National Human Rights Commission, Bangladesh

Existing Challenges and Expectations of Civil Society

Ain o Salish Kendra (ASK)
EXISTING CHALLENGES AND EXPECTATIONS OF CIVIL SOCIETY

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National Human Rights Commission,
Bangladesh

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It is our expectation that the National Human Rights Commission, Bangladesh (NHRC) will be pioneer of promoting and protecting human rights. Besides, as a state institution, it is the duty of the Commission to provide necessary recommendations to the government on human rights issues and create a bridge between the civil society Organizations (CSOs) and the government. After the continuous efforts of the CSOs, the NHRC started its journey in the year 2009, marking it a decade of existence in next year. Since the beginning, the Commission has been continuing its work overcoming various challenges. In this report, the advancement of the Commission has been evaluated from the perspective of CSOs. An attempt has been made on highlighting how successful has the Commission been in living up to the expectation of the civil society, human rights activist and the general public, and where else can the Commission work upon. In addition to that, the report has also shed some light upon few points through which the Commission can overcome its existing challenges and have a dignified presence in the national and international sphere.

I express my gratitude to all those who have been involved in developing and publishing of this report. It is our expectation that the NHRC will become a more stronger institution and will work as a shelter to the victims of human rights violations for ensuring justice for them.

Sheepa Hafiza
Executive Director
Ain o Salish Kendra (ASK)
This year, 2018, marks the completion of 25 years since the adoption of the Paris Principles. These Principles were initially proposed in the year 1991 and was thereafter adopted by the United Nations General Assembly on December 20, 1993.

Immediately after the World War II, in 1946, the Economic and Social Council of the United Nations (UN) started contemplating the formation of separate national institutions to protect human rights. Initially, UN member states were encouraged to form local human rights committees or groups to collect relevant information. In 1978 the United Nations Commission on Human Rights organized a seminar in which a draft regarding the structures and functions of such an institution were developed. Later, the UN Commission on Human Rights and the General Assembly approved the draft, and the General Assembly called on the UN member states to set up this kind of institution.

Subsequently, in the year 1991, the first workshop on national institution for the protection and development of human rights was conducted in Paris. At this workshop, the 'Paris Principles' detailing the national institution's role, formation, function, and the procedural aspects of its work, were adopted. The Paris Principles are the minimum required standards for national human rights institutions; since the Vienna World Conference in 1993, these principles have
been widely recognized for vetting the acceptability and legality of national institutions worldwide. In order to ensure the independence and effectiveness of the national human rights institutions, five fundamental features have been set forth in the 1,200-word Principles. These features are: duties and responsibilities, formation, independence, procedure and quasi-judicial (Complaints system) mechanism.

A national human rights institution, in principle is an independent institution which stands by people in need of protection, and works for obligating the government towards the development and protection of people's basic rights, as well as making the government accountable. Different countries in the world establish national human rights institutions to provide necessary recommendations and guidelines to their respective governments. In spite of their formation by the government, these institutions operate independently. They observe the overall rights situation within their respective countries and provide governments, upon critical assessment, with relevant recommendations. That is why these institutions are primarily called ‘recommending institutions’. Institutions like these are becoming important day by day in most countries. In order to establish a just society, such institutions work with the aim of making or revising relevant laws and policies as well as changing perspectives. They are usually set up by enacting new laws or with the help of the Constitution in the respective countries.
National Human Rights Commission
Bangladesh: Context

In the 1990s, the Civil Society and international bodies strongly conducted advocacies for setting up a neutral and independent monitoring body to oversee a country's rights situation and ensure the state’s accountabilities, provide necessary recommendations and guidelines to the state for protecting human rights, and above all, to work as the last resort for upholding the rights of any individual. Consequently, the government took up a project in 1996 to assess the probabilities of establishing a national human rights institution. As part of this process, a draft law was formulated based on suggestions and recommendations from stakeholders. After that no progress was made for a long time. Finally, a legal structure for a national human rights commission was put in place in 2007 through an ordinance. The commission started its journey on December 01, 2008 with the appointment of a Chairperson and two members.

After the general elections in 2008, a new law, known as National Human Rights Commission Act, 2009 was proposed to replace the old 2007 ordinance. The law was drafted in accordance with the Paris Principles. Reflecting the government's constitutional commitments as well as international rights obligations, this Act was passed in the national parliament on July 14, 2009 to promote and protect human rights in Bangladesh so that rule of law, social justice, freedom, and human dignity can be ensured. Under this Act in June 2010, the National Human Rights Commission was reconstituted with a seven-member body—a Chairperson, a permanent member and five honorary members.
Jurisdiction of National Human Rights Commission, Bangladesh (NHRC)

The mandate of Bangladesh's National Human Rights Commission is somewhat wide. Bangladesh's Constitution, National Human Rights Commission Act, 2009 (NHRC Act, 2009), and the international human rights conventions and treaties to which Bangladesh is a signatory, are the sources of this wide mandate. In the preamble of the NHRC Act, 2009, it is said that the aim of this Commission is to protect, promote, and ensure human rights. In this respect, the Commission's main jurisdictions are—

- Investigating all complaints about all forms of rights violation; even when direct complaints are not lodged with the Commission, it can voluntarily accept complaints;
- Visiting any jail, hospital, and police custody to make recommendations for the development of such places;

ASK's Advocacy toward Strengthening National Human Rights Commission, Bangladesh (NHRC)

Among all the organizations, Ain o Salish Kendra (ASK) has led the advocacy campaign during the various phases of working toward establishing an independent commission for the protection of human rights. Even after the NHRC was formed, ASK has continued working at national level both with the government as well as the Commission with the aim of making the NHRC independent and effective. Besides, ASK has launched awareness campaign about the Commission's activities; in 2012, ASK prepared a booklet called ‘Filing Complaint to the National Human Rights Commission: A Handbook for Human Rights Activists’ to make people aware about the process of filing complaints; it has also formed 'committees' at
Assessing procedures of action initiated in accordance with existing laws or the Constitution to guide the government for their effective implementation;

- Researching different international documents regarding human rights and making recommendations to the government for their implementation;
- Contributing to maintaining a balance between national and international laws about human rights;
- Conducting research on human rights related issues;
- Working toward creating awareness about rights issues through campaign and publication;
- Mediating between parties to resolve crises that can be pacified through mediation;
- Providing training on rights related issues to law enforcement agencies and other relevant bodies.

