

Human Rights and Development: Challenges and Opportunities in Bangladesh

Dr. Nasrin Sultana*

Ahamad Ali**

Abstract: Human rights and development are inter-related and inter-dependent issues in the process of governance. The objectives of both of these initiatives are to establish public welfare, improve the standard of living, and ensure justice at all spheres of life. It is impossible to enjoy development without rights or human security and vice versa. People will be unable to enjoy the benefits of these goals if government fails to create healthy environment for public participation, people's empowerment, free expression of public opinion and finally to overcome poverty, inequality, corruption and some other factors which weaken the pillars of good governance. Development by itself cannot bring qualitative and positive change and does not sustain if human rights are violated. Bangladesh government took many steps for the overall development of the country but there are a number of challenges prevailing in Bangladesh. Nevertheless Bangladesh is proceeding towards achieving SDG goals and it is already recognized as a developing country. In this article an attempt has been made to focus on the overall human rights situation and its impact on development process. In this regard the challenges and opportunities for the government have also been analyzed. This article is basically a conceptual analysis based on published data and secondary sources.

Keywords: Human Rights, Development, Challenges, Opportunities and Bangladesh

Introduction

Human rights and development are the two major issues in the process of governance of any country. In this process for providing a better and improved life for the citizens government takes many development programs. To achieve these development goals human rights based approach is viewed and practiced by many countries. The United Nations Development Program (UNDP) plays a central role within UNO for realizing the human rights based approach to development. Thereby all countries take initiatives and emphasize on human right based approach to development. Because without enjoying rights development will be meaningless. If all classes of people are not able to get their fundamental rights and freedoms equally and properly from the state then the development process of that state will result in being uneven and unjust. Sustainable development is only possible when principles of fundamental human rights such as non-discrimination, participation and the rule of law are respected. These are also essential to ensure human rights and to protect and promote human rights.

* Dr. Nasrin Sultana, Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka-1342, Bangladesh.

** Ahamad Ali, Lecturer, Department of General Educational Development, Daffodil International University, Dhaka, Bangladesh

Bangladesh has already met several targets of the MDGs like reducing poverty alleviation, ensuring food security, primary school enrolment, gender parity in primary and secondary level education etc. Now this country is on track to achieve SDGs. Through the endeavor of achieving these goals government wants to accelerate the overall development of the country. But on the way of development it has to face many challenges like poverty, insecurity in life, corruption, lack of rule of law, accountability and transparency, politicization of institutions, moreover poor governance system. All of these gradually degraded human rights situations in Bangladesh. Besides Bangladesh is suffering from the effects of climate change and natural disasters. So it is necessary to emphasize human rights issues in the development planning to ensure that development can bring positive changes, advantages and good effects to the people.

Objectives of the Study

This study has been conducted with the following objectives:

- To develop an understanding of development in the context of human rights;
- To analyze some human rights issues which are guaranteed by the constitution and explore their implementation in Bangladesh;
- To diagnose the current development status and identify the major challenges on the path of development in Bangladesh.

Methodology

This study is descriptive as well as suggestive in nature. Only secondary sources of information or data are used in the study. Secondary data are collected from books, newspapers, and different journals, periodicals, articles from national and international levels. Internet sources have also been used for research. An attempt has also been made to include the latest information whenever available.

Perspectives from Relevant Literature

There is a huge survey of literature, which investigated theoretical and empirical aspects of human rights and development. It is important to review these studies to understand different perspectives on the concept and various aspects of these two issues in the cotemporary global context.

Alexandra Timmer (2013) in his paper tried to understand the concept of human rights, democracy and rule of law. This review emphasizes that human rights, democracy and rule of law are all contested concepts, meaning that they are continually subject to questioning and revision. The review first outlines the major debates regarding the conceptualization of these ideals one by one. It also outlines key challenges in regard to the implementation of these ideals. Though the chief focus of this literature review is on conceptual questions, it is recognized that questions regarding the implementation and promotion of human rights, democracy and rule of law are closely related.

Making Sense of Human Rights is an outstanding book on human rights by James Nickel (2007). This classic work is a major contribution to the philosophical study of human rights. Here he explains and defends the conception of human rights found in the Universal Declaration of Human Rights (1948) and subsequent human rights treaties. Combining philosophical, legal, and political approaches, Nickle addresses questions about what human rights are, what their content should be, and whether and how they can be justified. After outlining the contemporary conception of human rights, and developing and applying an original framework for the justification of particular right, Nickle goes on to defend contemporary lists of human rights, covering fundamental freedoms, due process rights, social rights, and minority rights. The book also considers the issue of cultural relativism and the prospects for worldwide acceptance of human rights.

