

1. Definition of domestic violence? Describe section 3 of Domestic violence act.

Domestic violence

Domestic violence generally refers to any act of physical, emotional, psychological, or sexual abuse perpetrated by one individual against another in a domestic setting, such as in a marriage or cohabitation. It includes a wide range of behaviors meant to exert power and control over another person within a domestic environment.

Section 3 of the Domestic Violence Act 2010 defines domestic violence as any form of physical, psychological, sexual, or economic abuse directed at a woman or a child within a family by another family member with whom the victim has or had a family relationship.

Here's a simplified explanation of the different types of abuse mentioned:

- a) **Physical Abuse:** Any action or behavior that causes bodily pain, harm, or puts the victim's life, limb, or health in danger. This can include physical assault, threats, or the use of force.
- b) **Psychological Abuse:** This includes actions such as:
 - **Verbal Abuse:** Insults, ridicule, humiliation, or threats.
 - **Harassment:** Persistent and unwanted behavior that causes distress.
 - **Controlling Behavior:** Restricting the victim's ability to move freely, communicate, or express them.
- c) **Sexual Abuse:** Any sexual behavior that degrades, humiliates, or violates the dignity of the victim.
- d) **Economic Abuse:** This involves actions such as:
 - Denying the victim access to financial resources, property, or basic necessities.
 - Preventing the victim from using or claiming their rightful property or financial resources, including items like dowry or alimony.
 - Transferring or restricting the victim's access to assets without their consent.
 - Preventing the victim from enjoying resources or facilities they are entitled to because of their family relationship.

These definitions aim to protect individuals from various forms of abuse within a family setting, ensuring their rights and dignity are upheld.

2. Write the Use of force and firearms.

The use of force and firearms by law enforcement or security personnel is a serious matter that involves strict guidelines and rules to ensure the safety of everyone involved. Here's a simple explanation:

Use of Force

- **Definition:** The use of force refers to any action taken by law enforcement or security personnel to control a situation, protect themselves, or protect others. This can include physical actions like restraining someone or using weapons if necessary.
- **When it's used:** Force should only be used when absolutely necessary. For example, if someone is threatening others or refusing to follow lawful orders, law enforcement may need to use force to control the situation.
- **Levels of Force:** The force used should be appropriate to the situation. This means starting with the least amount of force needed, such as verbal commands, and only increasing the level of force if the situation becomes more dangerous.
- **Accountability:** Law enforcement must always be held accountable for their actions. They need to justify why they used force and ensure it was the last resort.

Use of Firearms

- **Definition:** The use of firearms refers to the use of guns by law enforcement or security personnel to stop a dangerous situation or person.
- **When it's used:** Firearms should only be used in extreme situations, such as when there is an immediate threat to life. For example, if someone is attacking others with a weapon and cannot be stopped by any other means, law enforcement may need to use a firearm to protect lives.
- **Rules and Training:** Law enforcement officers receive special training on how to use firearms safely and effectively. They are taught to aim to stop the threat, not to kill, and to avoid using firearms whenever possible.
- **Legal and Ethical Guidelines:** The use of firearms is governed by strict laws and ethical guidelines. Officers must follow these rules to ensure that the use of firearms is justified and necessary. Misuse of firearms can lead to severe consequences for the officer involved.

Key Principles

1. **Proportionality:** The force used must be proportional to the threat. This means not using more force than necessary to control the situation.
2. **Necessity:** Force or firearms should only be used when there is no other way to protect people or maintain order.
3. **Precaution:** Every effort should be made to avoid using force or firearms, such as using non-violent means first.
4. **Accountability:** Officers must be accountable for their actions and provide a clear explanation of why force or firearms were used.

In summary, the use of force and firearms is a last resort that must be carefully controlled, justified, and proportional to the threat. Law enforcement officers are trained to handle situations with the minimum force necessary to ensure public safety and are held accountable for their actions.

3. Write difference between Refugee and asylum seeker.

Differences between a refugee and an asylum seeker:

Criteria	Refugee	Asylum Seeker
Definition	A person who has been forced to leave their country due to war, persecution, or violence.	A person who has fled their country and is seeking protection in another country but has not yet been recognized as a refugee.
Legal Status	Legally recognized under international law as needing protection.	Not yet legally recognized as a refugee; waiting for a decision on their request for protection.
Protection	Receives protection and support under international agreements like the 1951 Refugee Convention.	Seeks protection, but their status is not confirmed until their asylum claim is approved.
Rights	Entitled to certain rights and services in the host country, such as shelter, food, and legal aid.	May have limited rights and access to services until their asylum claim is decided.
Process	Has already been recognized as needing protection before entering the host country.	Applies for protection after arriving in the host country; the process can take time.
Documentation	Usually has official refugee documents issued by the host country or the UNHCR (United Nations High Commissioner for Refugees).	Often lacks official documents and is waiting for their claim to be processed.
Movement	Can move more freely within the host country once recognized as a refugee.	Movement may be restricted while their asylum claim is being processed.
Country of Protection	Has been granted protection by a specific country based on their refugee status.	Is seeking protection and is waiting for a decision on which country will provide it.
Support from UN	Supported by the UNHCR and often receives international aid and assistance.	May receive limited support while their case is being considered but not the full support given to recognized refugees.
Risk of Deportation	Cannot be deported back to their home country as long as they hold refugee status.	May be at risk of deportation if their asylum claim is denied.

4. Right and responsibilities of refuge according to refugee act.

Rights and responsibilities of refugees according to the Refugee Act:

Rights of Refugees

1. **Right to Safety:** Refugees have the right to be safe from persecution, harm, or danger in the country where they seek refuge. They cannot be sent back to a country where their life or freedom is at risk.
2. **Right to Basic Needs:** Refugees have the right to access basic necessities like food, water, shelter, and medical care. The host country must provide these essentials to ensure their survival and well-being.
3. **Right to Education:** Refugees have the right to access education for themselves and their children. They should be given opportunities to learn and develop skills just like citizens of the host country.
4. **Right to Work:** Refugees have the right to work and earn a living in the host country. This helps them become self-sufficient and contribute to the community.
5. **Right to Freedom of Movement:** Refugees have the right to move freely within the host country, as long as they follow the country's laws.
6. **Right to Legal Protection:** Refugees have the right to legal protection, including access to justice and fair treatment under the law. They should be treated with dignity and respect.
7. **Right to Family Reunification:** Refugees have the right to be reunited with their family members if they were separated during their escape. The host country should help them bring their family together.
8. **Right to Documentation:** Refugees have the right to receive identity documents, such as refugee status certificates, that allow them to access services and move around legally.
9. **Right to Seek Permanent Residence:** In some cases, refugees may have the right to apply for permanent residence or citizenship in the host country, depending on the country's laws.
10. **Right to Protection from Discrimination:** Refugees have the right to be free from discrimination based on race, religion, nationality, or other characteristics. They should be treated equally to citizens of the host country.

Responsibilities of Refugees

1. **Obey the Law:** Refugees must follow the laws of the host country, just like any other resident. This includes respecting the country's rules and regulations.
2. **Respect for Culture:** Refugees should respect the culture, traditions, and customs of the host country. This helps them integrate into the community and build positive relationships.
3. **Cooperate with Authorities:** Refugees have the responsibility to cooperate with the authorities in the host country. This includes providing accurate information about themselves and their situation.
4. **Contribute to the Community:** Refugees should contribute positively to the community they live in, whether through work, education, or volunteer activities.
5. **Respect for Rights of Others:** Refugees must respect the rights and freedoms of other people in the host country, just as they expect their own rights to be respected.
6. **Maintain Peaceful Conduct:** Refugees should avoid any actions that could disturb public order or endanger others. They should live peacefully within the host community.

7. **Pay Taxes (if applicable):** If allowed to work, refugees should pay taxes just like other residents of the host country. This contributes to the country's economy and public services.
8. **Uphold Ethical Standards:** Refugees are expected to maintain honesty and integrity in their dealings with others, including respecting agreements and contracts.
9. **Participate in Language and Cultural Programs:** Refugees should take part in language and cultural orientation programs offered by the host country to better integrate into society.
10. **Support Their Families:** Refugees have the responsibility to support their family members, especially if they have been reunited with them, ensuring their well-being and safety.

These rights and responsibilities are designed to ensure that refugees are protected and able to live a dignified life in the host country while also contributing positively to the society that shelters them.