At the same time, ASK conducts advocacy campaign both at regional and international levels to further strengthen the NHRC. At the regional level, ASK is an active member of Asian NGO Network on Human Rights Institutions (ANNI) which, since 2007, has contributed to ensuring the independence and effectiveness of human rights institutions through continuous assessment of their activities in respective countries. ANNI also publishes annual reports containing its assessment of each member organization’s operation. In these reports, member organizations each incorporate their
evaluations of the rights situation in their respective countries. From Bangladesh, ASK has submitted its evaluation every year from 2008 to 2016.

Besides, ASK under the aegis of the Universal Periodic Review (UPR) and the United Nations Human Rights mechanism leads advocacy campaign for strengthening the NHRC and works with the government to help implement the goals.

**National Human Rights Commission, Bangladesh: Existing Challenges and Expectations of Civil Society**

The NHRC is a 'statutory independent institution.' People indeed have a lot of expectations from such an institution, which has been created as a result of movements led by the Civil Society. And when a gap is created between such expectations and achievements, a feeling of frustration spreads among people. Members of Civil Society who have worked for this institution for long never want the status of this platform to be questionable. Therefore, the Civil Society organizations have put in their best efforts to create grounds for opening dialogues about how to make the Commission stronger and ensure its effectiveness. Above all, these dialogues put forward recommendations to the NHRC and the government to strengthen the institution. Keeping that aim in mind, this report titled 'National Human Rights Commission: Existing Challenges and Expectations of Civil Society' has been prepared from various publications, articles, media reports, and ANNI reports of previous years about NHRC; feedback from human rights activists at both national and local levels has also been incorporated in the report.
1. Institutional Progress of the Commission:
In 2018, the NHRC has made progress on quite a few fronts.

1.1 Activation of Hotline number 16108
In order to take necessary steps upon receiving complaints, the NHRC has opened a 'hotline' number 16108 this year. To lodge complaints of human rights violation, or to seek information and other services, any citizen can call the hotline number from 9:00 am to 5:00 pm from Sundays to Thursdays. If any call is made after 5:00 pm, the caller's messages are recorded and received on the following day.

The hotline provides information about the Commission's functions, and even about how to lodge complaints. But this number is not toll-free and the services it provides are limited from 9:00 am to 5:00 pm.

1.2 Approval of Proposal for Appointing More Manpower
On various occasions, the Commission mentioned that lack of adequate manpower seriously hampers progress of investigation as well as other works. Currently, the Commission has a total of 48 members. To overcome this, a process has been put in place to accelerate the pace of the Commission's work. The Ministry of Public Administration has already approved a proposal for newly appointing 40 members including 19 officers. The recruitment is likely to start soon.¹ Besides increasing the manpower, rights activists across the country believe that an equal focus should be given on keeping up the qualitative aspect of their work, i.e. enhancing the NHRC staff's skills for effective implementation of the Commission's goals.
1.3 Attaching Importance to Diversity in Recruiting New Staffs

For receiving calls on the hotline at the Commission’s call centre, two women officers with disabilities have been appointed. Aimed at introducing equal opportunity in matters of recruitment, this initiative of the Commission is indeed praiseworthy.²

In addition to this, the Commission has appointed an individual from the third gender as a front-desk executive from July this year.

1.4 Appointment of Panel Lawyers

In May 2017 the Commission appointed 100 panel lawyers in 40 districts to provide free legal counselling and stand by victims of rights violation.³ Currently the number has grown to a total of 147 lawyers in 61 districts to stand by and guide victims in their legal fights. However, according to ASK's observation, general people do not have adequate information about the existence and functions of these lawyers. They are also not sufficiently aware of how this initiative is linked to getting legal services from the government. It leaves us in doubt about how effectively the lawyers can take legal services to the doorstep of common people.

1.5 Activities of Issue-based Committees

There are nine committees that work on different human rights related issues.⁴ The committees are composed of representatives of many national and international organizations, and also representatives of different ministries of the government. However,
the functioning of these committees, decisions taken at their meetings, and follow-up of such decisions need to be strengthened. To operate systematically, the committees shall follow a guideline.

Moreover, the Commission has quite a few local committees in different regions. What role these committees play at the local level should be evaluated from time to time. Besides, regular discussions and dialogues must be held with various stakeholders for figuring out how the local committees can engage with local rights activists more for working harmoniously toward the development and protection of human rights.

### 1.6 Increase of Local Offices

Currently, in addition to the headquarters office at Kawran Bazar, Dhaka, the Commission has two other local offices in Khulna and Rangamati. The setting up of another local office is well underway in Cox's Bazar. This new office is being opened to work for the rights of the Rohingya people among others. In order to speed up the activities of the Commission, the NHRC Chairperson has said that the offices will be opened in all the divisions of the country.5 However, the way these offices work toward addressing local issues of rights violation is not recognized by local rights activists.

### 2. Coverage of the Commission's Work in Mass Media, and its presence on Websites and Social Networking Sites

In comparison to last years’ activity in the website, this year, the information provided on the Commission's website is more up-to-date. The Commission is regularly publishing its press releases and public relations notices on the website. All the news items regarding the Commission published in different
newspapers are also being uploaded there. Although the website contains a list of complaints that the Commission has volunteered to register, no information about the cases that have been resolved through mediation has been published. There is an option on the website for lodging complaints but only an English form can be found whereas a Bangla form should also be there. In recent times, regular updates on the Commission's activities are also quite noticeable on its Facebook page. Overall, the Commission is putting in every effort to make use of the digital platform for mass communication, which is indeed commendable.

However, information on many subjects is not yet present on the website. Although annual reports from previous years are there, the 2017 report is yet to be published on the website. Furthermore, information on certain desired issues could not be found on a few sections of the website. Their Newsletters and issue-based statistics are not yet updated. Results of the complaints registered by the Commission are not published on the website as well.

To register complaints the Commission can further strengthen its public relations activities in media. Besides, considering the accessibility of smart phones and the visible growth of their users, the Commission would do well to initiate its own app. Side by side with the option for lodging complaints on the website, app or another more easily accessible system can be introduced so that people living in remote village areas are not deprived of the opportunity to lodge complaints.
3. Consistency with the 'Paris Principles 1991'  

3.1 Shortcomings of Founding Act  

On the list published by Global Alliance on National Human Rights Institutions (GANHRI), a global network of National Human Rights Institutions (NHRIs), Bangladesh’s Commission is still accorded B status. This network examines the NHRIs and seeks to understand how much the NHRIs are in compliance with the Paris Principles. Based on the results of its assessment, the GANHRI accords the UN member states A, B or C status. Since its inception, NHRC has come under scrutiny once in 2011 and then again in 2015. The NHRC has been accorded B status since 2011.

