage the staff member(s) in the implementation of the activity or project, to the agreed brief;
- Consult on any changes to the agreed brief with the Commissioner;
- Facilitate resolution of any issues that arise between the Commissioner and the staff member.

If any issue arises between a Commissioner and a Director, they should attempt to resolve the issue themselves in the first instance. If it remains unresolved, the issue should be raised with the Secretary. The Chairman may be involved if the issue cannot be resolved through the involvement of the Secretary.

#### **4.2 Operational Engagement**

When a Commissioner delivers activities alone or with external partners, the Director need be engaged only to provide strategic advice. At other times, a Commissioner may engage in the delivery of an activity or project alongside Directors and staff members. Once the Commissioner has set the brief, he or she in effect becomes a member of the project team.

The Director's role in providing support to the Commissioner in such instances is:

- To agree and communicate the brief for the project following the same process as in 5.1 above;
- To manage the project, or assign a staff member to manage the project;
- To ensure the Commissioner is included in operational project team meetings at points of engagement identified in the brief
- To manage the delivery of the project following the same process as in 5.1 above.

## **PART FIVE: CURRENT OPERATING ARRANGEMENTS**

### **5.1 Introduction**

Since this SOP was first drafted, in November 2010, down to the present time, the Commission has had to operate with few staff, especially technical staff, some of them seconded, others paid for by the UNDP BNHRC-Capacity Development project. The Secretary, Directors and Deputy Directors are all seconded from the Ministry. The Commission has been able to appoint only four graduates as its own staff. A more realistic organogram for 96 staff awaits approval by the bureaucracy, but this may take many months.

Also, the Commission has yet to secure an adequate budget from the Ministry of Finance (which is channelled through the Ministry of Law, Justice and Parliamentary Affairs (MoLJPA)). Although the Commission has secured replacement premises, these may not be adequate to house the staff that will arrive once the new organogram is implemented. In short, the Commission faces severe challenges in fulfilling its mandate. Even when adequate funds are authorised and paid to the Commission, there will still a major recruitment exercise to be undertaken. There are very few staff who can support Commissioners as contemplated by this SOP and it is likely to be several months before there is any significant change in this situation.

Despite this, there are already high expectations of Commissioners. Human rights situations need to be responded to. Speeches have to be made, media interviews undertaken. The Commission receives a regular flow of complaints and these have to be resolved as effectively as possible under the prevailing circumstances. This necessarily involves a greater input from all Commissioners at the operational level - a more hands-on approach than the governance responsibilities set out earlier in this SOP.

Commissioners have therefore taken the following decisions about how

Commissioners will work together to begin the implementation of the Strategic Plan and respond to the expectations of all its stakeholders.

### **5.2 Decision-making by Commissioners**

In order to harness the broad range of expertise of all seven Commissioners, all but the most policy decisions will be taken by all Commissioners, working together. Day-to-day activities which require decisions to be taken before without the opportunity for discussion by all Commissioners will be taken by the full-time Commissioners, working together, who will inform the honorary members of decisions taken at the next Commission meeting. Where these involve policy matters, the decision will be taken to the next Commission meeting for endorsement.

The administration of complaints relating to human rights violations will be dealt by the two full-time commissioners. Sensitive cases will be dealt by all Commissioners during a special meeting called for that purpose.

The Secretary and directors will perform day-to-day activities under the guidance of the two full-time Commissioners.

### **5.3 Decision-making by Full-time Commissioners**

Until the Commission has a strong and effective Secretariat that is independent of the Executive, some management responsibilities require to be assumed by the full-time Commissioners. These will be agreed between these two Commissioners but will reflect

- Frequency of meetings - need to be more regular to ensure proper oversight of the organisation as a whole, receive reports, decide overall policy etc. Meetings can be designated for different purposes. For example, the reporting process to two-monthly meetings of the Commission can continue, but meetings held on a regular basis in between for other purposes;
- Delegation of particular responsibilities to Chairman and/or the Full-time Member;
- How the Chairman and the Full-time Member will report on the carrying out of their delegated functions;
- The collaboration with UNDP project;
- Clarification on what matters should be brought to the Commission in plenary session for advice and decision, including issues related to overseas travel;
- Who is responsible for overseeing the performance of the Secretary and staff;

### **5.4 Dealing with the media**

The Commission will decide in a meeting the modus operandi when dealing with the media. This will delegate responsibility for speaking to the media to appropriate commissioners while reflecting the need to ensure that media responses are undertaken promptly. A media log will be kept to record all public statements made on behalf of the Commission to ensure consistency and accountability.