5. Feature of all regional human rights.

The main features of all regional human rights systems explained in simple language:

1. Protection of Human Rights

- **Purpose:** The primary goal of all regional human rights systems is to protect the basic rights and freedoms of individuals within a specific region. This means ensuring that people are treated fairly and with dignity, regardless of their nationality, race, religion, or other characteristics.

2. Regional Agreements

- **Agreements:** Each regional system is based on agreements or treaties that the countries in that region have signed. These agreements outline the rights that must be protected and the responsibilities of each country to uphold these rights.

3. Regional Courts and Commissions

- **Institutions:** Most regional human rights systems have special courts or commissions that hear cases of human rights violations. These bodies can investigate complaints, make rulings, and sometimes provide compensation or other remedies to victims.

4. Focus on Regional Issues

- **Regional Focus:** Each system is tailored to the specific needs and issues of the region it serves. For example, the European system might focus on different issues than the African or American systems, depending on the unique challenges faced by people in those regions.

5. Enforceable Decisions

- **Enforcement:** The decisions made by regional human rights courts are often legally binding, meaning the countries involved must follow the rulings. This helps ensure that justice is served and that human rights are respected.

6. Promotion of Democracy and Rule of Law

- **Supporting Democracy:** Regional human rights systems often promote democratic principles and the rule of law. This means they encourage governments to be fair, transparent, and accountable to their people.

7. Support for Human Rights Education

- **Education:** These systems often promote education and awareness about human rights. By teaching people about their rights, these systems help empower individuals to stand up for themselves and others.

8. Cooperation Between Countries

- **Collaboration:** Regional human rights systems encourage countries to work together to protect human rights. This cooperation can lead to stronger protections and better outcomes for people across the region.

9. Monitoring and Reporting

- **Monitoring:** These systems often include mechanisms for monitoring and reporting on the human rights situation in each country. This helps identify problems early and encourages countries to make improvements.

10. Access to Justice

- **Accessibility:** Regional human rights systems aim to provide people with access to justice, meaning individuals can bring their cases to these courts or commissions if they feel their rights have been violated. This ensures that everyone has a voice and a means to seek help.

These features are designed to ensure that human rights are respected and protected across different regions of the world, helping to create a more just and equitable society for everyone.

6. *What is a Child right? Mechanism to Enforce it.*

What is a Child's Right

- **Definition:** A child's right refers to the basic needs and protections that every child is entitled to. These rights ensure that children can grow up in a safe, healthy, and supportive environment. They include the right to education, health care, protection from harm, the right to play, and the right to have their voices heard in decisions that affect them.

- **Examples of Child Rights:**

- **Right to Education:** Every child has the right to go to school and learn.
- **Right to Protection:** Children have the right to be protected from abuse, neglect, and exploitation.
- **Right to Health:** Children have the right to access health care and live in a safe and healthy environment.
- **Right to Play:** Play is essential for a child's development, and they have the right to rest, play, and engage in recreational activities.
- **Right to Family:** Every child has the right to grow up in a loving and supportive family environment.

Mechanism to Enforce Child Rights

Enforcing child rights involves various systems and processes to make sure that these rights are protected and upheld.

1. **National Laws:**

- **Legislation:** Countries create laws that protect children's rights. These laws must be followed by everyone, including parents, schools, and the government.
- **Child Protection Services:** Many countries have government agencies specifically tasked with protecting children. These agencies investigate reports of abuse and neglect and take action to protect the child.

2. **International Conventions:**

- **United Nations Convention on the Rights of the Child (UNCRC):** This is a global agreement that most countries have signed, committing to protect and promote the rights of children. It sets out the civil, political, economic, social, and cultural rights that all children should enjoy.
- **Monitoring Bodies:** International bodies, such as the UN Committee on the Rights of the Child, monitor how well countries are doing in protecting children's rights and can make recommendations for improvement.

3. **Child Advocacy Groups:**

- **Non-Governmental Organizations (NGOs):** Groups like UNICEF work to protect children's rights by providing services, advocating for legal changes, and raising awareness about child rights.
- **Community Support:** Local organizations and community groups also play a role in supporting children, providing resources, and advocating for their rights.

4. **Education and Awareness:**

- **Rights Education:** Teaching children, parents, and communities about child rights helps ensure that everyone understands what rights children have and how to protect them.
- **Campaigns:** Public awareness campaigns can help change attitudes and behaviors to better protect children.

5. **Legal Aid and Representation:**

- **Access to Justice:** Children and their families should have access to legal aid if their rights are violated. Lawyers and legal representatives can help them bring their cases to court.
 - **Child-Friendly Legal Procedures:** Courts and legal systems are adapted to be more accessible and understandable for children, ensuring their voices are heard in legal matters.
6. **Monitoring and Reporting:**
- **National Child Rights Commissions:** Some countries have special bodies that monitor how well child rights are being respected and report on any violations.
 - **Reporting Mechanisms:** Systems are in place to allow children and others to report violations of their rights, such as hotlines or online reporting platforms.
7. **Government Policies:**
- **Child-Focused Policies:** Governments create policies that focus on improving the lives of children, such as providing free education or healthcare.
 - **Implementation:** It's important that these policies are not just created but actually put into action and regularly reviewed to ensure they are effective.
8. **International Support:**
- **Global Cooperation:** Countries often work together, sharing resources and knowledge, to improve child protection globally.
 - **Foreign Aid:** Wealthier countries may provide funding or resources to help poorer countries protect child rights more effectively.
9. **Judicial Enforcement:**
- **Courts:** If a child's rights are violated, the case can be taken to court, where a judge can enforce the child's rights, including ordering protection measures or compensation.
10. **Regular Reviews:**
- **Periodic Reporting:** Governments report on their progress in protecting child rights to international bodies like the UN. These reviews help ensure that countries are held accountable for their commitments to children's rights.

These mechanisms work together to ensure that children are protected and that their rights are respected, allowing them to grow up in a safe and nurturing environment.

7. What is Nonrefoulement?

Nonrefoulement

Nonrefoulement is a fundamental principle in international law that protects refugees and asylum seekers from being sent back to a country where they would face serious threats to their life or freedom. Here's a simple explanation:

Definition of Nonrefoulement

- **What It Means:** Nonrefoulement means that a country cannot force a refugee or asylum seeker to return to a place where they could be in danger. This danger could include things like persecution, torture, violence, or other serious harm.

Key Points

1. **Protection from Harm:** The main purpose of Nonrefoulement is to keep people safe. If someone has fled their home country because they were in danger, this rule ensures they are not sent back to face that danger again.
2. **International Law:** Nonrefoulement is a rule that is recognized in many international agreements, such as the 1951 Refugee Convention. It is considered a core obligation that countries must follow.
3. **Who it applies To:** This principle applies to refugees and asylum seekers—people who have left their country to escape danger. Even if their asylum application has not yet been fully processed, they cannot be sent back to a place where their life or freedom would be at risk.
4. **Exceptions:** There are very few exceptions to this rule. In rare cases, if a person is considered a serious threat to the security of the country where they seek refuge, Nonrefoulement might not apply. However, such decisions are taken very seriously and must be justified under strict conditions.

Why It's Important

- **Human Rights:** Nonrefoulement is important because it helps protect the basic human rights of individuals who are fleeing persecution or danger. It ensures that people who seek safety are not forced back into situations where they could be harmed.
- **Global Responsibility:** This principle reflects the idea that protecting human life and dignity is a shared responsibility among all countries.

In summary, Nonrefoulement is a crucial rule that prevents refugees and asylum seekers from being sent back to dangerous situations, ensuring they can find safety and protection in another country.

8. **Definition of International humanitarian law. Write the sources, common article 3, 4 Geneva Convention, armed conflict, protection of children.**

Definition of International Humanitarian Law (IHL)

- International Humanitarian Law (IHL) is a set of rules that aim to limit the effects of armed conflict. It protects people who are not participating in the fighting, like civilians, and restricts the means and methods of warfare. The goal is to reduce human suffering during war.

Sources of International Humanitarian Law

1. **Geneva Conventions:** These are a series of treaties that form the core of IHL. They establish rules for the humane treatment of people during war, including wounded soldiers, prisoners of war, and civilians.
2. **Hague Conventions:** These agreements focus on the conduct of warfare, including the types of weapons that can be used and the protection of cultural property.
3. **Customary International Law:** These are rules that come from long-standing practices between countries, which are accepted as law even if they are not written down.
4. **Additional Protocols:** These are amendments to the Geneva Conventions that provide further protections, especially for civilians and in non-international conflicts.