The UN Committee on Economic, Social and Cultural Rights (CESCR) has for the first time reviewed the progress of this Covenant’s implementation in Bangladesh on 15 and 16 March this year. In its study, the CESCR has expressed concern about the Commission not being fully independent. In its concluding remarks, the CESCR has expressed concern about the following: B status accorded by the alliance on the NHRIs (GANHRI); the Commission’s limited mandate to work on economic, social and cultural rights; lack of adequate freedom, especially in addressing financial matters and manpower shortage. The UN Committee has recommended making the Commission fully independent and stronger. In addition, it has suggested reviewing the National Human Rights Commission Act, 2009 (NHRC Act 2009) in order to expand the Commission’s jurisdiction of work.

As a matter of fact, the Act has quite a few shortcomings which stand in the way of the Commission’s attaining the A status. They are:

- Inadequate definition of human rights;
- Lack of transparency in the election process of members;
Lack of complete freedom in financial matters;
A limited mandate in matters of investigating allegations of rights violation against law enforcement agencies and the security forces.

Nearly 10 years into the enactment of the existing Act, no step has been taken to revise these shortcomings. Though the Commission, after discussing various aspects with stakeholders, has submitted a draft guideline to the law ministry, no progress has been reported on revising the Act. According to the Paris Principles vis-à-vis the NHRIs, an NHRC must have:

a. A mandate in line with the standards for universal human rights.
b. A separate law for its formation.
c. Sufficient fund that ensures its financial freedom.
d. An autonomous body as a state organ, or, it must have its own unit of carrying out administrative works.

The Commission’s independence has been emphasized in the NHRC Act, 2009. According to Section 3(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.’ It is as a statutory independent body that the NHRC stands in congruity with the second principle of the Paris Principles, which states ‘A national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a constitutional or legislative text, specifying its composition and its sphere of competence.’ In order to strengthen the Commission’s independence, the Act has secured the positions of its members. According to Section 8(1), ‘The Chairperson 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.’
According to Section 12 of the NHRC Act, 2009, the Commission has been given a well-coordinated jurisdiction for the publicity and protection of human rights, which is in line with the first principle of the Paris Principle. Nevertheless, the Commission’s role and power are limited in many respects. Although it can investigate complaints, it is beyond NHRC’s jurisdiction to take any steps post-investigation. The Commission also has a limited mandate for investigating allegations of rights violated against security or law enforcement agencies. Although, according to the Paris Principles, the Commission’s jurisdiction should be broadened in order to protect citizens from human rights violations by enforcement agencies when they resort to extrajudicial coactivities. According to the general observations of 2013 of GANHRI Sub-Committee on Accreditation (SCA), it lessens the Commission’s acceptability when law enforcement agencies are kept outside its jurisdiction.

3.2 Financial Independence

The Paris Principles specifically state that the NHRIs must have mechanisms for institutional infrastructure and budget independence, so that they can enjoy financial independence.

Some provisions regarding the financial matters in the existing Act fail to fulfil conditions stipulated by the Paris Principles and have restricted the NHRC’s autonomy about its own budget. Allocation for the Commission does not come from the line item of the national budget passed by the Parliament. It does not fall within the purview of the Parliament.
It is noteworthy that despite obstacles in financial matters, the Commission’s budget has significantly increased since 2017. This allocation is paid directly into the Commission’s own account. But many have opined that the Commission still has limitations over making effective use of this fund.

### 3.3 Selection Process of Members

In selecting members for the Commission, standards set by the Paris Principles and observations made by the GANHRI are not being followed. General observations made by the UN Human Rights Committee clearly emphasizes that the selection process has to be transparent, and that discussion must be held on large scale surrounding the selection and recruitment process.⁹

The present Commission was formed in 2016. In line with the Paris Principles, this Commission ensures diversity in the composition of representatives that include female members. However, the Committee that supervises the selection process of the Commission has not taken any initiative for seeking counselling from Civil Society members, publishing mass advertisements, or holding open dialogues with them.

An appeal was sent on behalf of ASK to the head of the selection committee regarding the recruitment of new members for the NHRC through an open and transparent (selection) process. The appeal, however, went unnoticed. Next year the Commission will complete its third year. Civil Society members appeal to the government for ensuring a transparent and participatory selection process. Besides, steps should be taken to make sure that the Commission’s honorary members can contribute effectively.
4. Broad Interpretations of Law

According to Section 17 (2) of the NHRC Act, 2009, if the government does not provide report, the Commission itself will reserve the right to investigate the matter. However, many believe that when law enforcement agencies are concerned, the NHRC is deprived of the right to investigate independently. Section 18 of the Act states: ‘Notwithstanding anything contained in any other provisions of this Act, the Commission may, suo moto or on any application require the Government to submit a report in respect of the allegation of violation of human rights against the disciplined force or any member thereof.’ Often this Section is interpreted in the following way: the Commission does not have the power to investigate any allegations against law enforcement agencies regarding extrajudicial killings or cases of enforced disappearance; it can only ask the respective agency for reports. However, Civil Society members believe that a progressive and courageous interpretation of this law does not actually restrict the Commission’s jurisdiction for investigating such cases, or contributing to resolving such cases through other means. Though, recently, we have seen that the Commission has played a limited role vis-à-vis such cases. India’s Human Rights Commission uses a similar description for these laws, but the way it uses them can be an encouraging example for Bangladesh. Besides, the Commission might as well appeal to the Government for defining its power and mandate in clearer terms.

5. Enactment of Laws for the Protection of Human Rights Defenders

This year, the 13th GANGHRI Conference was held in Marrakesh from October 10 to 12, where representatives of the NHRIs from around the world, including Bangladesh, were present. This year’s
objective was to broaden the civil space for expressing opinions, and also to discuss the role and the type of contribution that the NHRIs can play and make in ensuring protection of human rights defenders, especially women human rights defenders.

In Bangladesh, human rights defenders are constantly working amid various barriers. They face threats, attacks, legal complications, and fatal attacks from both state and non-state actors. Unfortunately, though, the Commission has yet to set up a focal point or protection desk to ensure safety of defenders. Although it is within the NHRC's mandate to formulate law for the protection of defenders and send it systematically for approval, no steps have yet been taken following a systematic way.