James Griffin's (2009) book is a singular contribution to the philosophy of human rights. *On Human Rights* traces the idea of a natural right from its origin in the late middle ages, when the rights were seen as deriving from natural laws, through the seventeenth and eighteenth centuries. Griffin shows how the language of human rights has become debased. He takes on the task of showing the way towards a determinate concept of human rights, based on their relation to the human status that we will share. He works from certain paradigm cases, such as freedom of expression and freedom of worship, to more disputed cases such as welfare rights- for instance the idea of a human right to health. Griffin emphasizes the practical as well as theoretical urgency of this goal. He states that as the United Nations recognized in 1948 with its Universal Declaration, the idea of human rights has considerable power to improve the lot of humanity around the world.

Jack Donnelly's (1994) *Universal Human Rights in Theory and Practices* is a fundamental text on human rights. By establishing a basic understanding of what "human rights" means, Donnelly leads up to his main premise that human rights are equal, inalienable, and universal, even with cross-cultural considerations. He ultimately argues that human rights are not culturally relative because culture is not the cause or a factor in the development of human rights and it is not necessarily for or against any particular human rights. Using a variety of examples from different countries, cultures, and points in history, Donnelly proceeds to provide examples that support his argument of universal rights versus cultural relativism.

Amartya Sen (1999) is an important author, economist and philosopher in human rights and his book *Development as Freedom* is a perfect example of his expertise and deep understanding of human development and the importance of human rights. Sen argues that human freedom should be both the means and the end of development, rather than a casualty of it, as is often the case. He advocates for an integrated approach to development that involves multiple institutions and creates freedoms such as economic opportunities, political freedom, social support, transparency from authorities and security for society. Sen argues that freedom must be central to development in order to create sustainable and effective change. He also addresses concerns and critiques surrounding the universal

human rights discussion, including arguments about legality of human rights, duties involved in fulfilling rights, and questions about cultural relativism. *Development as Freedom* is an important theoretical text for anyone studying or working on human rights and development.

In *Indivisible Human Rights*, Daniel J. Whelan (2010) offers a carefully crafted account of the rhetoric of indivisibility. He traces the political and historical development of the concept, which originated in the contentious debates surrounding the translation of the Universal Declaration of Human Rights into treaty law as two separate Covenants on Human Rights. In the 1960s and 1970s, Whelan demonstrated that postcolonial states employed revisionist rhetoric of indivisibility to elevate economic and social rights over civil and political rights, eventually resulting in the declaration of a right to development. By the 1990s, the rhetoric of indivisibility had shifted to emphasize restoration of the fundamental unity of human rights and reaffirm the obligation of states to uphold both major human rights categories--thus opening the door to charges of violations resulting from underdevelopment and poverty.

The Companion to Development Studies edited by Vandana Desai (2014), with over 115 concise and authoritative chapters covers a wide range of disciplines. The book is divided into ten sections covering the nature of development, the theories and strategies of development, rural development, urbanization, gender, globalization, health and education, the political economy of violence and insecurity, environment and development, governance and development.

A Global History of the Developing World by White (2013) takes a broad look at the historical foundation of the problems facing developing world society. The book offers a detailed analysis of the colonial and national periods, scholarly and popular debates over the causes of inequality and discussion of the widespread effort to alleviate poverty and conflict. The book has accessibly presented case studies and maps, and it offers an introduction for understanding the developing world in a historical context.

Theories and Practices of Development Perspectives by Willis (2011) is a book on global economic crisis. The author analyses the implications of global environmental change and how these have led academics and policy-makers to consider how 'development' in all parts of the world should be achieved. *Theories and Practices of Development* provide a clear and user-friendly introduction to the complex debates around the question how development has been understood and achieved. The second edition reflects global political and economic shifts, as well as new approaches to development. The rise of China and India is given particular attention in the context of global economic crisis and its implications for development. There are discussions on faith-based development, disability and sexuality, as well as greater engagement with development theories as they are put into practice in the Global North.

The book on *Human Rights Approach to Development Programming* by Urban (2003)

describes a method for programming from a human rights perspective. It goes beyond general recommendations to attempt to provide a framework and procedures for putting a human rights approach to programming into practice. It addresses basic human rights concepts and principles as well as explores the crucial role of communication in achieving human rights. The differences between traditional (“basic needs”) approaches to development and the human rights approach are identified. The book introduces some theoretical constructs, or tools, that can be used to make an HRAP operational design. The focus is narrowed to communities, since human development is the aim of the human rights approach and all people live in communities. A step-by-step approach to applying an HRAP for developing community is presented. The importance of capacity is elaborated which also includes several concrete examples from child rights to facilitate understanding of the method. Case studies of three countries (Tanzania, Mozambique, and Zimbabwe) where HRAP and CCD have been applied by UNICEF are explained. The study concludes with two important annexes. Annex I suggest ways to monitor how well national-level duty-bearers are meeting their obligations regarding the fulfillment of human rights and how well outside agencies are performing in reducing the “capacity gaps” of duty-bearers to meet these obligations. Annex II examines how a human rights approach to programming can be applied in situations of conflict and complex emergencies.