Common Article 3 of the Geneva Conventions

- **What It Is:** Common Article 3 is a part of all four Geneva Conventions and applies to non-international armed conflicts, such as civil wars. It provides minimum standards of humane treatment for all individuals who are not actively participating in the conflict, including soldiers who have laid down their arms and civilians.
- **Key Protections:**
 - **Humane Treatment:** All individuals must be treated humanely, without violence, cruelty, or degrading treatment.
 - **Prohibition of Hostage-Taking:** Taking hostages is not allowed.
 - **Fair Trials:** If someone is accused of a crime, they have the right to a fair trial.
 - **Prohibition of Torture:** Torture, mutilation, and other forms of inhumane treatment are strictly forbidden.

The Four Geneva Conventions

1. **First Geneva Convention:** Protects wounded and sick soldiers on the battlefield.
2. **Second Geneva Convention:** Protects wounded, sick, and shipwrecked members of armed forces at sea.
3. **Third Geneva Convention:** Protects prisoners of war, ensuring they are treated humanely.
4. **Fourth Geneva Convention:** Protects civilians during times of war, especially in occupied territories.

Armed Conflict

- An armed conflict is any situation where there is fighting between states or within a state. This includes international conflicts (between two or more countries) and non-international conflicts (such as civil wars or internal fighting).

Protection of Children in Armed Conflict

- **Special Protections:** Children are among the most vulnerable in armed conflicts. IHL includes specific rules to protect them:
 - **Recruitment:** Children under the age of 15 should not be recruited into armed forces or participate in hostilities.

- **Care and Aid:** Children should receive the care and aid they need, including food, shelter, and medical care.
- **Family Reunification:** Efforts should be made to keep families together or reunite separated children with their families.
- **No Targeting:** Children, like all civilians, must never be targeted in military operations.
- **Education:** Even in conflict zones, children have the right to education, and efforts should be made to ensure they can continue learning.

These elements of International Humanitarian Law are designed to make war as humane as possible, even though war itself is destructive. The rules help protect those who are not involved in the fighting, especially vulnerable groups like children, and set limits on how wars are fought.

9. What is Human right? Write down promotion, protection and basic elements of human rights according to UN charter. Guarantee of human rights in BD constitution (part 2- social, economic cultural, part 3- political and civil)

What is a Human Right

- **Definition:** A human right is a basic right or freedom that every person is entitled to, simply because they are human. These rights are universal, meaning they apply to everyone, regardless of who they are or where they live. Human rights include things like the right to life, freedom, and the ability to live in peace and dignity.

Promotion of Human Rights

- **Spreading Awareness:** The United Nations (UN) works to spread awareness about human rights through education, campaigns, and international agreements. This helps people understand their rights and the rights of others.
- **Supporting Governments:** The UN encourages and helps governments to create laws and policies that protect human rights. This includes giving advice and sharing best practices with different countries.
- **Global Cooperation:** The UN brings countries together to discuss and promote human rights, ensuring that nations work together to protect these rights on a global scale.

Protection of Human Rights

- **International Treaties and Agreements:** The UN creates and promotes treaties that countries agree to follow. These treaties set out the rights that must be protected and how governments should act to protect them.
- **Monitoring and Reporting:** The UN has various bodies that monitor how well countries are protecting human rights. These bodies can investigate violations and provide recommendations to improve human rights protection.

- **Accountability:** The UN works to hold those who violate human rights accountable. This can include bringing cases before international courts or applying pressure on governments to change their behavior.

Basic Elements of Human Rights (According to the UN Charter)

1. **Universality:** Human rights are for everyone, everywhere. No matter who you are or where you live, these rights apply to you.
2. **Equality and Non-Discrimination:** All people are equal and should be treated the same. Discrimination based on race, gender, religion, nationality, or any other characteristic is against human rights principles.
3. **Indivisibility and Interdependence:** Human rights are all connected. You cannot fully enjoy one right without also having other rights. For example, the right to education is linked to the right to freedom of expression.
4. **Inalienability:** Human rights cannot be taken away. You always have your human rights, no matter the situation, although in certain cases, some rights can be restricted, like in times of emergency or to protect the rights of others.
5. **Right to Life, Liberty, and Security:** Every person has the right to life and the right to live in freedom and security without fear of harm.
6. **Right to Fair Treatment:** Everyone is entitled to fair and equal treatment under the law. This includes the right to a fair trial and protection against arbitrary arrest or detention.
7. **Right to Participate in Government:** Every person has the right to take part in their country's government, either by voting or by running for office.
8. **Right to Education:** Everyone has the right to education, which should be free at least at the primary level. Education is important for the full development of a person's abilities and potential.
9. **Right to Work and Adequate Living Standards:** Everyone has the right to work in fair conditions and to have an adequate standard of living, including access to food, clothing, housing, and health care.
10. **Right to Freedom of Thought, Conscience, and Religion:** Everyone has the right to think freely, to hold beliefs, and to practice religion of their choice without interference.

These basic elements and principles, as outlined by the UN, guide the promotion and protection of human rights worldwide, ensuring that all people can live with dignity, freedom, and respect.

Guarantee of Human Rights in the Bangladesh Constitution

The Constitution of Bangladesh guarantees various human rights to its citizens, which are outlined in different parts of the Constitution. These rights are divided into social, economic, cultural rights (Part II) and political and civil rights (Part III). Here's a simple explanation of what these rights include:

Part II: Social, Economic, and Cultural Rights

- **Social Rights:**
 - **Right to Education:** The Constitution guarantees that every child has the right to free and compulsory education.
 - **Right to Health:** The government is responsible for ensuring that all citizens have access to basic health services.
 - **Right to Social Security:** Citizens, especially those who are vulnerable or disadvantaged, have the right to social security and assistance from the state.
- **Economic Rights:**
 - **Right to Work:** Every citizen has the right to work and to choose their occupation freely. The government is also responsible for ensuring fair wages and working conditions.
 - **Right to Property:** Citizens have the right to own property and cannot be arbitrarily deprived of it.
 - **Right to Economic Development:** The state is committed to promoting economic growth and development to improve the standard of living for all citizens.
- **Cultural Rights:**
 - **Right to Culture:** The Constitution protects the right of all citizens to participate in their cultural life and to preserve and promote their cultural heritage.
 - **Right to Language:** The Constitution recognizes and promotes the Bengali language as the state language, while also respecting the languages and cultures of minority communities.

Part III: Political and Civil Rights

- **Political Rights:**
 - **Right to Vote:** Every adult citizen has the right to vote in elections. This ensures that everyone can have a say in how the country is governed.
 - **Right to Participate in Government:** Citizens have the right to run for public office and participate in the political process.
 - **Freedom of Assembly:** Citizens have the right to gather peacefully and express their opinions collectively, such as through protests or meetings.
 - **Freedom of Association:** Citizens have the right to form and join groups, organizations, or political parties.
- **Civil Rights:**
 - **Right to Life and Personal Liberty:** Every person has the right to life, and no one can be deprived of their life or personal freedom except according to the law.
 - **Right to Equality:** All citizens are equal before the law and have the right to equal protection of the law. Discrimination based on race, religion, gender, or other characteristics is prohibited.
 - **Freedom of Speech and Expression:** Every citizen has the right to express their thoughts and opinions freely, whether in speech, writing, or other forms of communication.
 - **Freedom of Religion:** Citizens have the right to practice and promote their religion freely without interference.

- **Protection from Arbitrary Arrest:** No one can be arrested or detained without following proper legal procedures, ensuring that personal freedoms are respected.

Summary

The Constitution of Bangladesh provides a strong foundation for the protection and promotion of human rights. Part II focuses on social, economic, and cultural rights, ensuring that citizens have access to essential services and can participate in cultural life. Part III emphasizes political and civil rights, guaranteeing citizens the ability to participate in governance, express their opinions, and enjoy personal freedoms. Together, these rights help ensure that all citizens can live with dignity, equality, and respect.

10. What is aggrieved person? Bela case, 78 case

What is an Aggrieved Person?