6. Appointment by Deputation (or on temporary basis) from Public Administration

Ever since its inception, the Commission has appointed secretaries, directors, and joint directors from the Public Administration department on deputation or temporary basis. At the very beginning, in order to give a shape to the institution there was a need for appointing people with solid experience, but appointment by deputation has created many operational complications in the long run. This practice contradicts the standard, put in place by the GANHRI and its Sub-committee on Accreditation (SCA), that no appointment for the Commission’s higher officials can be made on temporary basis.
7. Examining Draft Law, Policy, and Guidelines, and Maintaining Compliance with International Human Rights Standards

It is within the Commission’s mandate to review draft laws, policies, and guidelines, to weigh their conformity with international standards, and to recommend the authorities concerned to legislate new laws or amend the old ones. According to Section 12 (G) of the NHRC Act, 2009, the Commission must work 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’. In the last few years, the Commission has exercised this mandate over the following laws and policies: Children’s Act 2013, Persons with Disabilities Rights and Protection Act 2013, The Prevention and Suppression of Human Trafficking Act, 2012, National Child Labour Elimination Policy 2011 and the Domestic Worker Protection and Welfare Policy 2015. Though it is unfortunate, the Commission has yet to play any role in amending many laws that are controversial and that contradict the basic human rights principles. Over the years, quite a few laws have been passed and drafts created, which stand in contradiction with Bangladesh’s Constitution, democratic values, and principles of human rights. For example-Anti Terrorism (Amendment) Act, 2013; Information and Communication Technology (Amendment) Act 2013; Foreign Donations (Voluntary Activities) Regulation Law 2016; National Broadcasting Act 2016 (draft); Press Council Act (Draft); Bangladesh Liberation War History Distortion Crime Act (draft); Civil Service Act 2018, and so on. Although human rights organizations and the media played a vocal role in this connection, the Commission did not provide any recommendations to the Government clarifying their position. For the last two years, the draft Digital Security Act (DSA) has been widely
discussed and criticized in various quarters. In the ‘Mock UPR’ organized by the Commission in last May, the Commission Chairperson called upon the government to have a dialogue with the media before finalizing the DSA. He also highlighted the Civil Society’s concern regarding Section 32 of the Act. However, the Commission never submitted any specific recommendation on the draft DSA to the government. Nor did it take any effective steps to support the protests of journalists regarding quite a few disputable sections of the draft. Additionally, the Commission worked for a long time on an anti-discrimination law, a draft of which has also been submitted to the Law Commission. After discussions with relevant stakeholders, the Commission later drafted another Act, namely, Elimination of Discrimination Act, which has been submitted to the relevant ministry in April of this year. It is not clear to stakeholders as to why a new draft had to be prepared instead of amending or modifying the previous one.

It should be mentioned here that the Government has also not given much importance to the concerns expressed by the Commission over some laws, for instance, the Child Marriage Restraint Act (CMRA) 2017. At the same time, it does not appear that there were sufficient attempts on the Commission’s part to emphasize its position during discussions with the Government. After the CMRA was approved in 2017, the Commission took an initiative to develop a guideline in consultation with stakeholders to stop the misuse of a particular provision of the law, which was a welcome move. However, human rights and development organizations were concerned when the Ministry of Women and Children Affairs also started to develop a guideline at the same time. Under the circumstances, there were debates as to whether it would be logical to create a separate guideline or should the Commission firmly provide its position to the Ministry, which would then be incorporated into the government guideline.
8. Role of the Commission in Protecting Civil and Political Rights

One of the basic principles of human rights is that there is no hierarchy in the sphere of human rights—all human rights issues are integrally connected to each other. It is not possible to enjoy economic, social, and cultural rights to their full extent without ensuring civil and political rights; they complement each other. However, in some countries, depending on their political, economic, and cultural context, some human rights issues appear more important than others. These issues displease the government because they allegedly involve state security agencies. In the context of our country, enforced disappearances, extrajudicial killings, torture, and impeding the right to exercise freedom of association and freedom of expression constitute such issues. If these issues are raised for discussion, there is a possibility that the government will be displeased. It appears that the NHRC has not been working actively on these issues. However, as a state institution, they have greater opportunity and power than non-government organizations to work on these issues. The Commission has consistently failed to make use of this opportunity; it has rather prioritized economic and cultural rights, a fact which becomes apparent from the subjects it chooses for seminars and meetings, and also from its documentation and statements.

8.1 Extrajudicial Killings and Enforced Disappearances

According to ASK Documentation from newspapers and its own source, 437 persons have been victims of extrajudicial killing from January to October 2018. Another 26 persons were victims of enforced disappearance.11

Given the excessive numbers of extra-judicial killings and enforced disappearances, it is imperative that the Commission plays
an instrumental role in this connection. The Commission placed two very important recommendations to the government to combat extra-judicial killings and enforced disappearance—to stop the operation of law enforcing agencies in civil dress; and to have at least two witnesses during operations and arrests. The government did not accept either of the recommendations. The Commission should continue to hold discussions with the government to ensure that these recommendations are implemented. Even though the Commission once talked about approaching the High Court to intervene in cases of extra-judicial killings and enforced disappearances, nothing happened to that end. The Civil Society also thinks that the NHRC can recommend the formation of an independent commission to investigate such cases. Human rights defenders believe that the NHRC can organize a public hearing in which the victims’ families and witnesses can describe what actually happened.

It is also true that in order to ensure that the NHRC can carry out its mandate, the government must also assist it and consider its recommendations seriously. If there is an allegation that law enforcement agencies were involved in human rights violations, the NHRC sends a letter to the relevant authorities, of its own volition, asking for an explanation, on behalf of the victims and human rights organizations. However, the Commission did not receive any response on multiple occasions, so it informed the Home Ministry about such allegations. The Commission has sent a total of 185 letters to the Home Ministry seeking reports on such allegations from the year 2012 to 2017. In fact, from 2012 to 2016, the Commission did not receive any response to 154 letters that demanded explanation for allegation that law enforcement agencies were involved in cases of enforced disappearances and extra-judicial killings. Of these, 32 cases involved custodial deaths and torture, 25 involved disappearances, 12 involved extra-judicial killings, and some involved various allegations
of harassment (of citizens) against law enforcement agencies. The NHRC sent four such letters to the Home Ministry in 2012, 10 in 2013, 53 in 2014, 73 in 2015, 16 in 2016, and 29 in 2017. According to media reports, the Commission rarely ever gets any response when it asks the Home Ministry for investigation reports. Even though reports were sometimes provided they said no evidence had been found of any involvement of law enforcement agencies. In some cases, it was said that steps had been taken against those were involved.

When the Commission asks for an explanation of a case, the government should provide it within the shortest time possible, to reflect its own commitment and also that of its state agencies to human rights and to the Commission. The government must remember that the Commission is a governmental organization and an ally to the state. For the state to retain its commitment to human rights obligations—protect citizens’ human rights, and ensure justice—the commission has the mandate to guide the government.