Most of the research on Human Rights and Development are conducted in different countries with cultural varieties. Research in this field in Bangladesh is limited. This paper will meet the research gap. It will give emphasis not only on human rights and human development but also on inclusive development and development viewed as freedom of choice.

Human rights and Development: Conceptual Congruence

Human rights are standards that allow all people to live with **dignity, freedom, equality, justice, and peace**. Every person has these rights simply because they are human beings. These are guaranteed to everyone without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. Human rights are essential for the full development of individuals and communities. Human rights reflect the minimum standards necessary for people to live with dignity. These basic rights give people the freedom to choose how they live, express themselves, and what kind of government they want to support, among many other things. Human rights also guarantee people the means necessary to satisfy their basic needs, such as food, housing, and education, so they can take full advantage of all opportunities. Finally, by guaranteeing life, liberty, equality, and security, human rights protect people against abuse by those who are more powerful.

Under human rights treaties, governments have the primary responsibility for protecting and promoting human rights. However, governments are not solely responsible for ensuring human rights. Businesses, civil society, and individuals are also responsible

for promoting and respecting human rights. When a government ratifies a human rights treaty, it assumes a legal obligation to respect, protect, and fulfill the rights contained in the treaty. Governments are obligated to make sure that human rights are protected by both preventing human rights violations against people within their territories and providing effective remedies for those whose rights are violated. Governments signing the treaty must do the following:

Respect	Protect	Fulfill
Governments must not deprive people of a right or interfere with persons exercising their rights.	Governments must prevent private actors from violating the human rights of others.	Governments must prevent private actors from violating the human rights of others.
For example, governments can: <ul style="list-style-type: none"> • Create constitutional guarantees of human rights. • Provide ways for people who have suffered human rights violations by the government to seek legal remedies from domestic and international courts. • Sign international human rights treaties. 	For example, governments can: <ul style="list-style-type: none"> • Prosecute perpetrators of human rights abuses, such as crimes of domestic violence. • Educate people about human rights and the importance of respecting the human rights of others. • Cooperate with the international community in preventing and prosecuting crimes against humanity and other violations. 	For example, governments can: <ul style="list-style-type: none"> • Provide free, high-quality public education. • Create a public defender system so that everyone has access to a lawyer. • Ensure everyone access to food by funding public assistance programs. • Fund a public education campaign on the right to vote.

Source: http://www.theadvocatesforhumanrights.org/human_rights_basics

Development is a broad concept that entails social, economic, political and human development. Human development constitutes the foundation on which the first three concepts are based. Here it is important to mention that the concept of development is not only confined in economic development rather it is re-conceptualized with emphasis on the quality of life. The new conception of development sees human rights and development as conceptually overlapping. There is, for example, a human right to an adequate standard of living. If development is defined in terms of the standard of living, then human rights and development are positively correlated by definition. The new conceptualization has practical implications. The UN Development program, for example, has recently included the protection of human rights in its policies. In this perspective it may be said that development is a concept of complete human welfare which would mean providing scope for a meaningful human life (Freeman, 2011:341). If any state fails to ensure fundamental rights such as food, shelter, clothing, health, education along with other relevant

opportunities for the people, that state cannot be considered to have ensured development for the people of that country. Development means a mechanism of ensuring opportunities for all classes of people, especially the least advantaged people of the society. Through this process of development the society ensures growth in wealth acquisition and mental enrichment and the betterment of the quality of living conditions of all the people. This definition of development generated the following development objectives.

- (a) To increase the availability and distribution of basic goods needed for human life-sustenance. Such basic goods include food, shelter, health and security.
- (b) To improve the level of living regarding social aspects such as household and income, education, and human cultural values, for the enhancement of individual and national material well-being and self-esteem.
- (c) To expand the range of available individual and national economic and social choices by freeing them from servitude by forces of ignorance and human misery on the one hand, and dependence from other people and national states on the other (<http://uir.unisa.ac.za/...>).

From Gran's (1983) work, human development is found to be basically as a process of giving the people power to control their future, while people's participation constitutes the basis for the whole phenomenon. Gran defines development as a social and practical process which aims at the liberation of human potential so that people acquire the maximum socially feasible and practical control over all the available resources required for the realization of basic human needs and security. In other words, development is about liberation of human potential towards people's absolute control over resources to meet their human basic needs. Development is therefore for the people and by the people. From a people-centered development perspective, development means:

a process by which the members of a society increase their personal and institutional capacities to mobilize and manage resources to produce sustainable and justly distributed improvements in their quality of life consistent with their own aspirations (Korten 1990:57).

According to Korten People-centered development means that "the human person" is the central subject, participant and beneficiary of development. Human rights-based approach means that development should be carried out in a manner "in which all human rights and fundamental freedoms can be fully realized" Similarly participation means "active, free and meaningful participation" of all individuals and peoples.

