Does the government really want an independent NHRC?

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The people of Bangladesh have suffered too heavily for too long from abuse of power, lack of accountable governance, deficits in the rule of law and access to justice, and multidimensional violations of human rights. During the 15-plus years of Sheikh Hasina's authoritarian and kleptocratic rule that was ultimately ousted by the blood-written July uprising, many of those now in positions of power following the election of February 12, 2026—both in parliament and the government—were, along with ordinary citizens, direct or indirect victims. The price paid for the politicisation, executive control, dysfunctionality, and professional bankruptcy of nearly every state institution has been unbearable.

The natural expectation, therefore, is that the right lessons have been learnt from the consequences of unaccountable governance built upon partisan and executive-controlled state institutions, and that there is an appetite among those in power to ensure the independence and effectiveness of institutions mandated to uphold accountable governance. At the top of the list of such institutions is the National Human Rights Commission (NHRC).

However, what has been happening around the legal framework for the NHRC thus far offers little indication of such an appetite. The first session of the 13th parliament, and the government in particular, did an unenviable job of handling the 133 ordinances issued during the interim government period. What stands out is that many of the 110 ordinances that were passed into law (13 of them after amendment) essentially enhance the power of the executive and relevant agencies, with sustained risks of unaccountable governance. On the other hand, among the 23 that were either repealed or shelved for "further scrutiny," there are several that could have strengthened accountable governance, the key aspiration of the July movement.

One of them is the NHRC Ordinance, 2025, which was widely regarded as being largely consistent with the national aspirations and international standards such as the Paris Principles. A draft National Human Rights Commission Act, 2026, subsequently prepared by the government, has now been in circulation for some time. It does contain some important positive elements, including the disqualification of persons convicted of criminal offences or non-nationals from appointment as a commissioner, disclosure of meeting minutes, accountability of investigating officials, expanded jurisdiction of the NHRC's National Preventive Mechanism Division, and provisions for reporting on actions taken.

However, the draft NHRC Act, 2026 also contains some provisions and omissions that are fundamentally contradictory to the long-cherished aspiration of a truly independent and effective human rights commission free from executive influence. These are also inconsistent with the relevant international standards. Indeed, the draft law seems designed to ensure that the NHRC remains dependent on the government and relevant agencies for any action seeking redress for allegations of human rights violations committed by government officials, law enforcement and security agencies, and members of the armed forces. This flies in the face of credible evidence of the pre-July abuses as presented through national and international sources, such as the Commission of Inquiry on Enforced Disappearances and the UN OHCHR Fact-Finding Report.

Section 3(2) of the draft act has removed the provision included in the 2025 ordinance that stipulated that the NHRC would be independent and "shall not be under any ministry or department of the government." By implication, the NHRC would now be attached to the government, reflecting the same politico-governance culture that has long resisted granting genuine independence to institutions established to hold power to account.

The 2025 ordinance provided that the NHRC could regularly search, inspect, and investigate detention facilities operated by all law enforcement, intelligence, surveillance and military agencies for potential violations of the detainees' human rights. The NHRC could also make appropriate recommendations to the government, including the closure of such facilities if deemed unlawful, and seek accountability for those responsible. These provisions have been removed from the draft act, reflecting an apparent intention to preserve the culture of impunity surrounding human rights violations in such facilities.

The draft NHRC Act also grossly undermines the commission's authority to investigate alleged human rights violations by government employees and members of law enforcement, security and armed forces. Unlike the 2025 ordinance, it imposes a requirement on the NHRC to seek prior permission from the government or the relevant appointing authority. Even more debilitating is the provision requiring the commission to depend on a so-called report from the head of the relevant force or the government before deciding whether to investigate allegations of human rights violations committed by disciplinary forces or any of their members. The draft further provides that, based on such reports, the NHRC may only recommend measures to the relevant force or the government. For all practical purposes, these provisions amount to blanket impunity for human rights violations committed by entities that are record-holders of some of the worst forms of human rights abuse in the country. These provisions should be removed through amendments to sections 16, 18, and 20 of the draft act.

VISUAL: SALMAN SAKIB SHAHRYAR

The formation of the search committee under the draft act is also overly biased in favour of partisan and bureaucratic influence. The selection process has been kept non-transparent, with no scope for competitive selection. In service government employees may be appointed as commissioners by taking leave. In a context where NHRC-like commissions in the country are already viewed or treated as rehabilitation centres for retired government officials, this would increase the risk of deeper partisan and bureaucratic entrenchment.