8.2 Anti-narcotics Drive

As part of the government’s ‘Zero Tolerance’ policy on drugs, the police and the RAB have jointly conducted an anti-narcotics drive nationwide since May 2018. According to ASK Documentation from newspaper and its own sources, from May 15 to October 31, 276 people have been killed during the operation. While human rights organizations welcome the government's strong stance on combating the deadly social disease known as ‘drug addiction’, they have also repeatedly reminded the government that every person has the right to live and get justice. Punishment for any crime should be meted out in line with the existing law of the land after following due procedures in court, not through state security forces. The NHRC too issued various statements regarding the killings during this time.
Though the law enforcement agencies have insisted that these deaths were the result of ‘crossfire’, news reports and families of the victims have portrayed a different picture altogether. In media there have already been allegations against the police about releasing people from ‘crossfire’ in exchange for money or of sending people to ‘crossfire’ even after taking money.

Role of the Commission

Following the news of the death of nine drug dealers, on May 22, 2018, the Commission expressed its concern over the matter. The Commission Chairperson stated, ‘The drug dealers must be brought under legal proceedings through the drug drive, and given exemplary punishment. However, the drive must be conducted in line with human rights principles and existing laws of the country.’

The Commission even submitted a letter to the Home Minister Asaduzzaman Khan Kamal, requesting him to ensure that human rights of the accused were ensured during such drives. The letter also said that necessary steps should be taken urgently to ensure that rights of those convicted and suspected, and the others concerned are taken into consideration and their constitutional rights be upheld, too, during the drives. Moreover, it also recommended the law enforcement agencies to pay heed to the necessity and extent of use of force while conducting their drive. On July 8, a copy of this recommendation was also sent to the Home Ministry. It was also published on the NHRC website on July 22.

To protect rule of law and ensure human rights during the drive, the Commission made recommendations to the government to stop all extrajudicial killings, and requested that such directives be sent to law enforcement agencies. It was also recommended that arrested persons should not be taken along during drug raids; that if
absolutely necessary, an executive magistrate should also be asked to accompany them; that if an unwanted death takes place, investigation must be ensured through the executive magistrate and responsible persons must be brought to justice. The Commission expressed hope that the government would issue necessary directives to law enforcement agencies in light of these recommendations.\(^{15}\) The NHRC has mentioned that it is outside the Commission's mandate to directly investigate the role of law enforcers in these drives, and that such investigation must be conducted through the Home Ministry.\(^{16}\) The Commission has also prepared a guideline for law enforcement agencies during such drives.\(^{17}\)

It is unfortunate that the Commission did not follow up on whether the government, upon considering these recommendations, gave directives to law enforcement agencies. Steps to ensure justice for victims of extra-judicial killings were also not taken. The anti-drug drive is still going on, and one or the other of alleged drug peddlers is being killed almost every day in the so-called 'crossfire'.

**Death of Ward Commissioner Ekramul Haque**

On May 26, in Teknaf, Counsellor Ekramul Haque (46) was killed in a ‘crossfire’ with the RAB. On May 29, his family produced at a press conference four audio clips which were 14 minutes and 22 seconds long. The audio clips, which went viral, captured Ekramul’s conversations with his wife and two daughters right before his death. During the press conference, after playing the audio clips which contained several voices, gun shots, and screams, Ekramul’s wife alleged that her husband’s killing was pre-planned. Following the conference, several questions were raised with regard to the on-going anti-drug drive in the country. Rights organizations demanded a proper investigation into Ekramul’s murder. Speaking about this
incident, the Commission’s Chairperson told the media that all extra-judicial killings by law enforcement agencies, in the name of ‘crossfire’ during the anti-narcotics drive or any other operation in the country, must end immediately. He said that there should be a fair investigation into Ekramul’s murder. On the afternoon of June 24, the NHRC Chairperson met Ekramul’s mother Hafeza Khatun. He told her that the Commission was trying to investigate the killing and ensure justice. Till now, however, the killers of Ekramul have not been brought under any legal or judicial process through a fair investigation. The Civil Society hopes that the Commission will regularly follow up on these cases, keep the media updated about any progress, and thus continue to push for punishment of the accused.

**8.3 The Right to Express Opinion**

Civil Society organizations believe that the space for citizens' right to freedom of expression has extremely shrunk in recent times. Many individuals and media houses are choosing to self-censor themselves in fear of different laws, particularly the indiscriminate application of Section 57 of the Information and Communication Technology Act, and also the possibility of displeasing religious extremists and the government or political leaders associated with it. A kind of fear has indeed gripped the citizens, trapping their freedom of expression in a cage. People’s views online are under strict surveillance. During any protest, the protesters are being arrested for spreading rumors. The list of arrestees even included school students and housewives. A case was filed against Maidul Islam, a faculty member of Chittagong University, for writing a post on Facebook in support of the Quota Movement. In these instances, the NHRC did not take any step; it rather appeared indifferent to these arrests. As a national human rights institution, it is the responsibility of the Commission to
inform the government about the human rights situation in the country and to play an effective role in ensuring that citizens enjoy the right to express themselves and that they are not threatened or harassed when they do so. Unfortunately, the Commission has failed to do so. It could have considered approaching the Supreme Court for directives on ensuring freedom of expression, which it did not.

8.4 Freedom of Association

Throughout the year, the opposition parties have been blocked in various ways from carrying out their political activities. Law enforcement agencies have handled people gathering to express their demands in a heavy-handed way.

The Quota Movement

In April 2018, university students and job seekers began a movement to reform the quota system vis-à-vis government jobs. During their peaceful protests, they were attacked and beaten up by law enforcement agencies and Bangladesh Chhatra League (BCL) activists. Worse still, at the dormitories, students who supported the Quota Reform Movement were beaten up late at night by the BCL cadres. There were also allegations that the Dhaka University administration forced 20 students to leave Sufia Kamal Hall in the middle of the night. The Commission issued a statement condemning the police attacks and called upon the government to resolve the issue through dialogue and discussion. On April 11, the Prime Minister informed that there would be no quotas in place for government jobs, during a speech in the parliament. After this announcement, the protesters temporarily suspended their movement.

However, since no gazette was published following the Prime Minister’s speech in a long time, students took to the streets again.
Students participating in the protests were once again attacked by BCL activists in different parts of the country. Academics and parents who joined the peaceful protests were also harassed by the police and BCL cadres. According to media reports, many protesters, who were injured, alleged that they were forced to leave the hospitals they went to for treatment. During the same time, female students who had taken part in the protests were harassed with obscene comments and remarks on social media. One female protester claimed that the BCL members handed her over to the police. She was kept at the police station the whole night and harassed in different ways. At one point, the central leaders of the protests were also arrested. Faruque Hasan, Moshiur Rahman, Jasimuddin Akash, Mohammad Rashed Khan, Tariqul Islam, Sohel, Sumon Kabir, Mahfuz Khan, and eight other leaders were arrested.