- **Definition:** An "aggrieved person" is someone who has suffered a legal wrong or harm, and as a result, has the right to bring a lawsuit or legal action to seek relief or compensation. This person is directly affected by the actions or decisions of another party, such as the government, an organization, or an individual.

BELA Case

- In the context of environmental law in Bangladesh, the term "aggrieved person" has been broadly interpreted in cases brought by the Bangladesh Environmental Lawyers Association (BELA). BELA often acts on behalf of the public or the environment itself, even though BELA as an organization may not be personally affected. This broader interpretation allows BELA to file public interest litigation (PIL) on behalf of communities, ecosystems, or future generations who are considered "aggrieved" due to environmental harm.
- For example, in the **Tanneries Relocation Case** mentioned earlier, BELA acted as the "aggrieved person" on behalf of the residents of Hazaribagh and the environment. The court recognized that BELA could represent the public interest and seek justice for the harm caused by the pollution from the tanneries.

11. What is Civil and political rights? What is their status? (Specify what type of rights they are, and explain how they are guaranteed as fundamental rights.)

What are Civil and Political Rights

- **Civil Rights:** These are the rights that protect individuals' freedom and ensure equal treatment under the law. Civil rights include:
 - **Right to Life and Liberty:** Protection against unlawful or arbitrary deprivation of life and personal freedom.
 - **Freedom of Speech and Expression:** The right to express one's opinions freely without censorship or restraint.

- **Right to Equality:** The right to be treated equally before the law, without discrimination.
- **Right to Privacy:** Protection against unwarranted interference in personal and family life.
- **Right to a Fair Trial:** The right to a fair and public hearing by an impartial tribunal.
- **Political Rights:** These rights allow individuals to participate in the political life of their country. Political rights include:
 - **Right to Vote:** The right to participate in elections and choose representatives.
 - **Right to Run for Office:** The right to be elected to public office.
 - **Freedom of Assembly:** The right to gather peacefully for political purposes, such as protests or political meetings.
 - **Freedom of Association:** The right to form or join political parties and other organizations.

Status of Civil and Political Rights

- **Type of Rights:** Civil and political rights are often referred to as "negative rights" because they require the government to refrain from interfering in the individual's freedoms and to ensure that these rights are protected.
- **Guaranteed as Fundamental Rights:** In many democratic countries, including Bangladesh, civil and political rights are guaranteed as fundamental rights in the Constitution. This means that these rights are legally protected, and any violation can be challenged in court.
- **Enforcement through Writs:** In Bangladesh, if these fundamental rights are violated, an individual can file a writ petition in the High Court Division of the Supreme Court. The court has the power to issue orders or writs, such as:
 - **Writ of Habeas Corpus:** To protect the right to personal liberty and prevent unlawful detention.
 - **Writ of Mandamus:** To compel a public official to perform a duty that is required by law.
 - **Writ of Prohibition:** To prevent a lower court or tribunal from exceeding its jurisdiction.
 - **Writ of Certiorari:** To review and correct errors made by lower courts.
 - **Writ of Quo Warranto:** To challenge the legal right of a person to hold a public office.

These writs serve as tools to enforce civil and political rights, ensuring that individuals can seek legal remedies if their rights are infringed upon. The constitutional guarantee of these rights reflects their importance in maintaining a free, just, and democratic society.

12. Mechanism of ensuring children rights according to Children act.

The **Children Act 2013** of Bangladesh outlines several mechanisms to ensure the protection and enforcement of children's rights. Here is a summary in simple English:

Mechanisms for Ensuring Children's Rights According to the Children Act 2013

1. **Establishment of Child Welfare Boards:**
 - **National, District, and Upazila Levels:** The Act sets up Child Welfare Boards at different levels to oversee the welfare and protection of children. These boards coordinate and monitor activities related to child development, including ensuring that children's rights are upheld.
 - **Functions:** These boards supervise Child Development Centres, provide recommendations to the government, and ensure the implementation of policies for children's welfare.
2. **Appointment of Probation Officers:**
 - **Role:** Probation Officers are appointed to assist children who are in contact with the law, whether they are victims, witnesses, or accused of a crime. They ensure that the child's rights are respected during legal proceedings.
 - **Responsibilities:** They prepare social inquiry reports, provide legal aid, and ensure the child receives proper care and rehabilitation.
3. **Children's Courts:**
 - **Special Courts:** The Act mandates the establishment of Children's Courts specifically to handle cases involving children. These courts ensure that children are treated with special care and that their rights are protected during trials.
 - **Environment:** The court environment is made child-friendly, and procedures are adapted to be understandable and less intimidating for children.
4. **Child Affairs Police Officers:**
 - **Specialized Police Desks:** Every police station has a Child Affairs Desk managed by a Child Affairs Police Officer. These officers are trained to handle cases involving children with sensitivity.
 - **Duties:** They ensure that children are not mistreated during arrests, inform parents or guardians, and coordinate with Probation Officers.
5. **Diversion Programs:**
 - **Alternative to Formal Trials:** For minor offenses, the Act promotes diversion, a process that avoids formal court trials and instead focuses on resolving issues in a way that is in the best interest of the child.
 - **Family Conferences:** In some cases, family conferences are organized to resolve disputes and ensure the child's well-being.
6. **Protection in Legal Proceedings:**
 - **Confidentiality:** The identity and personal details of children involved in legal proceedings are kept confidential to protect their privacy and dignity.
 - **Prohibition of Certain Punishments:** The Act prohibits severe punishments like the death penalty or life imprisonment for children, emphasizing rehabilitation instead.
7. **Safe Custody and Child Development Centres:**
 - **Safe Custody:** If necessary, children may be kept in Safe Homes or Child Development Centres where they receive care, education, and support, separate from adult offenders.
 - **Rehabilitation:** These centres focus on the rehabilitation and social reintegration of children in conflict with the law.

8. Monitoring and Reporting:

- **Regular Reports:** Probation Officers and Child Welfare Boards must regularly report on the condition and treatment of children in care, ensuring continuous oversight and improvement.

9. Appeal and Revision:

- **Legal Recourse:** If a child or their guardians are not satisfied with the decisions of a Children's Court, they can appeal to the High Court Division, ensuring that there is a higher level of review for justice.

10. Legal Aid:

- **Access to Legal Representation:** The Act ensures that children have access to legal aid, meaning they can receive free legal help to defend their rights in court.

These mechanisms collectively work to ensure that children's rights are not only protected but also promoted within the legal and social framework of Bangladesh.

13. Discuss Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and women related court.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

What is CEDAW?

- **Definition:** CEDAW is an international treaty adopted by the United Nations General Assembly in 1979. It is often described as a bill of rights for women, focusing on ending discrimination against women and promoting gender equality.
- **Purpose:** The main goal of CEDAW is to ensure that women enjoy the same rights as men in all areas of life, including political, social, economic, and cultural spheres.

Key Features of CEDAW:

1. Elimination of Discrimination:

- **What It Means:** Discrimination against women includes any distinction, exclusion, or restriction based on gender that affects women's ability to enjoy their rights equally with men.
- **Commitment of States:** Countries that sign CEDAW agree to take all necessary steps to eliminate discrimination, whether it is in law, policy, or practice.

2. Equality in Political and Public Life:

- **Participation:** CEDAW emphasizes that women should have the same opportunities as men to participate in political and public life, including the right to vote, run for office, and hold public positions.
- **Representation:** Countries are encouraged to take steps to ensure that women are represented equally in all decision-making bodies.

3. Social and Economic Equality:

- **Education and Employment:** CEDAW calls for equal access to education, training, and employment opportunities for women. It also addresses issues like equal pay for equal work and safe working conditions.
- **Health and Family Life:** The treaty promotes women's rights to health care and family planning, and stresses the importance of shared responsibilities in family life, such as parenting.
- 4. **Protection Against Violence:**
 - **Combating Gender-Based Violence:** While not initially included in CEDAW, later interpretations and recommendations strongly emphasize protecting women from violence, including domestic violence, trafficking, and sexual harassment.
- 5. **Cultural and Traditional Practices:**
 - **Challenging Harmful Norms:** CEDAW encourages countries to change or abolish customs and traditions that discriminate against women, such as early marriage or female genital mutilation.
- 6. **Legal and Institutional Framework:**
 - **Legislation:** Countries are required to implement laws that prohibit discrimination and establish institutions to protect women's rights.
 - **Reporting:** Countries that ratify CEDAW must regularly report to the CEDAW Committee on the progress they have made in eliminating discrimination against women.

