

HUMAN RIGHTS MONITOR 

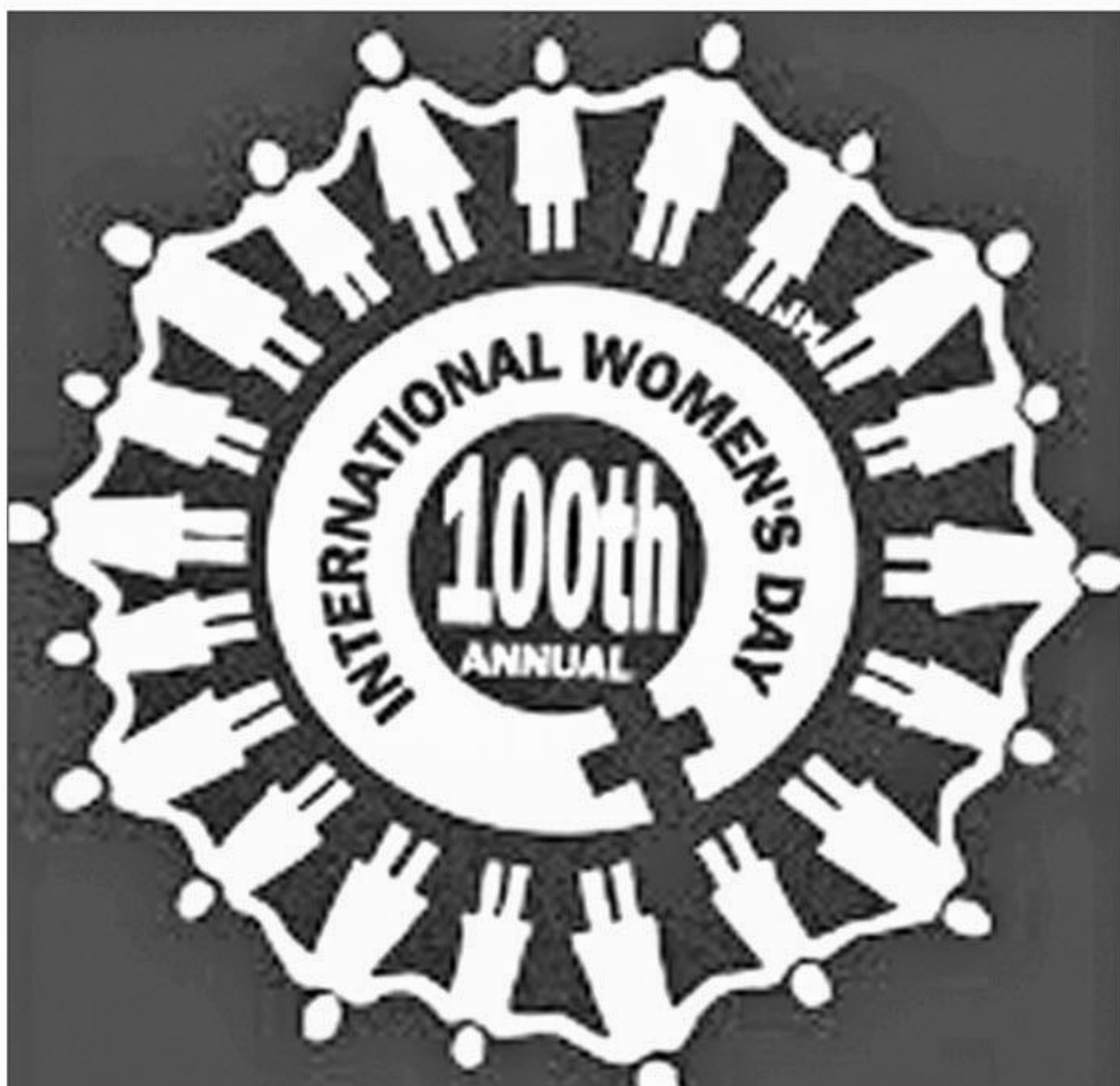
Commemorating International Women's Day 2011: Empowerment of women to be ensured

THE National Human Rights Commission (NHRC) is honored to offer congratulations and express solidarity with women and girls throughout Bangladesh on the International Women's Day, a day of celebration across the globe. This year's theme is "Equal access to education, training and science and technology: Pathway to decent work for women." On this occasion, we remember that securing economic and social progress and achieving the full enjoyment of human rights and freedoms require the active participation, equality and development of women. This celebration is an opportunity for all of us, women and men, to unite in a cause that embraces all humanity. For empowering women is not only a goal in itself, but is a condition for building better lives for everyone.