**Role of the Commission**

Neither these arrests nor the attacks by the police or BCL members were protested by the Commission. No recommendation has been provided for the government to keep up the human rights standards while also being respectful to freedom of assembly.

**Road Safety Movement**

On July 29, 2018, in the capital’s Kurmitola area, a bus from Jabal-e-Noor Paribahan, whilst racing with another bus, ended up crashing into a group of students of the Shaheed Ramizuddin Cantonment College who were standing by the road. Two students were killed on the spot, and nine were injured. In response to this incident, the students’ friends took the streets to spread awareness about road safety and also demanded that the driver responsible for the accident be arrested. Irresponsible comments made about the accident by the
Shipping Minister further angered the students. The students continued their peaceful protests, taking on the responsibility of checking vehicles for licenses, and controlling the traffic. Besides, the students presented a nine-point demand to the government, and garnered a lot of support for their movement throughout the country. Even different quarters of the government also issued statements that the students’ demands were reasonable, which were published in media.

However, on August 2, a group of miscreants started attacking the protesters with iron rods, sticks, and sharp objects. Concerns regarding the security of the students were expressed thereafter widely by people from all sections of life. Stating that there were concerns that various ill-forces were instigating the students’ movement and trying to foment violence, the government repeatedly called on the students to return home.

On August 4, a group of young men wearing helmets attacked students at Jigatola. According to reports published in the media, around 150 students were brutally injured during the attack. Many female students and female journalists were harassed on the streets; many journalists were forced to delete their footage and photographs, and many journalists’ cameras and recorders were broken. According to the students, the police, instead of protecting them, took the side of the attackers. There were allegations that the men wearing helmets were members of the BCL.

Legendary photographer and Managing Director of Drik Gallery, Shahidul Alam, was picked up in the middle of the night from his house by plainclothes policemen, without informing his family about where he was being taken. Later, he was shown arrested under the controversial Section 57 of the ICT Act. In court, he said that he had been tortured in custody of the Detective Branch Police (DB).
Role of the Commission

In response to the demands of the students, the Commission, on August 3, stated through a press release that the students’ demands should be fulfilled as soon as possible. The Commission Chairperson also said: “Anarchy in the transportation sector must be addressed. Road accidents are seriously hampering the rights of the citizens. This needs to be stopped. The Commission calls upon the government to put an end to anarchy in the sector, including an end to corruption, misuse of power, excess of cars without fitness certificates or route permits, drivers’ incompetence, inefficiency and carelessness.”

The Commission also condemned attacks on journalists who were assigned to collect materials on the ground for covering the assaults on protesting students from August 4-5, 2018. At a press conference, the Chairperson said, “Those who attacked students and journalists need to be identified, brought under legal proceedings and given exemplary punishment.”

However, the Commission did not investigate the attacks on journalists or students. The Commission did not even talk to the victims, or do a follow-up on what action had been taken against those who had carried out those attacks. Many individuals and students were detained on allegations of disrupting law and order and spreading rumors regarding the protests but the Commission did not play an effective role in addressing these matters.

After the arrest of Shahidul Alam, his partner Rahnuma Ahmed, informed the Commission through a letter that Shahidul had been mentally and physically tortured to the extent that he was bleeding in custody of the Detective Branch of Police. In response, the Commission clearly instructed the authorities concerned to follow the Constitution, existing laws, and the guidelines (on arrest and remand) given by the High Court. The Commission at a press
conference said that it had sent a written recommendation to the Home Ministry asking it to direct the authorities to follow the above-mentioned instruction. However, there was no reaction from the Commission regarding the process of Shahidul’s arrest, which also was carried out in violation of the High Court’s directive.

The repressive manner in which law enforcement agencies and institutions associated with the government reacted to the students' logical demands was a clear violation of citizens’ basic human rights and constitutional guarantees of freedom of assembly. The government’s heavy-handed handling of these movements are crushing the citizens’ spirit to protest, organize, and stand up against injustice. Rights activists and Civil Society Organizations expect that the Commission will stand by the protesters in these situations and that it will play a neutral role in ensuring citizens’ rights.

9. Role of the Commission in Protecting Rights of Backward Populations

Ensuring the rights of persons with disabilities is a priority for the Commission. The Commission has also called upon the government to implement the Rights and Protection of Persons with Disabilities Act 2013. On behalf of the Commission, a draft National Action Plan on the protection of rights of disabled persons was sent to the Social Welfare Ministry.

At the beginning of the year, after the media reported on the sexual violence perpetrated against two Marma sisters on January 24, the Commission, of its own volition, took the allegation into consideration. On January 25, it asked Deputy Commissioner of Rangamati to submit a report after conducting a proper investigation by February 26, 2018. Furthermore, Commission Member Banchita Chakma met the girls at Rangamati Sadar Hospital where they were
undergoing treatment. A report regarding this was submitted to the Ministry. Later, in August, NHRC Chairperson Kazi Reazul Haque expressed alarm following media reports about the rape of two Tripura girls, aged 12 and 17, by members of the Border Guard Bangladesh (BGB). He also called upon the authorities concerned to ensure a fair investigation into the case filed in relation to the rapes in Fashiakhali union in Lama Upazila of Bandarban. At the same time, he called upon the administration and law enforcement agencies to ensure security of women and girls belonging to ethnic minority communities in the Chittagong Hill Tracts. However, the Commission itself did not carry out any investigation. It has failed to follow up on the cases, or play an active role in ensuring that the perpetrators of these crimes are identified and brought to justice, which has led to a lack of confidence among members of minority communities as well as the general public about the Commission.

The Commission has expressed not only the need for the recognition of third gender people but also for the establishment of their overall rights. Since August 2017, a large number of Rohingya population started to enter Bangladesh escaping persecution at the hands of the military forces in Myanmar. The Commission was quite vocal on the Rohingya issue. It regularly exchanged information with foreign organizations, arranged different meetings and seminars, and issued press statements on the matter. In order to put pressure on the Myanmar government, the Commission also sent letters to different international and regional institutions, including the United Nations (UN), Association of Southeast Asian Nations (ASEAN), United Nations International Children's Emergency Fund (UNICEF) and Organisation of Islamic Cooperation (OIC), highlighting the killings and torture of the Rohingyas from September 6 to 10, 2017. It also forwarded seven-point recommendations that included implementation
of the five-point recommendations (made by the Prime Minister of Bangladesh at the 72nd General Assembly meeting of the United Nations), strong steps by the government to ensure citizenship and human dignity of the Rohingya, holding bilateral discussions between Myanmar and Bangladesh mediated by the UN, stopping genocide and torture of the Rohingya, creating a buffer zone inside Myanmar under the supervision of the UN, ensuring assistance of international community for the one million Rohingya residing in Bangladesh, implementing recommendations of the Kofi Annan Commission and recognizing the Rohingya as Myanmar's citizens, imposing sanctions on Myanmar by the UN Security Council, if needed, and trials of personnel from Myanmar's armed forces in the International Criminal Court (ICC). In addition, briefs were also sent by the Commission to different countries and international institutions. The Commission strongly believes, the NHRC Chairperson stated, that in order to work out a permanent solution to the Rohingya crisis, it is very important to initiate communication with the ICC in addition to ongoing bilateral initiatives between Myanmar and Bangladesh.