Women-Related Courts in Bangladesh

Special Courts for Women and Children

- **Purpose:** In Bangladesh, special courts known as **Women and Children Repression Prevention Tribunals** have been established to address crimes against women and children, including domestic violence, rape, dowry-related violence, and trafficking.
- **Focus:** These courts are specifically designed to handle cases involving violence and discrimination against women and children, ensuring that these sensitive cases are dealt with promptly and fairly.

Key Features of Women-Related Courts:

1. **Specialized Jurisdiction:**
 - **Exclusive Focus:** These courts have the authority to hear cases specifically related to crimes against women and children, ensuring that such cases receive the attention they require.
2. **Speedy Trial:**
 - **Timely Justice:** The courts aim to conduct trials quickly to provide justice without unnecessary delays, recognizing the urgency and sensitivity of these cases.
3. **Support for Victims:**
 - **Victim Protection:** The courts often provide additional support and protection for victims, such as safe custody and counseling services, to ensure they are not re-victimized during the legal process.

4. Special Provisions:

- **Witness Protection:** Provisions may include protecting the identity of victims and witnesses to prevent intimidation or harm.
- **Child-Friendly Procedures:** In cases involving children, the courts take extra care to create a child-friendly environment.

Enforcement of CEDAW Principles in Court:

- **Implementation:** By establishing special courts for women and children, Bangladesh is taking steps to implement the principles of CEDAW, ensuring that women's rights are protected and that discrimination and violence against women are addressed through the legal system.
- **Legal Reforms:** The existence of these courts also reflects broader legal reforms aimed at aligning national laws with international standards like those set by CEDAW.

In summary, CEDAW is a crucial international treaty focused on eliminating discrimination against women and promoting gender equality. The establishment of special courts for women and children in Bangladesh is an important step toward implementing CEDAW's principles, providing a legal framework to protect women's rights and ensure justice for crimes against women.

14. Duties and responsibilities of police officer according to the Domestic violence act(chapter 3)Section 4,5,6,7,8,9. Rights of victims and remedies shared residence, enforcement officer, family relationship),

Duties and Responsibilities of a Police Officer in Domestic Violence Cases

When a police officer receives a complaint about domestic violence or is present at the scene where domestic violence has occurred, they have certain important duties and responsibilities to help and protect the victim. Here's what they must do in simple terms:

a) Inform the Victim of Her Rights:

- The police officer must tell the victim that she has the right to apply for legal protection through court orders under the Domestic Violence Act. This could include orders to keep the abuser away or provide other forms of protection.

b) Inform About Medical Services:

- The officer should let the victim know that medical services are available if she needs any medical attention or treatment because of the abuse.

c) Inform About Enforcement Officers:

- The police officer must inform the victim that Enforcement Officers are available to help her. These officers are specially trained to assist victims of domestic violence and can provide support and guidance.

d) Inform About Free Legal Services:

- The victim should be informed about her right to free legal services under the Legal Aid Act, 2000. This means she can get help from a lawyer without having to pay, to protect her rights and seek justice.

e) Inform About Filing a Complaint Under Other Laws:

- The police officer must also tell the victim that she has the right to file a complaint under any other law that might apply to her situation, not just the Domestic Violence Act. This ensures she knows all the legal options available to her.

f) Follow Additional Duties Prescribed by the Government:

- The police officer must also follow any other specific duties and responsibilities that the government has established to help and protect victims of domestic violence.

In summary, when dealing with cases of domestic violence, a police officer has the responsibility to make sure the victim is aware of her rights, the services available to her, and the legal actions she can take. The officer's role is to provide the necessary information and support to ensure the victim's safety and well-being.

Section 5: Appointment of Enforcement Officer

- **What It Says:** The government will appoint one or more Enforcement Officers in each upazila (sub-district), thana (police precinct), district, or metropolitan area. This appointment will be announced officially in the government gazette. The government will also specify the areas where each Enforcement Officer will have the authority to act under this law.
- **Terms of Service:** The rules regarding the service conditions of the Enforcement Officers will be set by the government.

Section 6: Duties and Responsibilities of Enforcement Officer

- **Main Responsibilities:**
 - Assist the court with its duties under this law.
 - Provide reports to the court about incidents of domestic violence.
 - Send copies of these reports to the local police station.
 - Help the victim apply to the court for protection orders if the victim wishes.
 - Ensure that the victim receives legal aid and provide the necessary forms and facilities free of charge.

- Maintain a list of legal aid organizations, human rights groups, counseling services, shelter homes, and medical facilities in the area.
- Refer the victim to a safe shelter home if needed and report this to the police and the court.
- Arrange for the victim to undergo a medical examination if necessary, and send the medical report to the police and the court.
- Make sure any court-ordered compensation is carried out.
- Perform other duties as assigned by the government or the court.
- **Supervision:** The Enforcement Officer will work under the supervision of the court and follow the instructions given by the government or the court.

Section 7: Service Provider and Their Duties and Responsibilities

- **Who Can Be a Service Provider:** Any registered voluntary organization, non-profit company, or institution with the goal of protecting human rights, especially the rights of women and children, can be recognized as a service provider under this law.
- **Main Responsibilities:**
 - Record incidents of domestic violence if the victim requests it and send copies of the report to the court and the Enforcement Officer.
 - Refer the victim for a medical examination and send the medical report to the Enforcement Officer and the local police station.
 - If the victim needs shelter, refer her to a shelter home and report this to the local police station.
 - Perform other duties as assigned by the rules.

Section 8: Duties of Shelter Homes

- **Providing Shelter:** When requested by a victim or by someone on her behalf (such as a police officer or Enforcement Officer), the shelter home must provide shelter to the victim. The shelter home is responsible for offering a safe place for the victim to stay.

These sections of the law outline how the government appoints officials to help enforce the law, the duties of these officials and service providers, and the responsibilities of shelter homes in protecting victims of domestic violence.

15. Write Section 10, 14, 15, 16, 17 of rights and protection order.

Section 10: Rights of Victims

- **What It Says:** Every victim of domestic violence has specific rights that are protected under this law. These include the right to be safe, the right to seek protection from further harm, and the right to receive support, such as legal aid, medical care, and shelter. The law ensures that the victim's needs are addressed and that they are treated with respect and dignity throughout the process.

Section 14: Protection Orders

- **What It Says:** The court can issue a **Protection Order** to prevent the abuser from continuing to harm the victim. This order may include various measures, such as:
 - Stopping the abuser from contacting or approaching the victim.
 - Removing the abuser from the shared home, even if the home belongs to the abuser.
 - Preventing the abuser from causing harm to the victim's family members or others who support the victim.
 - Ensuring the abuser does not interfere with the victim's access to financial resources, children, or other important aspects of their life.
- **Purpose:** The main goal of a Protection Order is to ensure the safety and well-being of the victim by legally restricting the abuser's actions.

Section 15: Application for a Protection Order

- **Who Can Apply:** The victim herself, a relative, or an Enforcement Officer can apply to the court for a Protection Order. The application can be made if there is a fear of domestic violence or if violence has already occurred.
- **Court's Role:** The court will review the application and, if it believes the victim is in danger, it will issue a Protection Order to safeguard the victim from further harm.

Section 16: Duration and Conditions of Protection Orders

- **How Long It Lasts:** A Protection Order issued by the court can remain in effect for a specified period, depending on the circumstances. The duration can be extended if the court feels it is necessary to continue protecting the victim.
- **Conditions:** The court can set specific conditions in the Protection Order that the abuser must follow. These conditions are designed to ensure the victim's safety and prevent further violence.

Section 17: Enforcement of Protection Orders

- **What It Says:** Once a Protection Order is issued, it must be enforced by the police and other authorities. If the abuser violates the order, they can be punished according to the law. This enforcement ensures that the Protection Order is taken seriously and that the victim receives the full protection of the law.

These sections of the law provide a clear framework for how victims of domestic violence can be protected through legal measures like Protection Orders. The law emphasizes the victim's rights and ensures that there are strict consequences if an abuser disobeys a court order meant to keep the victim safe.

