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A country of excellence gives birth to excellent citizens who comprise an enlightened nation. An enlightened nation gives birth to excellent thoughts, ideas, technologies and intellectual exposures which raise the nation to the peak of prosperity. In order to become a good citizen, we need some rights and privileges guaranteed by the country. As human beings, we do possess some natural or inalienable rights which are not spelled out on paper such as, right to open eyes according to own caprice or right to enjoy the fresh air. Human rights are unlimited and all of them are never defined anywhere. As citizens of state, we possess the right to life, liberty and the pursuit of happiness. Some protected rights under the Constitution of the country are: right to vote, right to a fair and speedy trial, right to freedom of religion, right of free speech and press, right to equality before law and equal protection of law, right to equality of employment opportunities and not to be subjected to any sort of discrimination and some other similar category of rights. Now the question is, as citizens of the country of Bangladesh, do we possess and enjoy all the rights as enshrined in our Constitution? Do the people of Bangladesh enjoy the same status as the citizens of other countries in the world? The question is subject to a political and constitutional debate where the people of our country are in a peculiar miserable condition having none to drag them out of that helpless situation.

Hartal: A distorted law and order situation

Hartal is a way of showing protest against corruption or illegal activities of the ruling party. But in our country, hartal has become a trend and is losing its appeal due to its overuse, violent clashes and vandalism. Law and order situation declines to its lowest level during hartal. Due to subversive activities like torching, vandalising of transports, letting off bombs and violent clashes between the picketers and law enforcing agencies, hartal has become a panic to the common people. Normal life becomes paralysed due to hartal. It also creates negative impacts on our economic growth. Students can not go to their educational institutions and public exams are interrupted. The greatest concern is fear of being hurt or damage to public property. Subversive activities during hartal over the last two months have caused Bangladesh Railways (BR) a total loss of Tk. 13.9 crore. In each hartal incident Bangladesh loses almost



50 million USD.

Violence against women: An impediment to women empowerment

In Bangladesh, women become susceptible to different forms of violence like sexual harassment, sexual assault including rape, murder and grievous hurt, domestic violence, dowry related violence, acid throwing, trafficking, kidnapping and abduction, illegal fatwa and illegal arbitration, minority violence, wage discrimination and social discrimination, health and nutritional deficiency etc. Many human rights organizations express their deep concern on the fact that the number of unfortunate and unwanted deaths of women is increasing day by day. It is a matter of high concern that despite having several harsh laws to protect women from violence, yet the number of crimes against women continues to rise. It can be said, violence and inhuman treatment against women is an impediment to women empowerment and poses a serious threat to overall development and enlightenment of the country.



Promoting police observance of human rights

S M MASUM BILLAH

POLICE forces in Bangladesh generally do not enjoy a good press. They frequently appear in newspapers, human rights reports, films and television programs as the militaristic repressive armory of the under-democratic regimes or as hopelessly corrupt and inefficient. They stand accused of human rights abuses including torture and illicit association with political, business and organized crime interests. Their activities often epitomize the anti-thesis of rule of law. These are not merely stereotypical assumptions but also often soundly based on evidential proofs. It is in this policing culture, we often argue the importance of human rights education for the police personnel in Bangladesh. Unfortunately, there is scarcity of legal literature on the subject. In this vacuum, Sheikh Hafizur Rahman Karzon's *Human Rights Training Manual for the Police* published by National Human Rights Commission (NHRC) is definitely a breakthrough for a change in the policing culture.

Human rights issues have assumed an increasingly high profile in the wake of miscarriage of justice, torture, arbitrary arrest and detention, extra-judicial killings, incompetence and corruption. H. R. Karzon, a law professor of Dhaka University and a criminologist, has provided an accessible introduction to the key issues surrounding human rights policing, linking this to recent developments of human rights considerations. The book sets out a powerful case for a modern 'human rights policing' approach. Karzon argues that securing and protecting human rights should be a major, if not the main, rationale for public policing.

Divided in eight chapters the book has dealt with key human rights issues having relevance with the police force: basic understanding of human rights and policing, constitutional guarantees of human rights, arrest and detention, use of force and arms, police investigation and remand, search and seizure, maintenance of public order, dealing with the juveniles etc. Through Karzon's publication, the NHRC has demonstrated its commitment to sensitize and reinforce the law enforcing agencies' respect for human dignity and fundamental freedoms. The glorious contribution of the police in our liberation war has been resounded in the beginning of the book which creates a positive impression about this force in the mindset of the readers. Each chapter's theoretical underpinnings have been given a touch of reality by providing case studies. Even precise discussion of case laws decided by the apex court of the country has made the presentation more trustworthy and acceptable. This would help both the trainers and the trainees of human rights policing to grasp the subject from the rubric of our social and cultural understandings. For example, the guidelines relating to police arrest and remand enunciated by the High Court Division in the case of *BLAST v. Bangladesh and Others* (2003) and *Saifuzzaman v. State* (2004) have been discussed with its implications on human rights jurisprudence. This has added a beauty to the training Manual. The narration of international and national human rights standards in a lucid language will imbibe the human rights perception easily in the mindset of the readers. A list of human rights instruments have been added at the last portion of the Manual as a ready reference. One of the cardinal features of the Manual is that: It has candidly argued the applicability of the 'PLAN' principle in maintaining law and order situation. In case of jeopardizing situation, the police officials should apply the 'PLAN' i.e. P=Proportionality (applied force must be pro-