## NHRC Thematic Committees

SL	Committees	Member of Committees	Member Secretary
1	Committee on Women's Rights	Professor Mahfuza Khanom- Chair Ms. Aroma Dutta- Vice Chair Adv Fawzia Karim Firoze- Member	Ms. Susmita Paik Assistant Director
2	Committee on CHT Affairs	Ms. Nirupa Dewan - Chair Ms. Selina Hossain- Member Adv. Fawzia Karim Firoze- Member	M. Rabiul Islam Assistant Director
3	Committee on Dalits and other Excluded Minorities	Ms. Selina Hossain- Chair Adv Fawzia Karim Firoze- Member Ms. Nirupa Dewan- Member	M. Rabiul Islam Assistant Director
4	Committee on Business and Human Rights	Mr. Kazi Reazul Hoque- Chair Adv Fawzia Karim Firoze-Vice-Chair Ms. Aroma Dutta- Member	Ms. Fatema Farzana Assistant Director
5	Committee on Disabled People	Adv Fawzia Karim Firoze- Chair Ms. Nirupa Dewan- Vice Chair Ms. Aroma Dutta- Member	Ms. Susmita Paik Assistant Director
6	Committee on Migrant Worker's Rights	Mr. Kazi Reazul Hoque- Chair Adv Fawzia Karim Firoze- Member Ms. Aroma Dutta- Member	Mohammad Gaji Salahuddin Assistant Director
7	Committee for Protection of Religious Minorities and Ethnic Indigenous Groups	Ms. Aroma Dutta- Chair Professor Mahfuza Khanom-Member Ms. Selina Hossain-Member Adv Fawzia Karim Firoze- Member	Mohammad Gaji Salahuddin Assistant Director
8	Committee for Child Rights, Child Labor and Anti Trafficking	Mr. Kazi Reazul Hoque- Chair Professor Mahfuza Khanom-Vice Chair Adv Fawzia Karim Firoze- Member	Ms. Fatema Farzana Assistant Director
9	Committee on Economic and Social Rights	Professor Dr. Mizanur Rahman- Chair Mr. Kazi Reazul Hoque- Vice-Chair Professor Mahfuza Khanom-Member Ms. Selina Hossain-Member Ms. Aroma Dutta- Member Adv Fawzia Karim Firoze- Member Ms. Nirupa Dewan-Member	Ms. Fatema Farzana Assistant Director

\* State and non-state actors have been co-opted in the committee for better sharing, transparency, and accountability.



## জাতীয় মানবাধিকার কমিশন

(২০০৯ সালের জাতীয় মানবাধিকার কমিশন আইন দ্বারা প্রতিষ্ঠিত একটি সংবিধিবদ্ধ স্বাধীন রাষ্ট্রীয় প্রতিষ্ঠান)  
 গুলফেশাঁ পূজা (১২তম তলা), ৮, শহীদ সাংবাদিক সেলিনা পারভীন সড়ক, মগ বাজার, ঢাকা-১২১৭  
 ফোনঃ চেয়ারম্যান- ৯৩৩৫৫১৩, সার্বক্ষণিক সদস্য- ৯৩৩৬৩৬৯, সচিব- ৯৩৩৬৮৬৩  
 ফ্যাক্সঃ ৮৩৩৩২১৯; ই-মেইলঃ nhrc.bd@gmail.com

Sl. No	Total Case No	Category	Disposal	Pending	Total
01		Eve teasing	00	01	01
02		Abduction/Rape/Murder	23	04	27
03		Dowry	08	00	08
04		Domestic Violence	21	09	30
05		Custodial Death/Torture	05	05	10
06		Extra Judicial Killing/Crossfire	05	02	07
07		Forced Disappearance	01	08	09
08		Other	262	79	341
			325	108	433
01		On-line	16	07	23
02		Suomoto	09	12	21
			25	19	44v

❖ Case Related Women 48







Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra



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