16. Common features and comparison of European and African regional human rights (Ethics, morality, elderly people)

Common Features of European and African Regional Human Rights Systems

Both the European and African regional human rights systems aim to protect the fundamental rights and freedoms of individuals within their respective regions. Here are some common features:

1. Human Rights Charters:

- **European System:** The European Convention on Human Rights (ECHR) is the main document that outlines the rights and freedoms protected in Europe.
- **African System:** The African Charter on Human and Peoples' Rights (also known as the Banjul Charter) serves a similar purpose in Africa, outlining the rights and duties of individuals and states.

2. Regional Human Rights Courts:

- **European Court of Human Rights:** Located in Strasbourg, this court allows individuals and states to bring cases if they believe their rights under the ECHR have been violated.
- **African Court on Human and Peoples' Rights:** Based in Arusha, Tanzania, this court hears cases related to the rights outlined in the Banjul Charter, providing legal remedies for violations.

3. Emphasis on Both Individual and Collective Rights:

- Both systems protect individual rights, such as the right to life, freedom of expression, and the right to a fair trial. The African system also places strong emphasis on collective rights, such as the rights of communities and peoples to self-determination and cultural development.

4. Ethics and Morality:

- Both systems emphasize the importance of ethics and morality in governance and social life. They stress that governments should act ethically and respect the dignity of all individuals.
- The African system, in particular, highlights the role of community values, traditions, and moral duties in maintaining social harmony.

5. Protection of Vulnerable Groups:

- Both systems recognize the need to protect vulnerable groups, such as children, women, and people with disabilities. They include provisions to ensure that these groups receive special care and protection.

Comparison of European and African Regional Human Rights Systems

1. Scope and Focus:

- **European System:** The European human rights system is primarily focused on protecting civil and political rights, such as freedom of speech, the right to a fair trial, and protection from torture. It is well-established and has a long history of enforcement through the European Court of Human Rights.
- **African System:** The African human rights system includes both civil and political rights and also places strong emphasis on economic, social, and cultural rights. It recognizes the importance of community rights and the duties of individuals to their families and society.

2. Ethics and Morality:

- **European System:** The European system emphasizes the rule of law, democracy, and the protection of individual freedoms as key ethical

principles. Morality is often linked to legal standards and the protection of individual rights.

- **African System:** The African system incorporates traditional values and community-based ethics. It emphasizes moral duties, such as respect for elders and the importance of community solidarity, in addition to individual rights.

3. Elderly People:

- **European System:** The European system generally protects the rights of elderly people through broader human rights provisions, such as the right to social security and the right to be treated with dignity.
- **African System:** The African Charter explicitly recognizes the rights of elderly people, emphasizing respect for elders and the duty of the community to care for them. This reflects the cultural importance of elders in many African societies.

4. Legal Enforcement:

- **European System:** The European Court of Human Rights has a strong track record of enforcing human rights and its decisions are binding on member states. The court can order states to make changes to their laws and practices.
- **African System:** The African Court on Human and Peoples' Rights is still developing its role, and while it can issue binding judgments, enforcement can be more challenging due to varying levels of commitment from member states.

5. Cultural Considerations:

- **European System:** The European system tends to apply a more uniform standard of human rights across diverse cultures within Europe, focusing on universal principles.
- **African System:** The African system is more accommodating of cultural diversity, recognizing the importance of local customs and traditions in the interpretation and application of human rights.

Conclusion

Both the European and African regional human rights systems share a commitment to protecting human rights and dignity, though they differ in their emphasis and approaches. The European system is more focused on individual civil and political rights with a strong legal enforcement mechanism, while the African system incorporates a broader range of rights, including social and economic rights, and places significant importance on cultural values, community ethics, and the respect for elders. Both systems play crucial roles in their respective regions in promoting and protecting human rights.

17. Ethnic definition of Minority rights.

Ethnic Definition of Minority Rights

Minority rights refer to the specific rights and protections granted to ethnic, religious, linguistic, or cultural groups that are smaller in number compared to the majority

population within a country or region. These rights are designed to ensure that minority groups can maintain their distinct identity, culture, language, and traditions while being protected from discrimination and oppression.

Key Aspects of Minority Rights:

1. Cultural Rights:

- Minority groups have the right to preserve and promote their cultural heritage, including traditions, customs, and practices that are unique to their community.
- This includes the right to celebrate festivals, observe religious rituals, and wear traditional clothing.

2. Language Rights:

- Minority communities have the right to use and develop their own language in both private and public life.
- This includes the right to receive education in their language and to use it in official settings, such as in courts or government communications, where possible.

3. Religious Rights:

- Minority groups have the right to practice their religion freely without interference.
- They are entitled to build places of worship, observe religious holidays, and conduct religious ceremonies according to their beliefs.

4. Educational Rights:

- Minority communities have the right to establish and manage their own educational institutions to preserve their language, culture, and religion.
- They also have the right to access education that respects their cultural and linguistic background within the broader education system.

5. Political Rights:

- Minority groups have the right to participate in the political process, including the right to vote, run for office, and have representation in government.
- In some cases, this might include special measures, like reserved seats in the legislature, to ensure their representation.

6. Protection from Discrimination:

- Minority groups are protected from any form of discrimination based on their ethnicity, religion, language, or culture.
- This includes protection against hate speech, violence, and unequal treatment in all aspects of life, including employment, housing, and access to services.

Why Minority Rights Are Important:

- **Preserving Diversity:** Minority rights help preserve the rich cultural, linguistic, and religious diversity of a society. They ensure that smaller communities can continue to contribute to the social and cultural fabric of the nation.

- **Promoting Equality:** These rights help promote equality by ensuring that minorities are not marginalized or treated unfairly due to their differences.
- **Preventing Conflict:** Protecting minority rights can help prevent social tensions and conflicts by addressing grievances that might arise from discrimination or exclusion.

In summary, ethnic minority rights are about ensuring that minority groups can maintain their identity and culture, participate fully in society, and are protected from discrimination and harm. These rights are a crucial part of building inclusive, fair, and peaceful societies.

18. Rights and enforcement mechanism of International Covenant on Civil and Political Rights bd constitution

Rights and Enforcement Mechanism of the International Covenant on Civil and Political Rights (ICCPR) in the Bangladesh Constitution

The **International Covenant on Civil and Political Rights (ICCPR)** is a key international treaty that Bangladesh has ratified, which means that Bangladesh is committed to upholding the rights outlined in this covenant. The rights under the ICCPR are also reflected in the Constitution of Bangladesh, which provides a framework for the protection and enforcement of civil and political rights within the country.

Key Rights Under the ICCPR

1. **Right to Life (Article 6 of ICCPR)**
 - **Bangladesh Constitution:** Article 32 guarantees the right to life and personal liberty, ensuring that no person shall be deprived of life except in accordance with the law.
2. **Freedom from Torture (Article 7 of ICCPR)**
 - **Bangladesh Constitution:** Article 35(5) prohibits torture or cruel, inhuman, or degrading treatment or punishment.
3. **Right to Liberty and Security of Person (Article 9 of ICCPR)**
 - **Bangladesh Constitution:** Article 33 ensures that no person shall be detained without being informed of the reasons and the right to legal representation.
4. **Right to Fair Trial (Article 14 of ICCPR)**
 - **Bangladesh Constitution:** Article 35(3) guarantees the right to a fair trial, including the right to a public hearing by an impartial tribunal.
5. **Freedom of Thought, Conscience, and Religion (Article 18 of ICCPR)**
 - **Bangladesh Constitution:** Article 41 provides for the freedom of religion, including the right to profess, practice, and propagate any religion.
6. **Freedom of Expression (Article 19 of ICCPR)**
 - **Bangladesh Constitution:** Article 39 protects the freedom of thought and conscience, freedom of speech, and freedom of the press.
7. **Freedom of Assembly (Article 21 of ICCPR)**
 - **Bangladesh Constitution:** Article 37 guarantees the right to assemble peacefully without arms.
8. **Freedom of Association (Article 22 of ICCPR)**

- **Bangladesh Constitution:** Article 38 ensures the right to form associations or unions.
- 9. **Right to Participate in Public Affairs (Article 25 of ICCPR)**
 - **Bangladesh Constitution:** Article 27 guarantees the right to equality before the law, and Article 11 emphasizes the participation of citizens in public affairs, including the right to vote and run for public office.