While recognizing the progress Bangladesh has made toward gender equality, we must also acknowledge the many inequities that continue to exist. In our country, women continue to be under-represented in decision-making positions. The work of women continues to be undervalued, underpaid, or not paid at all. The wide majority of Bangladeshi children who drop out of school early are girls. Women in Bangladesh have a nearly 50 percent lower adult literacy rate than men. Worst of all, violence against women and girls continues, with devastating effects on women's lives, on their families, and our entire society.

The NHRC was established with a comprehensive mandate outlined in the National Human Rights Commission Act 2009. The functions of the Commission include: investigation and inquiry; recommendation, legal aid and human rights advocacy; and research and training on human rights law, norms and practices. To fulfill this mandate, the Commission has developed a five-year Strategic Plan that sets our broad direction and priorities for the next five years.

The Commission has identified 16 thematic areas which represent some of



the most pressing human rights issues our country is facing. Among the most serious human rights issues on which the NHRC is placing priority are the issues of discrimination against women and gender-based violence. But we also emphasize the cross-cutting nature of the rights of women, as women and girls represent nearly half of Bangladesh's population. Thus, the rights of women are inextricably linked to every other human rights issue -- from child rights to rights of indigenous peoples, from access to justice to economic and social rights, as well as violence by state mechanisms. All such human rights violations involve women as victims who suffer equally or, in many cases, more severely than men.

The NHRC congratulates the Government on its approval of the Jatiyo

Nari Unnyan Niti 2011 (National Women Development Policy of 2011) just prior to this year's IWD. The Commission is hopeful and strongly encourages the Government to ensure speedy implementation of the goals of the policy to effectively protect and promote the rights of women in Bangladesh.

For its part, the NHRC has already received numerous complaints and will continue to actively monitor the situation as regards domestic abuse, sexual harassment and other forms of gender-based violence.

Bangladesh has been successful in ensuring school enrollment at primary level but the drop out rate is still very high among the girl children at all level. Sexual harassment is one of the main causes of high drop out rate besides poverty.

Government has revised the minimum wage standard for the garments worker (about 80% are women) but still in some places it is not implemented. It needs time to time revision to match with the living standard. Government has announced six months maternity leave but women feel threatened to lose their jobs. Child care centre for working mother particularly for the poor working women are very few in number. The NHRC recommends for introducing specific legislation to ensure decent work and fair wage for women (and all) as per commitment of the Government to the Millennium Declaration and PRSP. Percentage of women migrant workers is significant legislation, legal support for their safety and welfare is required.

The Domestic Violence Prevention and Protection Act, 2010 will be helpful to reduce violence against women. It is also important how the people use this Act to resist sexual harassment. Most of the domestic workers are women and adolescent girls who are deprived from fair wage and sometimes victims of physical torture and sexual harassment. Protecting domestic workers' right is becoming a concern. International Women's Day reminds us of our responsibility to work for durable change in attitudes and values. It calls us to work collaboratively -- the government, civil society, international organizations and the private sector. It urges us to work to transform relations between women and men, at all levels of society. It compels us to redouble our efforts to empower women and girls in areas from education to health to micro credit. So on this global centennial of International Women's Day, we at the NHRC rededicates us to protecting and advancing the rights of women. We invite our fellow citizens to join us in working together to ensure that no one - woman, man or child - is left behind in the 21st century.

Source: National Human Rights Commission of Bangladesh.

LAW EVENT 

Human rights challenges underscored

MOHAMMAD GOLAM SARWAR
IN order to respond the emerging challenges for human rights, the capacity development of human rights defenders needs to be strategically addressed. In this regard a national training on human rights and democracy was held on 15-17 February at BCDM, Savar. Asian Forum for Human Rights and Development (FORUM-ASIA) in collaboration with Odhikar organized this training on "Consolidating Democracy and Human rights through Empowerment of Civil society". Three day long training session was inaugurated by Fawzia Karim Firoze, Member NHRC Bangladesh on 15 February. The interactive sessions were attended by students, journalists and representatives from NGOs.

The formal Sessions began with Dr. Salimullah Khan who spoke on core concept of human rights with a critique on Universal Declaration of Human Rights. He analyzed the Declaration of the Rights of Men and Citizens, 1789. This declaration basically focuses on two fundamental issues, one is Men are born and remain free and equal in rights and the other is state must help the people to enjoy their rights. The state must endeavor to ensure the rights of the people failing of which entails chaos and resistance.

Fawzia Karim Firoze, NHRC Bangladesh and Sayeed Ahmed, ASK, made an overview on Role of National Human Rights Institutions (NHRIs) in Protecting and Promoting of Human Rights and Prevention of Torture from Bangladesh perspective.

State appears as the primary actor in disregard of human rights. In this connection, the role of national human rights institutions is to bridge the gap

between government and the common people, particularly with the victims of human rights violations. The establishment of the National Human Rights Commission in Bangladesh has created great expectation among the people to



protect and promote human rights in an integrated way. The effectiveness and efficacy of NHRC depends much upon the political will of the government that what kind of institution that it seeks to establish and also the degree of credibility attached with the institution itself. NHRC can hardly be substitute of judiciary, rather NHRC should be seen as an institution capable of existing side by side with the judiciary and assist it in ensuring better protection of human rights.