Rights of the citizens under threat

Food adulteration: Deprivation of the consumers

The voracious demon of food contamination has already devoured the consumers of Bangladesh to a great extent. Latest techniques and processes are being used by dishonest manufacturers and traders day by day in the process of contamination of food. Inconsistencies and weaknesses in existing food laws and regulations and low level of awareness about food safety among producers and consumers have turned the issue more acute and frustrating.

Uncertain future for the children

Children in Bangladesh are more helpless and vulnerable comparing to most other countries of the world since the establishment of full-fledged children's rights is a gigantic and daunting task in Bangladesh due to a number of concerned factors like child marriage, child labour, poor rate of literacy, domestic violence, lack of effective child participation, loopholes in legal protections and so on. Besides, the type of turbulence they are witnessing from their childhood, surely it

will put a pessimistic impact upon them while dealing with their issues and activities in future.

Problems of the ethnic and religious minorities and lack of communal harmony

In Bangladesh, the ethnic and religious minorities undergo violent activities and discrimination mainly due to land related disputes, criminalising nature of some miscreants and political duplicity and hypocrisy. Recently, due to turmoiled political unrest in the country, the Hindus and the Buddhists have suffered much and undertaken heavy loss of property and belongings. During every unfortunate event, the ruling party or the government of the country failed to provide adequate protection to the minorities which is neither desirable nor consolable. The history of this sub-continent teaches that the religious and ethnic minorities sacrificed for the independence. They also contributed and equally participated in the development and promotional building up of the country. Bangladesh is said to be a country of religious and communal harmony still the aggression to the minorities has caused much damage to the prevailing peace and harmonious co-existence of different communities living inside the country.

It is quite clear that in Bangladesh the citizen's rights are infringed almost in every aspect. A person, whether a boy or a girl, a child or an adult, a male or a female, a Muslim or a non-Muslim, a consumer or a trader, rich or poor either mal-treated or discriminated. The cherished dream and desire that have been keeping the Bangladeshis alive since the inception of an independent country in 1971, have been fading away gradually by the incumbent turmoiled political unrest in recent times. The political parties publish election manifesto before national election in which the rights, security, happiness of the common people are given utmost priority. Considering that the people of Bangladesh gives mandate to the political party of their own choice by exercising their right to franchise. But after availing the power, the government constituted by the ruling party fails to discharge the committed duties and becomes reluctant to proposed manifesto which is a straightforward cheating with the people of the state regarding their enjoyment of rights. It is now completely left upon the high quality political spirit and patriotism of our politicians to endow with a new inspired avenue so as to save the nation from being sunk into oblivion.

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Urge to prevent caste-based discrimination

MORE than 260 million people across the world are still victims of human rights abuses due to caste-based discrimination, United Nations independent experts warned on May 24, urging South Asian countries to strengthen legislation to protect them.

"Caste-based discrimination remains widespread and deeply rooted, its victims face structural discrimination, marginalization and systematic exclusion, and the level of impunity is very high," the group of experts said. "This form of discrimination entails gross and wide-ranging human rights abuses – including brutal forms of violence."

People who are considered of low caste in South Asia are known as 'Dalits' or 'untouchables.' In many countries, they face marginalisation, social and economic exclusion, segregation in housing, limited access to basic services including water and sanitation and employment, and work in conditions similar to slavery. The experts said that Dalit women and girls are particularly vulnerable and face multiple forms of discrimination and violence, including sexual abuse. Children are also at high risk of being sold and sexually exploited.

Two years ago, Nepal adopted the 'Caste-based Discrimination and Untouchability Bill', a landmark law that protects the rights of Dalits. More recently, the British Government decided in April that the Equality Act would cover caste discrimination to protect Dalits in diaspora communities. While these are positive steps to eliminate caste-based discrimination, the experts expressed concern about a serious lack of implementation in countries where legislation already exists, and called for the effective application of laws, policies and programmes protecting those affected by this type of discrimination.