Enforcement Mechanisms in the Bangladesh Constitution

1. **Judicial Enforcement (Writ Jurisdiction)**
 - **High Court Division:** Under Article 102 of the Constitution, the High Court Division of the Supreme Court of Bangladesh has the power to enforce fundamental rights through writ petitions. If a person's civil or political rights are violated, they can seek remedy through the courts.
 - **Types of Writs:**
 - **Habeas Corpus:** To protect against unlawful detention.
 - **Mandamus:** To compel a public authority to perform its duty.
 - **Prohibition:** To prevent a lower court or tribunal from exceeding its jurisdiction.
 - **Certiorari:** To review the legality of a lower court's decision.
 - **Quo Warranto:** To challenge the legality of a person's claim to a public office.
2. **Constitutional Guarantees**
 - **Supremacy of the Constitution:** Article 7 declares that the Constitution is the supreme law of the land, meaning that all laws, actions, and decisions must conform to the constitutional protections of civil and political rights.
3. **Legal Aid**
 - **Access to Justice:** The Legal Aid Services Act, 2000, ensures that those who cannot afford legal representation have access to legal aid, which helps them enforce their rights under the Constitution.
4. **Human Rights Commission**
 - **National Human Rights Commission (NHRC):** The NHRC in Bangladesh is responsible for promoting and protecting human rights, including civil and political rights. It can investigate violations and make recommendations to the government.
5. **Parliamentary Oversight**
 - **Legislative Action:** The Parliament of Bangladesh has the power to pass laws to protect civil and political rights and to oversee the implementation of these laws through various parliamentary committees.

Summary

The ICCPR outlines a range of civil and political rights that are crucial for individual freedom and dignity. Bangladesh, as a signatory to the ICCPR, has incorporated many of these rights into its Constitution. The enforcement mechanisms in Bangladesh include judicial remedies through the High Court, the supremacy of the Constitution, access to legal aid, and the role of the National Human Rights Commission. Together, these mechanisms ensure that the

civil and political rights of individuals are protected and that violations can be addressed effectively.

19. Which rights from the ICCPR are also included in the International Covenant on Economic, Social and Cultural Rights (ICESCR)?

Rights Common to Both ICCPR and ICESCR

The **International Covenant on Civil and Political Rights (ICCPR)** and the **International Covenant on Economic, Social, and Cultural Rights (ICESCR)** are two important international treaties that protect different types of human rights. Although they focus on different areas, some rights are included in both treaties because they are essential for ensuring human dignity and well-being. Here's a simple explanation of these shared rights:

1. **Right to Non-Discrimination:**
 - **ICCPR:** Protects individuals from discrimination in the enjoyment of civil and political rights based on race, religion, sex, or other characteristics.
 - **ICESCR:** Also ensures that everyone can enjoy economic, social, and cultural rights without discrimination for the same reasons.
2. **Right to Equality:**
 - **ICCPR:** Emphasizes that all people are equal before the law and are entitled to equal protection of the law.
 - **ICESCR:** Similarly, it states that everyone should have equal access to economic, social, and cultural rights.
3. **Right to a Fair Trial:**
 - **ICCPR:** Guarantees the right to a fair and public hearing by an impartial tribunal for criminal and civil matters.
 - **ICESCR:** While not explicitly detailed, the fair administration of justice is essential for the protection of all rights, including economic, social, and cultural rights.
4. **Right to Participate in Cultural Life:**
 - **ICCPR:** Protects the right of individuals to take part in cultural life, enjoy their culture, and use their own language.
 - **ICESCR:** Extends this protection by emphasizing the right of everyone to participate in cultural activities, access scientific advancements, and benefit from their own cultural heritage.
5. **Right to Form and Join Trade Unions:**
 - **ICCPR:** Includes the right to freedom of association, which allows people to form and join groups, including trade unions.
 - **ICESCR:** Specifically recognizes the right to form and join trade unions as a part of the right to work, to promote and protect their economic and social interests.

Summary

These common rights between the ICCPR and ICESCR show that civil and political rights are closely connected with economic, social, and cultural rights. Protecting these rights together

ensures that all individuals can live with dignity, equality, and justice. The inclusion of these shared rights in both covenants highlights their importance in creating a fair and inclusive society.

20. Write down Missing person and involuntary disappearance.

Missing Person and Involuntary Disappearance

Missing Person

- **Definition:** A missing person is someone whose whereabouts are unknown, and their location cannot be determined by their family, friends, or authorities. People can go missing for many reasons, including accidents, getting lost, abductions, or choosing to leave without telling anyone.
- **Key Points:**
 - Families often search for missing persons by contacting the police, using social media, or spreading posters and flyers.
 - The search for a missing person can be challenging, especially if there is little information about their last known location or what might have happened to them.
 - Authorities may treat some cases as high priority, particularly if the missing person is a child or if there are signs of foul play.

Involuntary Disappearance

- **Definition:** Involuntary disappearance, also known as enforced or forced disappearance, occurs when a person is secretly abducted, detained, or imprisoned by the state, government agents, or other groups, often with the intention of hiding their fate or location from the public, family, and legal authorities.
- **Key Points:**
 - This type of disappearance is usually carried out by people in power or under their orders, and it often involves the victim being taken without legal process.
 - The family and friends of the person are usually kept in the dark about their loved one's whereabouts and condition, causing them immense pain and uncertainty.
 - Involuntary disappearance is a serious violation of human rights because it deprives the person of their freedom and legal protections, and it places them at great risk of harm, including torture or even death.

Why It Matters

- **Human Rights Violation:** Involuntary disappearance is a grave violation of human rights, and it often happens in countries with political repression, conflicts, or authoritarian regimes. It is considered a crime under international law.

- **Impact on Families:** Both missing persons and involuntary disappearances have devastating effects on the families left behind. They experience uncertainty, fear, and emotional trauma, not knowing whether their loved one is alive or dead.
- **Global Attention:** Many international organizations, like the United Nations, work to combat involuntary disappearances and support families in finding justice and truth about the fate of their loved ones.

In summary, while a missing person can be someone who is lost or unaccounted for due to various reasons, an involuntary disappearance involves someone being secretly taken away, often by authorities or armed groups, with the intent to conceal their fate. Both situations cause immense distress, but involuntary disappearance is a particularly severe human rights abuse.

21. Rights and responsibilities of parties (1951), non compliance, non refoulement

Rights and Responsibilities of Parties Under the 1951 Refugee Convention

The **1951 Refugee Convention** is an important international treaty that defines the rights of refugees and the responsibilities of the countries (also called "parties") that have signed the treaty. Here's a simple explanation of the key points:

Rights of Refugees

1. **Right to Non-Refoulement:**
 - Refugees cannot be sent back to a country where they face serious threats to their life or freedom due to their race, religion, nationality, membership in a particular social group, or political opinion. This principle is known as "non-refoulement."
2. **Right to Protection:**
 - Refugees have the right to protection from being returned to danger, as well as the right to seek asylum in a safe country.
3. **Right to Work:**
 - Refugees have the right to seek employment in the country where they have been granted asylum, allowing them to support themselves and their families.
4. **Right to Education:**
 - Refugee children have the right to access education in their host country, just like the country's own citizens.
5. **Right to Access Courts:**
 - Refugees have the right to access the legal system in the host country, allowing them to defend their rights and seek justice.
6. **Right to Public Relief and Assistance:**
 - Refugees are entitled to receive basic public services, such as health care and social assistance, to help them live with dignity.
7. **Right to Identity and Travel Documents:**

- Refugees should be provided with identity papers and travel documents, enabling them to move freely within the host country and, if necessary, travel to other countries.

Responsibilities of Host Countries (Parties)

1. Provide Protection:

- Host countries must provide protection to refugees and ensure that they are not sent back to a place where they could be harmed (non-refoulement).

2. Respect Refugees' Rights:

- Countries must respect and uphold the rights of refugees, as outlined in the 1951 Convention, including rights to work, education, and access to legal systems.

3. Integration Support:

- Host countries should help refugees integrate into society, providing opportunities for employment, education, and social services.

4. Legal Compliance:

- Countries must comply with international laws and agreements related to refugees and asylum seekers, ensuring that their national laws align with the obligations of the 1951 Convention.

Non-Compliance by Host Countries

• Consequences of Non-Compliance:

- If a country does not fulfill its responsibilities under the 1951 Refugee Convention, it may face international criticism and pressure. Non-compliance can lead to:
 - Violations of refugees' human rights.
 - Strain on international relations.
 - Potential legal actions through international courts or bodies.
- International organizations, such as the United Nations High Commissioner for Refugees (UNHCR), may intervene to address issues of non-compliance and support the protection of refugees.