Alongside government initiatives, the Commission also conducted various investigations. A group of internationally trained researchers interviewed 53 Rohingya women who were victims of sexual violence in Myanmar. When trial starts against Myanmar in the future, these testimonies will be presented as evidence. On behalf of the Commission, this information was presented to the Permanent People’s Tribunal (PPT) in Kuala Lumpur from September 18 to 22, 2017, as well as to the International Ombudsman Conference held in Istanbul from September 25 to 26, 2017. The Chairperson was critical of the role of the Foreign Ministry in resolving the crisis. However, no clear statement was made by the Commission about the pact signed between the governments of Bangladesh and Myanmar.
The Commission did not send any recommendations to the government about what additional steps should be taken to ensure repatriation of the Rohingyas. Although the UN has expressed its concern about whether the recent repatriation process will ensure human rights of the Rohingyas, no opinion on this matter was expressed by the Commission.

10. Participation in the UN Human Rights System and Follow-up

Over the last few years, the Commission has increased its involvement with the United Nations Human Rights mechanisms, and submitted a number of reports to the treaty bodies, which are indeed very praiseworthy. Under the UPR of United Nations Human Rights Council (UNHRC) the NHRC submitted two reports. It was a commendable initiative on the part of the Commission to express its own stance and hold discussions with Civil Society organizations and the government before preparing drafts of the reports. However, no review or opinion was offered by the Commission on the implementation of recommendations received in the second cycle of the UPR in 2013.

In the third cycle of the UPR discussions, a mock UPR was organized by the Commission similar to the earlier one, which created an opportunity for Civil Society organizations to ask questions to the ministers and officers concerned. In May 2018, after the review of the UPR’s third cycle was over, the government kept 24 of the Commission's recommendations under review but refused to accept another 60 of its recommendations. Analyzing observations received from the treaty-based committees, recommendations accepted in two previous UPRs, and the voluntary commitments Bangladesh has given to different rights related treaties, the
Commission has demonstrated that Bangladesh is obligated to implement these 84 recommendations. These observations were sent to the Ministry of Law, Justice and Parliamentary Affairs and the Ministry of Foreign Affairs so that the Commission's recommendations were taken into consideration before final decisions were taken on these matters.

It is to be noted that the Commission’s Chairperson was present at the dialogue organized by the Human Rights Forum Bangladesh (HRFB), and he stated that the government had taken a regressive stance by declining multiple recommendations of the Commission. He advised the government to accept these recommendations to reiterate the state’s obligation to protect human rights. But the government, without considering the Commission’s opinion and without any consultation with it, sent its final report to the UNHRC, where 73 of the Commission's recommendations were not included.

The Committees under the UN Human Rights Mechanisms which have so far reviewed Bangladesh are the Human Rights Committee (that monitors the implementation of International Covenant on Civil and Political Rights), the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child and the Committee on Migrant Workers.

It is indeed positive to be associated with the UN human rights mechanism but it is also important for the Commission to examine how effectively these bodies can be made use of.

On November 1, 2018, the Commission organized an International Conference on long-term human rights goals. The Commission through this conference was able to bring together various stakeholders. However, looking at the four plenary sessions that took place, one is forced to think that the conference only aimed
for the social and economic rights. The other desired goals for long-term development i.e. freedom of expression, freedom of assembly, and above all, the right to life, were not duly emphasized at this conference, even though these issues were of utmost importance considering the country’s current situation. There have been quite a few steps on the part of the government to achieve long-term human rights goals, but question remains as to how far protection of rights has been a priority in achieving them and whether or not the Commission was sufficiently involved with this process.

11. Lack of Effective Follow-up

Incidents of human rights violations sometimes come into the limelight; rights activists and Civil Society members become vocal on these issues and media outlets start reporting on them regularly. When the NHRC speaks about an issue and starts working on it, human rights activists and Civil Society organizations hope that it will take care of the rest because such are the responsibilities of this institution, and thus justice will be delivered. But it has been observed in most cases that the Commission does not follow them up adequately. Murders of Tonu and Romel, rape of teenaged Marma girls, setting fire on a Santal village in Gaibandha, setting houses of indigenous people on fire in Longdu, extrajudicial killing of Cox Bazar’s Councillor Ekramul Haq—all of these incidents were brought forth both by media and rights organizations, but the Commission failed to ensure any progress on any of those investigations.
12. Timely Submission of Annual Report

It has become apparent to the Civil Society that the Commission is not making the most of its mandate. It is said in the NHRC Act, 2009 that the Commission must submit its annual report by March 30 every year. The Commission should submit the report to the Honourable President along with a list that would mention the subjects and issues under consideration with different state institutions. We have yet to see this happening in any annual report, which means that the Commission has not made effective use of this opportunity. Besides, the annual report that the Commission publishes for the public, mentions its activities throughout the year but does not contain its analyses and recommendations on the country’s rights situation.

13. Expressing its Own Stance on Contemporary Issues

In comparison to the previous year, the NHRC has been more vocal about contemporary issues. The Commission presented its stance to the public with reference to all the incidents that were discussed in public; the Commission’s Chairperson has expressed his opinion vis-à-vis those incidents through his interviews in media and other platforms. In most cases, however, the Commission’s role has been confined to receiving complaints and expressing concerns. Besides, we have often found the Commission to be selective—no statement has been given about the attacks on Gonoshasthaya Kendra, nor any investigation was initiated to that end. The Commission did not interfere with any particular issue or legal process to get desired results about it. That the Commission is different from other human rights organizations and that its mandate is different from theirs—because it can play a bigger role than just expressing its opinion—has evidently not been achieved.
14. Relationship with Civil Society

The Commission, especially its Chairperson, has stayed in touch with Civil Society organizations and attended different meetings and seminars organized by them. The Commission has also tried to ensure their participation in activities it has taken up; it has also presented many of their demands to different departments and ministries of the government. On behalf of Child Rights Advocacy Coalition in Bangladesh, the Commission has submitted a draft law to the Ministry of Women and Children Affairs (MoWCA) about establishing an independent and neutral children’s rights commission and is following up on this with the ministry regularly. Many still believe that other members of the Commission, too, can actively stay in touch and increase their communication with the Civil Society organizations.