Furthermore, some fundamentally important eligibility criteria for appointment as a commissioner, such as non-partisanship, relevant experience, honesty and integrity, have been ignored. Another provision facilitating government control is the scope for appointment of up to 30 percent of commission personnel from government officials on deputation, without any clear requirement for scrutiny of competence or conflicts of interest.

Departing from the principles of gender equality and inclusivity embodied in the 2025 ordinance, Section 5(3) of the draft act fails to include a mandatory provision ensuring the representation of at least two women on the commission. Nor does it require the representation of marginalised communities, including ethnic minorities. Similarly, the provision addressing the long-felt need to establish divisional offices and comparable capacity at district and upazila levels has been dropped without justification.

Other weaknesses of the draft act include the lack of a clearly defined preventive role involving stakeholder engagement, public awareness, education, training, and research to promote a culture of respecting human rights across the social, political and institutional spheres. Nor is there any mechanism for holding the commission itself accountable for inaction or motivated action in response to information or allegations of human rights violations.

By failing to provide for the commission's annual budget, including the salaries and benefits of commissioners, as "charged expenditure" paid out of the Consolidated Fund in accordance with the commission's request, the scope of its financial independence has been grossly curtailed, leaving it dependent on the government's goodwill. The draft act also vests the power to formulate rules in the government, thereby undermining the commission's independence and empowering the executive to determine if, when, and what rules would be formulated to govern the NHRC's operational and regulatory ecosystem. Experience shows that such arrangements can have paralysing effects on the commission.

If the government is genuinely interested in establishing a truly independent and effective NHRC, the draft act should be thoroughly overhauled along the lines outlined above, with adequate participatory and inclusive consultation of stakeholders, before it is placed before parliament for enactment. It remains to be seen whether there is sufficient political will to walk the talk.

This article is based on an extensive review of the draft NHRC Act, 2026 submitted by TIB to the government on June 5, 2026.

How to restore the moral compass of corporate banking

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For years, corporate banking in Bangladesh has been built not simply on lending but also on stewardship. Branch managers and, later, relationship managers (RM) used to be trusted advisers who understood industries, warned against reckless expansion, and often served as an informal early warning system for entrepreneurs carried away by growth. They also supported businesses through the cycle's ups and downs.

That culture is now, unfortunately, fading. Corporate banking has become increasingly transactional, profit-driven, and incentive-obsessed. In many banks, RMs are judged less on the quality of their judgement than on loan book growth, fee income, and balance sheet expansion. The result is a culture in which caution is often punished, aggressive lending is rewarded until stress emerges, and the relationship is treated as secondary.

Bangladesh's recent corporate distress stories reveal an uncomfortable truth: many large business groups, excluding those that deliberately syphoned money from the system, did not run into trouble overnight. Their vulnerabilities were visible for years. Yet, banks continued to finance expansion, refinance obligations, syndicate facilities, and compete for exposure without the moral courage to say "no." One reason may be the large number of banks chasing a limited pool of major corporate names.

As a recent example, the difficulties surrounding parts of the City Group ecosystem should prompt industry-wide introspection. Debt-fuelled diversification and ambitious capital expenditure don't happen in isolation; they are enabled and repeatedly financed by banks. During the boom years, many lenders participated enthusiastically because no one wanted to lose market share or relationship prestige. Some senior bankers built reputations, and even careers, on this relationship. But when stress emerged, the same system shifted into self-preservation mode. Instead of coordinated rehabilitation, many lenders shortened tenors, restricted fresh facilities, intensified recovery pressure, and distanced themselves from clients they had once celebrated. That may protect individual balance sheets in the short term, but it can also deepen broader economic instability. There have been exceptions when relationship banks worked together to help a sound business through a difficult phase. That should be the rule, not the exception.

This is not how relationship banking was meant to function. Strong banking systems are built on the idea that banks remain partners through cycles, not merely financiers during prosperity. After the Asian financial crisis of 1997, several East Asian systems learnt hard lessons about indiscriminate lending and weak advisory oversight. Many also recognised the importance of restructuring viable businesses rather than abandoning them during temporary distress. Japan's experience, despite criticism over "evergreening," showed that coordinated lender support can sometimes prevent wider industrial damage during fragile periods. After the 2008 global financial crisis, many international banks similarly reassessed their relationship model. Institutions such as Standard Chartered and Bank of America Merrill Lynch openly emphasised that corporate banking could not remain merely product-selling oriented; advisory capability, industry understanding, and long-term partnership had to move back to the centre.