It may seem that development is concerned with the standard of living and quality of life, while human rights are derived from notions of civil liberties and individual freedom. However, if we look carefully, we find that development can be defined as expansion of people's capabilities and opportunities, and an increase in their freedom of choice to lead their lives. Similarly, human rights are also not merely limited to civil liberties. Economic rights and right to development can be brought under this ambit. Most importantly development

is no more, and should not be seen, as an ‘instrument of solidarity’. While there is gap in understanding and practicing regarding the interrelatedness of the two concepts, both human rights and development are “parallel streams”. They are not only addressing similar issues but also benefit each other as both concepts target human beings. All humans have human rights and development is at the forefront of those rights (Sulaiman, 2015).

Human Rights in the Constitution of Bangladesh

The constitution of Bangladesh contains provisions regarding human rights in different forms. The inclusion of human rights in the constitution of a country obviously bears special significance. Such constitutional inclusion provides human rights with a higher degree of protection.

In the constitution of Bangladesh some rights have been kept in an unfettered form in the sense that parliament cannot, except as provided in the Constitution, impose any restriction over them. They are the following:

1. Equality before law (Art. 27)
2. Discrimination on grounds of religion etc. (Art. 28)
3. Equality of opportunity in public employment (Art. 29)
4. Prohibition of foreign titles etc. (Art. 30)
5. Safeguards as to arrest and detention (Art. 33)
6. Prohibition of forced labor (Art. 34)
7. Protection in respect of trial and punishment (Art. 35)
8. Enforcement of fundamental rights (Art. 44).

There are some rights on which reasonable restrictions can be imposed.

They are the following:

1. Freedom of movement (Art. 36)
2. Freedom of Assembly (Art. 37)
3. Freedom of Association (Art. 38)
4. Freedom of thought and conscience and of speech (Art. 39)
5. Freedom of religion (Art. 40)
6. Protection of home and correspondence (Art. 43)

The fundamental rights, which every citizen is entitled to enjoy, are enshrined in part III of the constitution of Bangladesh. Besides the constitution and the regular mechanism of ensuring human rights, Bangladesh has introduced a number of laws, Acts and legal policies in relation to promotion and protection of human rights of the people. Some significant laws to ensure human rights are mentioned here as follows.

- The Child Marriage Restraint Act, 2017
- National Women Policy, 2011
- National Children Policy, 2011

- National Human Rights Commission Act, 2009
- Anti-Corruption Commission Act, 2004
- Legal Aid Act, 2000
- Anti-Terrorism Ordinance, 2008
- The Women and Children Repression Prevention Act (Amendment in 2003)
- The Dowry Prohibition Act of 1980
- The Acid Crimes Prevention Act, 2002

As development is a necessary component for the wellbeing of the people of a country and human rights are essential to ensure a secured and peaceful life of the citizens, protection of individual rights would be the first concern of all developmental activities of the country. Bangladesh is a party to a number of major international human rights and humanitarian law treaties, with important reservations to some of them. According to the signed international human rights treaties, acts, laws and agreements the government of Bangladesh has passed related laws, prepared and compiled different acts, rules, status, etc., revised, amended and adapted important clauses and set principles at different times. Through these attempts the rights of the people of different sections like the child, women, workers, minorities etc. who live in risky and unsafe conditions have been secured to some extent. Besides this, in preventing violations of rights, to eliminate social discrimination and minimize troubles and disagreements of the society mentioned acts and laws are very significant. In improving the socio-economic conditions of the people these steps are undertaking a major part and also assisting in achieving the goals of development targeted by the government.

Protection of Individual Rights

Protection of individual rights is one of the core issues of both development and human rights. Where there is no protection of individual rights there is neither human rights nor development. The Bangladesh constitution preserves 18 fundamental rights from Article 27 to 44 to protect and promote human rights and the rule of law.

To protect and promote human rights, Bangladesh government took several initiatives such as National Human Rights Commission Act, 2009 and The Right to Information Act 2009 with a view to establish a national human rights commission (NHRC) and information service center (ISC). These Acts not only enhance the power of citizens to protect their rights and to participate and attain government programs for getting their rights, but also enhance the power of various mechanisms (such as the National Human Rights Commission, Anti-Corruption Commission, NBR, CAG, And Parliamentary Committees). These efforts are taken to ensure accountability of government officials for their misuse of power or illegitimate exercise of power or any form of corruption. In addition, the government took a noble initiative in 2010 by amending the International War Crimes (Tribunal) Act 1973 with a view to trialing war criminals of 1971 to protect and promote human rights in Bangladesh.