Non-Refoulement

• Definition:

- Non-refoulement is a fundamental principle of the 1951 Refugee Convention that prohibits countries from returning refugees to a country where they would face serious threats to their life or freedom.

• Importance:

- This principle ensures that refugees are not forced back into dangerous situations, protecting their right to safety and asylum.

• Application:

- Non-refoulement applies to all refugees, regardless of how they entered the host country or whether they have been formally recognized as refugees. It is considered a cornerstone of international refugee protection.

Summary

The 1951 Refugee Convention sets out the rights of refugees and the responsibilities of the countries that host them. Refugees are entitled to protection, including the right to non-refoulement, education, work, and legal assistance. Host countries are responsible for providing these protections and ensuring that refugees can live with dignity. Non-compliance with these obligations can lead to serious consequences, and the principle of non-refoulement is crucial in safeguarding the lives and freedoms of refugees.

22. What are the basic guidelines on the use of force and firearms according to the UN Basic Principles on the Use of Force and Firearms (UNBPUFF) and the Bangladesh Constitution? Are these guidelines considered outdated? What is the observation of the National Human Rights Commission regarding the use of force and firearms? Also, explain the legal framework in Bangladesh regarding the use of force and firearms, including relevant sections of the Constitution, the Police Regulations of Bengal (PRB), and the Code of Criminal Procedure (CrPC).

Use of Force and Firearms: UN Guidelines and Bangladesh Legal Framework

UN Basic Principles on the Use of Force and Firearms (UNBPUFF)

- **What It Is:** The UN Basic Principles on the Use of Force and Firearms (UNBPUFF) were adopted in 1990 to guide law enforcement officers worldwide on how to use force and firearms responsibly.
- **Basic Guidelines:**
 - **Minimum Force:** Officers should only use force when absolutely necessary, and it should be the minimum force required to achieve their goal.
 - **Proportionality:** The force used must be proportionate to the threat or situation. For example, lethal force should only be used if there is an immediate threat to life.
 - **Warning before Shooting:** Where possible, officers should give a clear warning before using firearms.
 - **Accountability:** After using force, officers must report the incident and justify their actions. Misuse of force should be investigated and punished.

Use of Force and Firearms in the Bangladesh Constitution

- **Right to Life:** Article 32 of the Bangladesh Constitution guarantees the right to life and personal liberty, meaning that the use of force by law enforcement must not violate this right.
- **Prohibition of Torture:** Article 35(5) of the Constitution prohibits torture or inhumane treatment, limiting the use of force to ensure it does not cross into these areas.

Is It Outdated?

- **Modern Concerns:** While the UNBPUFF guidelines were created in 1990, they remain relevant today. However, there is ongoing discussion about whether additional updates are needed to address new challenges in policing and the use of force, such as advances in technology and changing social dynamics.

Observation of the National Human Rights Commission (NHRC)

- **Concerns over Excessive Force:** The National Human Rights Commission of Bangladesh has expressed concerns about instances where law enforcement may have used excessive force, leading to violations of human rights.
- **Recommendations:** The NHRC often recommends better training for police officers in the use of force, ensuring that their actions are always in line with human rights standards.

Bangladesh Legal Framework Regarding Use of Force and Firearms

- **Constitutional Provisions:**
 - **Article 32:** Protects the right to life, meaning force must only be used when absolutely necessary to protect life or prevent a serious crime.
 - **Article 35(5):** Prohibits torture and inhumane treatment, which restricts how force can be applied.
- **Police Regulations of Bengal (PRB):**
 - The PRB provides detailed guidelines on how police officers should use force and firearms, emphasizing restraint and the importance of protecting human life.
- **Code of Criminal Procedure (CrPC):**
 - **Section 46:** Specifies how arrests should be made and under what circumstances force can be used, emphasizing that firearms should be a last resort.
 - **Section 197:** Requires that law enforcement officers receive prior sanction before they can be prosecuted for actions taken in the course of their duties, which includes the use of force.

Summary

The UN Basic Principles on the Use of Force and Firearms (UNBPUFF) provide a global framework to guide law enforcement in the responsible use of force, and these principles are reflected in Bangladesh's Constitution, PRB, and CrPC. While the guidelines are still relevant, there are discussions about whether they need updating to address modern policing challenges. The National Human Rights Commission of Bangladesh monitors the use of force, advocating for practices that protect human rights and ensuring that law enforcement actions comply with national and international standards.

23. What is UN charter? What is the protection of human rights according to Un charter?

What is the UN Charter?

- **Definition:** The UN Charter is the founding document of the United Nations (UN), an international organization established in 1945 after World War II. The Charter outlines the purposes, principles, and structure of the UN and serves as a guide for international relations and cooperation among countries.
- **Purpose:** The main purpose of the UN Charter is to maintain international peace and security, develop friendly relations among nations, promote social progress, and uphold human rights.

Protection of Human Rights According to the UN Charter

- **Commitment to Human Rights:** One of the key principles of the UN Charter is the commitment to promoting and protecting human rights for all people, regardless of nationality, race, religion, or gender.
- **Key Articles Related to Human Rights:**
 - **Article 1:** States that one of the purposes of the UN is to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms.
 - **Article 55:** Emphasizes the UN's role in promoting higher standards of living, full employment, and conditions of economic and social progress, which are linked to the protection of human rights. It also calls for universal respect for, and observance of, human rights and fundamental freedoms.
 - **Article 56:** Requires UN member states to pledge themselves to take joint and separate action to promote these goals, including the protection of human rights.
- **Human Rights as a Global Priority:** The UN Charter makes it clear that protecting human rights is a global priority. This has led to the development of various international human rights treaties, conventions, and bodies within the UN, such as the Universal Declaration of Human Rights, the Human Rights Council, and the Office of the High Commissioner for Human Rights.

Summary

The UN Charter is the foundational document of the United Nations, created to promote peace, security, and cooperation among nations. A key aspect of the UN Charter is its commitment to the protection of human rights, emphasizing that all people are entitled to basic rights and freedoms. The Charter guides the UN's efforts to uphold human rights around the world, making it a cornerstone of international human rights law.

24. Code of conduct of law enforcement officials 1979(confidentiality)

Code of Conduct for Law Enforcement Officials (1979): Confidentiality

- **What It Is:** The **Code of Conduct for Law Enforcement Officials** was adopted by the United Nations in 1979. It sets out guidelines for how law enforcement officers, such

as police officers, should behave in their duties. One important aspect of this code is the rule about **confidentiality**.

Confidentiality in Law Enforcement

- **Definition:** Confidentiality means keeping certain information private and not sharing it with people who do not have the right to know it. For law enforcement officials, this is very important, especially when dealing with sensitive information.
- **Key Points:**
 1. **Protecting Sensitive Information:** Law enforcement officials often deal with personal and sensitive information about people, such as details about crimes, investigations, or victims. They are required to keep this information confidential to protect the privacy of individuals and ensure the integrity of investigations.
 2. **Sharing Information Only When Necessary:** Confidential information should only be shared with those who have a legitimate need to know it, such as other officers involved in the case or legal authorities. It should not be shared with the public or unauthorized individuals.
 3. **Maintaining Trust:** By keeping information confidential, law enforcement officials help maintain the trust of the community. People are more likely to cooperate with the police if they believe their private information will be handled with care.
 4. **Exceptions:** There may be certain situations where sharing confidential information is necessary, such as when it is required by law or needed to prevent a serious crime. Even in these cases, the information should be shared in a controlled and responsible way.

Why Confidentiality Matters

- **Protecting Individuals:** Confidentiality helps protect the rights and safety of individuals, especially victims and witnesses, by ensuring their personal information is not exposed.
- **Integrity of Investigations:** Keeping information confidential prevents tampering with evidence, influencing witnesses, or compromising the investigation process.
- **Building Public Confidence:** When law enforcement officials follow the rules of confidentiality, it builds public confidence in the justice system, encouraging people to report crimes and assist in investigations.

Summary

The Code of Conduct for Law Enforcement Officials (1979) emphasizes the importance of confidentiality in law enforcement work. Officers are required to keep sensitive information private, sharing it only when necessary and with the proper authorities. This helps protect individuals' privacy, ensures the integrity of investigations, and maintains public trust in the law enforcement system.