Bangladesh once had bankers who embodied that philosophy. Veteran bankers from foreign and leading local banks often played mentor-like roles for the first generation of entrepreneurs after independence. They advised clients against unrelated diversification, cautioned against excessive leverage, and sometimes refused financing for projects that lacked strategic rationale. As banker Mamun Rashid has observed, relationship managers once "went the extra mile" not merely to disburse loans, but to help clients run businesses prudently with an eye on the future.That culture mattered because the country's corporate sector has long depended far more on bank financing than on deep capital markets. In such an environment, banks are not passive lenders; they are gatekeepers of economic discipline, with responsibilities that extend beyond credit approval and collateral documentation.

More than three decades ago, when I began my banking career at ANZ Grindlays Bank as a young RM, we were trained to evaluate conglomerates by looking at sector cyclicality, foreign exchange exposure, governance quality, succession risks, concentration risk, and debt sustainability. If a business group was expanding rapidly into unrelated sectors with rising leverage, it was the RM's duty to flag that concern internally, even if doing so slowed the bank's revenue growth.

Unfortunately, incentive structures often encourage the opposite. Aggressive loan growth wins immediate recognition; prudence rarely does. In many banks today, RMs are treated as sophisticated sales personnel rather than strategic financial partners. Credit risk teams are too often reduced to procedural gatekeepers instead of empowered institutional counterbalances. Meanwhile, the race to capture marquee corporate names weakens underwriting discipline across the sector. The cost is visible not only in rising stressed assets but also in the erosion of trust between banks and corporates.

Therefore, the banking sector in Bangladesh needs to rediscover the original meaning of relationship management. RM performance metrics must be redesigned so that evaluations reflect long-term asset quality, sustainability of financed projects, client governance standards, and early risk identification, not just annual business growth. Banks should also build sector-specialised advisory capability so that those covering textiles, power, FMCG, infrastructure, or commodities bring real industry understanding rather than only sales skills. During periods of corporate stress, lenders should pursue coordinated restructuring where viable businesses exist; disorderly withdrawal by all lenders at once often destroys value for everyone.

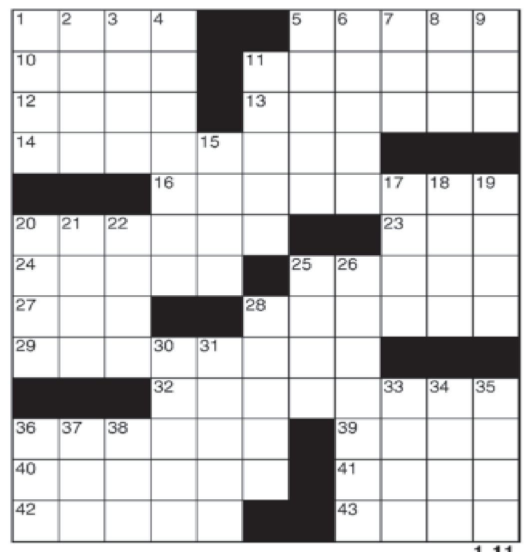
The Bangladesh Bank and bank boards must also recognise that banking is not merely a profit-maximising business. It is a public trust institution central to economic stability. The collapse of a large corporate borrower affects not just one balance sheet, but suppliers, employees, SMEs, export flows, investor confidence, and the wider economy.

Relationship managers carry responsibilities that are not only commercial but moral. The industry needs to remember that again.

CROSSWORD
BY THOMAS JOSEPH

ACROSS
1 Concerning
5 Took the wheel
10 Cabinet part
11 Farmer, e.g.
12 Nick and Nora's dog
13 Big wave
14 Car part
16 Car part
20 Game pieces
23 Early hour
24 Sailor's cry
25 Likely
27 D.C. baseballer
28 Kitchen come-ons
29 Car part
32 Car part
36 Calm
39 Half of a sextet
40 Calm
41 Pucker-inducing
42 They're adored
43 Peepers

DOWN
1 Seth's father
2 Fair
3 Visitor to Oz
4 Grove yield
5 Slump
6 John who married Pocahontas
7 Athena's symbol
8 Neckline shape
9 Go wrong
11 Disgusting
15 Crazy talk
17 Downfall
18 "The King and I" role
19 Sediment
20 Zesty flavor
21 Track shape
22 Green Hornet's valet
25 School event
26 "Listen to Your Heart" duo
28 Dwelling
30 Uttered
31 Works copy
33 Waiter's aid
34 The Emerald Isle
35 Goes bad
36 Letter before omega
37 Conducted
38 Commotion



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YESTERDAY'S ANSWERS

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