In order to promote and protect human rights and foster human rights as envisaged in the

Bangladesh constitution and international instruments the NHRC follows the comprehensive mandate outlined in the National Human Rights Commission Act, 2009. As a statutory independent institution the Commission performs many functions such as investigation and inquiry, recommendation, legal aid and human rights advocacy, research and training on human rights laws, norms and practices; promoting, monitoring and comparing the national standard and implementation of international human rights treaties; co-operating with government agencies, civil society organizations, UN human rights bodies and national human rights institutions etc. But the reality is beyond expectation. Over ten years have been passed, but the performance of NHRC has not reached satisfactory level of the people. No visible role is found in protecting civil and political rights, no step has been taken to revise various shortcomings such as inadequate definition of human rights, lack of transparency in the election process of members, lack of complete freedom in financial matters, and limited mandate in matters of investigating allegations of rights violations against law enforcement agencies and security officials. Especially in 2018, NHRC's role and initiatives in ending extrajudicial killing, anti-drug drive, and to ensure justice against the attacks on students, teachers, and journalists during the quota reform and road safety movements were not as per people's expectations. The biggest challenge for the NHRC lies in exercising its rights to investigate allegations regarding violation of rights against security or law enforcement agencies. It is criticized for not investigating rights violations when the state and law enforcement agencies are involved. In 2015, Mizanur Rahman, the chairman of the National Human Rights Commission mentioned that more than 50% of allegations of human rights violations are against law enforcement agencies. The Commission was also highly criticized for not providing effective opinions on the draft law and policy to ensure compliance with international human rights standards. 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 not done anything significant in this regard. In some cases, the Commission sent recommendations to the relevant government authority but the latter did not take steps to follow those recommendations.

People of Bangladesh 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 to convey a greater message about the basic principles of human rights. So to ensure human rights in all stages of people's lives this institution needs to be built up as an effective actor for protecting people's basic rights. It needs to be more operative to take immediate and effective steps for ensuring an environment where NHRC can play its due role of promoting and protecting human rights of the citizens of Bangladesh independently. It has to stand up for the rights of the powerless against powerful interests

and act fairly in treating issues within their purview. Moreover it should be accessible to all classes of people especially the disadvantaged groups in society. Most of all it has to ensure the integrity and quality of the members. To be open and accessible, NHRC needs to ensure that members and staff represent the interests of the people with social, ethnic and linguistic diversities. Gender representation should be based on equality and establishing gender equity is a vital and important issue. At the same time, selection should always be on the basis of merit instead of political connections. The key responsibility of the improvement of human rights situation which is an essential indicator of development is vested on this institution. Therefore performance of appropriate role by this institution will determine the directions of development in Bangladesh.

Rule of Law

The rule of law is a basic feature of the constitution of Bangladesh. Article 27 guarantees that all citizens are equal before law and are entitled to equal protection of law. Article 31 guarantees that to enjoy the protection of law, and to be treated in accordance with law, is the inalienable right of every citizen, Article 7 and 26 impose limitations on the legislature that no law which is inconsistent with any provision of the constitution can be passed. Right to be governed by representative bodies answerable to the people has been ensured under articles 7(1), 11, 55, 56, 57 and 65(2) of the constitution. All these provisions of the constitution are effective for ensuring rule of law in Bangladesh.

Principle of Equality and Non-discrimination

The right to equality and the principle of non-discrimination are recognized by the constitution of Bangladesh. While article 27 of the constitution states that the people of Bangladesh are equal in the eyes of law, article 28 forbids any discrimination on the basis of race, caste, religion, sex or place of birth. The constitution of Bangladesh permits reservation for backward section of the citizens so as to ensure their adequate representation in the public service.

Freedom of Expression

Constitutionally protected freedom of expression is one of the fundamental rights in Bangladesh. Article 39 of the Constitution of the People's Republic of Bangladesh ensures this right 'subject to reasonable restriction imposed by law'. Freedom of expression reinforces most of other rights and allows them to embellish. The right to speak freely on important issues, access to information are important to make the government accountable, together with making citizens more participative towards the development process of any society. From the above discussion it is clear that the constitution of Bangladesh incorporates many rights which give sufficient space to the people to enjoy human rights.

Actual Scenario About Enjoyment of Rights

Although most of the human rights are preserved and enforced by Bangladesh constitution, facts on the ground tell a different story altogether. In practice abuse of power and violation of human rights are happening regularly and these are rising in all spheres. Some examples are mentioned below.

1. The rights of health, education, housing, employment and other social, economic and cultural rights are considered as human rights and in Bangladesh most of the poor citizens are deprived of these rights.
2. The most significant problems of human rights are extra-judicial killings, arbitrary or unlawful detentions, and forced disappearances by government security forces.
3. Violations of women's rights occur by domestic violence, demand for dowry, throwing acid, trafficking, and many other forms of discrimination and devaluation like sexual harassment, rape, early and forced marriage etc.
4. There are evidences that freedom of thought, consciences, speech, expression, press and media are also suppressed by the government in Bangladesh. Freedom of press is also under threat due to section 57 of ICT law. Many journalists and editors have been arrested for online articles alleging corruption, maladministration, or criticizing particular individuals. Besides on many occasions journalists were attacked by local political leaders of the ruling party, members of the law enforcing agencies, and government officials as well.