"We urge other caste-affected States to adopt legislation to prevent caste-based discrimination and violence and punish perpetrators of such crimes, and call on world governments to endorse and implement the UN Draft Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent," the experts said. "Political leadership, targeted action and adequate resources should be devoted to resolving the long-standing problems, discrimination and exclusion faced by Dalits and similarly affected communities in the world."

The experts also expressed their hope that the post-2015 development agenda will include specific goals for the advancement of Dalits, stressing that caste-based discrimination is a major structural factor underlying poverty. "Their specific needs require tailored action to lift them out of poverty and close the inequality gap between them and the rest of society," they said. "No one should be stigmatised; no one should be considered 'untouchable'."

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SOURCE: UN NEWS CENTRE.



Workers' rights still in darkness



M. A. SAYEED

THE government of Bangladesh is going to amend the Labour Act-2006 after the series of tragic industrial devastation that arose questions about the countries continued eligibility for generalised system of preferences for the market of United States and European Union, on accounts of its low standard and occupational safety. Meanwhile, a proposed amendment has been drafted which is expected to be finalised by June this year which claims to bring changes for the betterment of the workers. But it is still in vague whether the changes could bring better result for the workers or not?

The changes of the law are the dire need to ensure the workers' rights especially for the Ready Made Garment Sector (RMG) workers. They are being deprived from their legal right as well as their universal human rights which have been prescribed in the United Nations Declaration on Human Rights (UNHR) and International Covenant on Economics, Social and Cultural Rights (ICESCR). According to Article 23 of ICESCR, every worker has the right to work, to free choice of employment, to adjust and favourable conditions of work and to protection against undue unemployment. Everyone, without any discrimination, has the right to equal pay for equal work. Everyone who works has the right to adjust and favourable remuneration ensuring for himself and his family an existence worthy of human dignity and supplemented, if necessary, by other means of social protection. The section also indicated the most important right of the workers to form and to join trade unions for the protection of his interests.

Recently the International Labour Organisation (ILO), European Union (EU), United States (US) and several other groups voiced strong concern over labour conditions in Bangladesh after a building collapse killed over thousands factory workers, and said it was considering action to encourage improvements, including the use of its preference system. They have also sought for the workers for joining in the trade union.

Identified by ILO in the Declaration of the Fundamental Principles and Rights at work labour standards are widely recognised to be particular importance. They are universally applicable, regardless of whether the relevant conditions have been ratified, the level of development of a country or cultural values. These standards are composed of qualitative, not quantitative standards and don't establish a particular level of working conditions, wages or health and safety standards. They are not intended to undermine the comparative advantage that developing countries may hold. Labour standards are important human rights and are recognised in widely ratified human rights instruments including the Convention on the Rights of the Child (CROC), the most widely ratified human rights treaty with 193 parties, and the International Covenant on Civil and Political Right (ICCPR) with 160 parties.

But no Government of Bangladesh is aware about the standards of labours. Another cause of not maintaining the standards of labour are the World Banks famous 'Ease of Doing Business Index' widely used to improve business conditions around the world. Here it is mentioned that environmental regulations is not explicitly mentioned in the 'Ease of Doing Business Index'. This encourages the movement of polluting industries to the developing world where environmental regulations are much weaker, and even when those regulations are on the books they are not adequately enforced.

The proposed amendment could not ensure the workers expectation fully reflected as the new law suggests a four-month maternity leave while all government and private office employees enjoy for 6 months. Another black provision is to be inserted in the proposed amendment Act-2013 is that the owners are empowered to terminate the workers contract for leave of absence upwards of ten days without notice. Under such circumstances, workers are not entitled to any compensation for termination of their contracts. The owners will be also empowered to terminate workers for arson, vandalism and obstruction to work. These provisions are going to be inserted in the proposed amend to curtail the right of the workers to movement against the irregularities of the owners.

The provision of retrenchment of the workers which has been stated in section 20 of the existing Labour Act, 2006, must be amended for the interest of the workers. Here the section says that a worker employed in an establishment may be retrenched from service on the ground of redundancy. It can be consider as a comical section added for only the interest of the owners! The amended law also includes a new clause having a welfare board and welfare fund instead of the previous 5% profit share of workers. It will contravene the interest of workers because welfare fund and profit is completely different thing. The experts expressed their deep concerns over the provision of 5% profit sharing cancellation in the labour law that would go against the interest of the workers.

Though there are some positive changes of the proposed amendment are inserted as instances Labour Department does not need to inform owners for trade union registration and permanent healthcare centre for 5000 strong companies. These two provisions are the hope, if they are implemented properly in the factories or industries. Recognising the workers right with due respect, the government should enhance the prosperity of the industrial sectors especially in the RMG sector. It should kept in mind that Bangladesh Textile story is often been cited as a great success of globalisation, and of the reasons for national progress over last two decades. So think seriously about the sector, please!

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