Almost everyone expects that the Commission will present to the government issues of public interest and continue its advocacy addressing those issues. This is because the Commission is considered to be the bridge between Civil Society, rights activists, and the government.

Recommendations from Civil Society

Recommendations to the Bangladesh Government

- Taking immediate steps to amend the NHRC Act, 2009 to get rid of its shortcomings and strengthen the Commission, especially in
  ✓ Ensuring representation of Civil Society in the selection process of the Commission members;
  ✓ Giving the Commission mandate to directly investigate allegations of rights violation against members of law enforcement agencies;

- Taking certain steps to improve the NHRC as a dignified national institution and at the same time, to make it an
independent institution so that it can be developed as an internationally acclaimed institution;

- To ensure financial independence, adequate budget allocation must be made through a separate line item in the national budget;

- In matters of appointing members for the NHRC talent and experience of working in the rights sector must be prioritized and appointment by deputation (or on temporary basis) from the Public Administration department has to be stopped;

- Following the Paris Principles, the selection process for the Commission should be institutionalized. A policy should be adopted to lay out clearly how people should express their interest for becoming a member, how members should be selected based on their competencies, and how independently the Selection Committee can work. Otherwise, a provision should be incorporated about public advertisement or an open discussion on the selection process;

- In order to strengthen the Commission’s mechanism for lodging complaints, the Home Ministry should be instructed to consider the complaints sent by the NHRC very seriously and thereby submit its reports against the complaints rather sooner than later;

- Bringing necessary changes that would make the government receive the Commission’s recommendations, statements, and criticisms seriously, and taking immediate steps in this connection. Informing different ministries, departments, and state organs about the Commission’s mandate so that its recommendations are not considered as ‘criticisms’, and rejected outright, but are rather given due consideration;

- In order to make the Commission more effective in fulfilling its mandate, and also to ensure its accountability, there should be discussion about its annual report in the National Parliament.
Recommendations to the NHRC

- Making the Commission’s Action Plan relevant, appropriate, and fit for implementation;
- Playing effective role in all necessary and possible ways by applying the NHRC Act, 2009 appropriately;
- Improving an automatic mechanism for rights protection and increasing the skills of rights activists by establishing a different desk for rights activists at the NHRC;
- Putting emphasis on rights-related projects with the government and its law enforcement agencies; organizing training or workshop about human rights for members of law enforcement agencies;
- Bringing the Commission’s recommendations to the notice of the government and other authorities concerned, and playing an active role in implementing those recommendations;
- Taking steps to increase visibility through statement and announcement of formal stance on different issues; informing the public of the Commission and its work by using news and social media platforms more extensively;
- Putting in more efforts to develop and protect human rights;
- Ensuring financial independence, transparency, and accountability through the following steps:
  - Having direct financial allocation in the National Budget as well as authority about expenditure over its own sector;
  - Ensuring full financial transparency though publication of the records of its fund allocation and expenditures;
  - Conducting yearly inspection of its expenditure and publishing it so that it can be made public;
Prioritizing the opening of offices in each division and also devising plans and strategies for reaching out to all divisions, and taking necessary steps to implement them;

- Restructuring a yearly action plan for the Commission’s needs, and each member’s duties and responsibilities;

- Sending recommendations on behalf of the NHRC to the authorities concerned for cancelling the existing Act’s stipulations about appointment (and transfer) in secretarial and other positions of higher management by deputation (or on temporary basis); the Commission should also lay out a ‘Terms of Reference’ draft based on public advertisement and competitive selection before filling in these positions;

- Making use of the power of submitting Writ Petitions to the High Court about different human rights issues;

- Making different issue-based committees active, and following up on the decisions taken at meetings in a systematic way;

- Making recommendations to the government about the new laws that are going to be enacted, especially about whether their standard is in compliance with international human rights laws;

- Monitoring how far the state’s international obligations are being implemented at the national level; sending recommendations to the government about adopting a comprehensive national action plan for fulfilling these obligations, or about co-ordinating the process of fulfilling these obligations under the existing system;

- Opening offices in other divisions so that people from the grass-roots can resort to the Commission, when necessary.
- Conducting research, study, survey, and evaluation on human rights issues; based on the findings, sending recommendations to the government to improve the situation.

- Making the NHRC visible at the local level. Arranging different rights-related workshops, dialogues, and seminars for local people and rights activists.

- Making the government’s Legal Aid Committee stronger instead of appointing new panel lawyers;

- Submitting the annual report within the stipulated time and incorporating unresolved issues as attachment in the report.

- Sending recommendations to the Election Commission and the administration about taking necessary steps to ensure that minorities, especially the religious minorities, are not subjected to any form of violence preceding, during or following the coming 11th National Parliamentary Election of Bangladesh.

- Clearly defining the jurisdictions for civil organizations and the Commission. Coordinating activities between them so that the Commission, to a certain extent, does not have to carry out any works that are usually done by civil organizations.

On the whole, Civil Society organizations do not expect that the Commission will be able to work on each and every human rights issue. However, they do expect that it will play a very strong role in addressing issues that deal with protecting human rights in society and ensuring the government’s accountability, that convey a greater message about the basic principles of human rights, and above all, that other human rights organizations cannot contribute much to resolving.
Endnotes


4. The committees are: 1) Committee on Women's Rights; 2) Committee on Chittagong Hill Tracts Affairs; 3) Committee on Dalits, Hijra and Other Excluded Minorities; 4) Committee on business and human rights and CSR (Corporate Social Responsibility); 5) Committee on Persons with Disability and Autism; 6) Committee on Migrant Worker’s Rights; 7) Committee for Protection of Religious and Ethnic Minorities & Non-citizen’s rights; 8) Committee for Child Rights, Child Labor and Anti Trafficking and Migration; and 9) Committee on Migrant Workers' Rights and Anti-trafficking.


25. More than 250,000 people of this community had already been staying in Bangladesh. Since August 25, 2017, an estimated 700,000 Rohingya people have crossed into Bangladesh. Subjected to despicable violations of human rights, these people have been given shelter by the Bangladesh Government, an initiative which has been widely appreciated all over the world.


National Human Rights Commission, Bangladesh

Existing Challenges and Expectations of Civil Society