According to Human Rights Watch(2018) between 2013 and April 2018, the police submitted 1,271 charge sheets against journalists and citizens, most of which were under Section 57 and multiple were accused for these cases.

5. Rights of minorities and religious people are also violated. There are many incidences of destroying houses, temples and churches, robbery, forced hijack of ornaments, resources and money, including physical torture, harassment, injuries and killings of Hindu, Christian, Buddhist and Ethnic minority groups. These attacks and violence against minorities occur from time to time in Bangladesh mostly by groups who are patronized by the powerful influential persons in political parties.
6. The government of Bangladesh continued to use the Special Power Act of 1974 and section 54 of the criminal code which allow arbitrary arrest and preventive detention, to harass political opponents and other citizens by detaining them without formal charges.

The following table shows that the civil, political, social and other rights of the people of the country are violated in many ways.

Human Rights Violation in Bangladesh (January 2015- May 2020)

Categories of Human Rights Violation	Number of Violence (Year and category)					
	2015	2016	2017	2018	2019	2020
i) Violation against women	90	271	256	142	456	329
ii) Violation against domestic workers	360	261	361	435	755	270
iii) Journalist harassment	138	69	45	104	121	127
iv) Enforced disappearance	55	90	60	97	68	77
v) Extra-Judicial Killing, Death in Custody	192	178	155	466	391	265
vi) Rape of women and children	846	724	818	707	880	535
vii) Incidents of arson, Vandalism on Minority Community	317	391	278	275	290	295
viii) Killing along the border	131	87	92	51	56	76
ix) Political Violence	4077	9053	4712	7051	350	240

Prepared by Authors: Collected from different Human Rights Reports like: Ain O Salish Kendra, Amnesty International Report, Bangladesh, Odhikar, Human Rights Watch, Daily Star Reports and others, <https://www.thedailystar.net/frontpage/rights-situation-remains-alarming-1513159>, <http://www.askbd.org/ask/2020/06/08/violence-against-women-rape-jan-may-2020/>, http://odhikar.org/wp-content/uploads/2017/01/AHRR-2016_Eng.pdf, <http://odhikar.org/category/reports/annual/> retrieved on 15.07.2020

If the overall human rights situation has been observed in the country, it becomes clear that abasement, exploitation and maltreatment are very common scenario which are detrimental to enjoying human rights. In addition to all these, there are violations of constitutional provisions of Bangladesh as well. The provisions of various human rights related laws, conventions, treaties and declarations ratified by the Bangladesh government are violated on many issues.

Development Philosophy of Bangladesh

Following its independence in 1971 Bangladesh was among the poorest nations in the world and on the verge of becoming a failed state. Almost fifty years later, Bangladesh enjoys impressive economic growth and it is recognized as a developing country. Economically and socially the country has achieved progress and has crossed the boundary of least developing countries (LDCs). By 2021, Bangladesh will become a developing country and in the same year it will celebrate 50 years of independence.

Bangladesh has made a remarkable success in achieving Millennium Development Goals (MDGs). It met most of the targets of the goals like universal primary education, gender equality and women empowerment, child mortality, maternal health, HIV/Aids, malaria and other diseases and environmental sustainability. Bangladesh received the UN award for its remarkable achievements in attaining the Millennium Development Goals (MDGs) particularly in reducing child mortality (<http://southasiajournal.com>, 2011) At present, the main objective of the country is to achieve the targets of the Sustainable Development Goals (SDGs) set by the UN by 2030. The SDGs mean a ‘universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity’.

As such, the country needs wider focus on eradicating poverty and hunger, reducing inequalities and taking climate action properly in achieving SDGs. The major point is that Bangladesh needs to address four areas - no poverty (Goal-1), zero hunger (Goal-2), reduced inequalities (Goal-10) and climate action (Goal-13) - properly to get success in implementing SDGs like it got in the MDGs (Khan: 2018). These four SDG goals are, in fact, very important for Bangladesh. If these goals are attained, it will help the country to reach some other goals of the global agenda. The country incorporated priorities of SDGs at all its development policies. It adopted an inclusive approach to development so that the poorest and the most vulnerable section of the country can be integrated into its national development efforts.

Besides Bangladesh has gained some progress in the following important sectors-

- Old Age Allowance Program
- Allowance Program for Widow and Destitute Woman
- Honorarium Program for Freedom Fighters
- Training and Self Employment Program for Insolvent Freedom Fighters and Their Wards
- Fund for Rehabilitation of the Acid Burned
- Cash and Kind Transfer Program for Education
- Primary Education Stipend Project
- Female Secondary School Stipend Program in Bangladesh
- Other programs in respect of education, Programs relating to Food Security and Employment
- Vulnerable Group Development Program
- Food for Work Program
- Fund for Housing the Homeless
- *Abashan* (Poverty Alleviation and Rehabilitation) Project
- Fund for mitigating risks due to natural disasters which influence in reducing poverty level as well as enhancing the scope of practicing human rights.