About the situation of democracy and human rights in Bangladesh Adilur Rahman Khan, Odhikar and Farhad Mazhar, UBINIG made their deliberation. Constitution is the supreme law of

the country but it has been made by elite society not by the will of the common people said Farhad Mazhar. As there is no reflection of the will of the common people, how can this constitution ensure justice for the common

people, he questioned. In Bangladesh, despite enough potential for progress, the country is still faced with lots of violence. Plenty of human rights violations are occurring frequently in different arena. Despite constitutional prohibition, arbitrary arrest is amongst the most common features of policing in Bangladesh. It is routinely accompanied by assault and extortion, and often leads to torture, killing and other grave abuses of arrested persons and others. Extra-judicial killing is still happening frequently though NHRC has put more concern about the issue, Adilur Rahman Khan remarked.

Surya Deuja from FORUM-ASIA made a presentation on Protection of the Declaration on Human Rights Defenders. He provided an overview of UN Declaration on Human Rights Defenders, EU Guidelines and FORUM-ASIA's Protection Plan of HRD for the Risk Mechanism with special focus on Treaty Bodies and Special Procedures. About the Women Human Rights Defenders (WHRDs) Farida Akhter from Shommilito Nari Shomaj gave an overview about the WHRDs and available remedies and its application by WHRDs with illustrative example. She emphasized on the differentiation of Women rights activist and Women Human rights defenders. Taskin Fahmina of Odhikar made a presentation on UN Human Rights Mechanism with special focus on Universal Periodic Review (UPR), Treaty Bodies and Special Procedures. Saira. R. Khan Lecture of BRAC University made an overview on fundamental aspects of Optional Protocol to the Convention Against Torture (OP CAT) and tools in using it in human rights monitoring and documentation particularly in Bangladesh. The necessity of a Regional Mechanism of Human Rights was underscored by Surya Deuja. South Asia, as one of the most polarized and poverty ridden regions in the world, is grappling with violations and abuses of human rights. A robust human rights mechanism is necessary for the protection and promotion of human rights in the region especially on common human rights issues. Such a mechanism could provide a less costly, more accessible and effective redress alternative to existing to international processes and procedures.

The High Court (HC) on 08 March rejected Prof Muhammad Yunus' writ petition filed challenging the legality of a central bank order "removing" him as managing director (MD) of Grameen Bank. Counsels for the Nobel laureate informed that they are yet to get any instruction from Dr Yunus regarding appealing against the verdict. The HC bench of Justice Momtaz Uddin Ahmed and Justice Gobinda Chandra Tagore passed its order after three-day hearing. The microcredit pioneer's serving as the MD of Grameen Bank since 1999 was illegal as he crossed 60 years by then, the court said, adding that the MD of the Grameen Bank is an official who cannot hold the office for an unlimited period. The HC bench said there was no substance in the submission of the petitioners' counsels. -The Daily star online edition 08 March 2011.

A Dhaka court on Tuesday deferred the hearing on charge framing against former BNP lawmaker and Partex Group Chairman MA Hashem till March 30 in connection with a tax evasion case. Judge Mohammad Zohurul Haque of the Senior Special Judge's Court passed the order after Hashem's lawyer submitted a time petition on ground that their client would clear all the income tax by March 30. The National Board of Revenue on August 23 last year filed the case against Hashem for evading tax worth Tk 4,76,00,000 from 1977-1978 to 2005-2006 fiscal years. The court also ordered that if the accused fails to comply or pay the income tax charge will be framed against Hashem on that day. Meanwhile, the same court granted bail to Aziz Al Mahmud, a son of Hashem and one of the directors of Partex Beverage Limited, in connection with another tax evasion case. -The Daily star 08 March 2011.

The High Court yesterday in a suo moto order summoned the vice chancellor and registrar of Uttara University to appear before it on March 16 to explain why they have encroached river Turag for setting up campus. The HC bench of Justice AHM Shamsuddin Chowdhury Manik and Justice Sheikh Md Zakir Hossain passed the order following photos published in The Daily Star yesterday with a headline "River Grabbing Now & Then". According to the caption of photos, the authorities of Uttara University in 2009 put up a signboard on the floodplain of Turag river with a plan to set up their campus on the vast wetland. The recently taken photo shows the signboard is still there and earth-filling is going on grabbing more of the river. The HC bench also directed the deputy commissioner of Dhaka to submit a report to the court after conducting an investigation into the allegations by March 16. -The Daily star 08 March 2011.

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The writer is working with Law Desk, The Daily Star.