For the improvement of socio-economic conditions of the citizens these initiatives of the government will play a vital role to promote the social and economic rights of the people.

Because through these social safety net programs, the vulnerable and disadvantaged people of the society can get opportunity to entertain their rights. These avenues also create various chances to enjoy equal access to goods and services, expand opportunities for participation in facilities offered by the state. Finally if these development policies of the government function properly then human rights and development both can be ensured and achieved.

Challenges of Development in Bangladesh

Challenges and opportunities always go together. In line with opportunities, there are various challenges also coming into the journey. There are so many factors which can be identified not only as the challenges for development but also the obstacles to implement the human rights laws and policies of the government. These are widespread corruption, abuse and excessive use of power by law enforcement agencies, privatization without any employment discrimination to get equal treatment of people from society and state generation scheme, lack of proper distribution of wealth, poor infrastructure and information technology, resource constraints and the existence of poverty pockets, prevalence of unemployment and underemployment among the youth, reducing the dropout rate and enhancing the quality of education at the primary level, universal access to reproductive health deteriorated human rights situation, overpopulation etc. Widespread corruption, poor governance, abuse and excessive use of power by law enforcement agencies, election engineering are another problem of human development and the economic growth also. Bangladesh is suffering from the effects of climate change that also hampers development activities of the government frequently and minimizes the opportunities of enjoying rights. All these challenges hamper different types of rights of the people in many ways. For instance, absence of morality and corruption in different sectors especially in public service delivery systems make obstacle and create discrimination to get equal treatment of people from society and state. The most important requirement toward establishing human rights in the country is to reduce inequality. Development also will not be sustainable and meaningful until a proper system of resources distribution and a healthy rate of economic growth are ensured. But in reality, presence of inequality becomes clear when income and condition of living are compared between households in urban and rural areas. Income generating sources should be equal in both urban and rural area. (Saha: 2018) It is necessary to eliminate the impediments of development in establishing human rights. As a human being people would not be able to possess dignified life if the advantages of development don't touch their daily life smoothly and properly. On the other words it can be said that in ensuring human rights true and balanced development is essential

Absence of participation in decision making

Participation enables the advancement of all human rights. It also plays a crucial role in the promotion of democracy, the rule of law, social inclusion and economic development. It is essential for reducing inequalities and social conflict. It is also important for empowering individuals and groups, and is one of the core elements of human rights-based approaches

aimed at eliminating marginalization and discrimination. In Bangladesh although quotas in different sectors have increased for women but their representation in the decision-making process has not yet been ensured. They still face several social, cultural and religious challenges which hinder their participation and they are still neglected by their male counterparts. These are also the major obstacles for them to participate in local-level political institutions. Especially in the election process women's participation is decreasing gradually that is very alerting and as well as surprising for democracy. In case of minorities participation there are no clear laws and regulations in Bangladesh for ensuring participation of the minorities in the Parliament. Another important issue in this case is that the youth of our country get very little opportunity to participate in the decision-making process. In our country, the role of the opposition party in the Parliament is very insignificant that's why there are very few debates carried out before the implementation of any law or policy. As a democratic state there should be an important participation of civil society and media in decision making process, but sometime they play bias role for their own interests. For this reason people of Bangladesh always do not feel sense of belonging to the policies and political system. Lack of broad inclusion of citizens in the policy making arrangement is one of the main ground to raise the voice against legitimacy of government. Income inequality between the rich and poor is increasing significantly in Bangladesh and this also exclude a large scale of people from the governance, and narrow down the possibilities and opportunities to get equal treatment from the state and the developmental programs for all classes of people. The scholars and economist like Dr. Mohammad Younus opined on several occasions that in Bangladesh 90% of its GDP controlled by merely 8%-10% of its people. Thus, it creates social imbalance and hardship, in Bangladesh, a clear social deviation was found. For example, the country's 160 million people are divided into two segments. One is a small number of extremely powerful people, no more than one million and another is extremely powerless people comprises 159 million (Husain: 2017). So to consolidate democracy and to provide rights for all citizens equally impartial, non-partisan and equitable participation is essential and should have guaranteed

Meeting the Challenges: Some Suggestions

Bangladesh has been faced with a plethora of challenges on the path of development and promoting human rights. On the basis of the findings of this research, the following policy and institutional measures have been suggested to overcome these massive challenges in Bangladesh.

1. To protect and promote human rights and the rule of law, government should be accountable and responsible for upholding the spirit of the rule of law and human rights.
2. Law enforcing agencies should be transparent and accountable to the law and the people. The judiciary must be free from all sorts of intervention of the executive and the legislature.
3. Human Right Commission, Anti-Corruption Commission and Election

- Commission of Bangladesh should be more independent with financial capacity.
4. People's participation, including Civil Society and Human Rights defender organizations and NGOs connected with the governance process should be ensured and encouraged by the government by providing them with adequate independence.
 5. To make the parliament effective and to let the law-making body do its due business in cooperation between government and opposition;
 6. To reform the law enforcing agencies and police force to rid them out of corruption and to free them from political influence so that they could truly maintain the rule of law;
 7. To forge national unity and politics of consensus built around the basic values of the constitution, namely democracy, respect for each other's human rights, tolerance, communal harmony etc.
 8. Accountability and transparency should be established at all levels of both administration and elected officials by applying the institutional mechanism.
 9. The rule of law should be established within the society for the protection of fundamental human rights and ensuring social justice and equity.
 10. Corruption has to be minimized at the tolerable level within the society. To that end, the Anti-Corruption Commission and other law enforcing agencies should be strengthened with adequate personnel and finance and should be allowed to discharge their assigned duties freely and fairly.

Conclusion

Above discussion clearly shows that the constitution of Bangladesh provides human rights for the citizens. The government has given utmost priority to ensure human rights and dignity of the people. Moreover, Bangladesh is a signatory to most of the international treaties, declarations and ratified covenants to ensure the 'right to development' as a means of promotion of human rights. Besides the government has taken many attempts to promote economic stability and growth. The essentiality of social security has been inserted in the Constitution of Bangladesh. But in recent years, the human rights situation in Bangladesh has deteriorated to an alarming stage. Arbitrary arrests, detentions and torture, without clear legal authority and due process of law seem to have become a normal practice of governance. Repressions of women have increased at horrifying level. Despite having sufficient laws, the evil continues to rise. Rape is mostly targeted to working women, students and most unfortunately to children. In this perspective it can be said that without achieving human rights only development activities do not give any meaningful privilege and do not create equal opportunities for improving the living standards of the people.

References

- Desai, Vandana and Potter, Rob, *The Companion to Development Studies*, UK, Royal Holloway University, 2014.
- Donnelly, Jack, *Universal Human Rights in Theory and Practices*, USA, Cornell University Press, 1994.

- Freeman, Michael, "Human Rights" in Burnell, Peter and others, *Politics in the Developing World*, New York, Oxford University Press, 2011.
- Gran, G., *Development by People: Citizen Construction of a Just World*, New York, Praeger, 1983.
- Griffin, James, *On Human Rights*, USA, Oxford University Press, 2009. <http://uir.unisa.ac.za/bitstream/handle/10500/3434/02%20dissertaion.pdf?sequence=3>, retrieved on 11, 09, 19.
- Human Rights Basics, http://www.theadvocatesforhumanrights.org/human_rights_basics), retrieved on 7, 08, 2019.
- Husain, Taha, "Problems of Development in Bangladesh: Causes and Remedies" Dhaka, Social Science Research Forum, 2017, <https://www.omicsonline.org/open-access/problems-of-development-in-bangladesh-causes-and-remedies-2151-6200-1000288.php?aid=94075>, retrieved on 13, 08, 19.
- Khan, Shahiduzzaman, Achieving SDGs-challenges ahead, 2018, <https://www.thefinancialexpress.com.bd/views/achieving-sdgs-challenges-ahead-1534608940>, retrieved on 13, 08, 19.
- Korten DC., *Getting to the 21st Century: Voluntary Action and the Global Agenda*. United State of America, Kumarian Press, 1990.
- M. White, Christopher, *A Global History of the Developing World*, USA, Marshall University, 2013.
- Nickel, James W., *Making Sense of Human Rights*, New Jersey, Wiley- Blackwell, 2007.
- Saha, Polin Kumar, Overcoming challenges to sustainable development, The Financial Express, September 25, 2018, <https://thefinancialexpress.com.bd/views/overcoming-challenges-to-sustainable-development-1537889086>, retrieved on 06, 07, 20.
- Sen, Amartya, *Development as Freedom*, New York, Anchor Books, 1999.
- State of Human Rights in Bangladesh, <http://southasiajournal.net/state-of-human-rights-in-bangladesh-k-m-a-malik/>, 2011 retrieved on 12, 08, 19.
- The relationship between human rights and development, <https://www.linkedin.com/pulse/relationship-between-human-rights-development-sulaiman-sarwary>, 2015, retrieved on 12, 08, 19.
- Timmer, Alexandra, *Concepts of Human Rights, democracy, and the rule of law: a literature review*, Frame, European Commission, 2013.
- Urban, Jonsson, *Human Rights Approach to Development Programming*, Eastern and Southern Africa Regional Office, UNICEF, 2003.
- Whelan, Daniel J., *Indivisible Human Rights: A History*, Philadelphia, University of Pennsylvania Press, 2010.
- Willis, Katie, *Theories and Practices of Development Perspectives*, UK, University of London, 2011.