



EAST WEST UNIVERSITY

**DISSERTATION
ON**

**The Effectiveness of the National Human Rights Commission of
Bangladesh: An Analytical Overview (2021-2025)**

**Course Title: Supervised Dissertation
Course Code: LAW 406**

Submitted To:

Sayed Hossain Sarwar

Senior Lecturer,
Department of Law
East West University

Submitted By:

Msd. Sanjida Akter

ID: 2020-2-66-050

Date of Submission

29 November, 2025



Consent Form

The dissertation titled "The Effectiveness of the National Human Rights Commission of Bangladesh: An Analytical Overview (2021-2025)" was prepared by Msd. Sanjida Akter, ID: 2020-2-66-050, submitted to Sayeed Hossain Sarwar, Senior Lecturer, Department of Law, for the fulfilment of the Course: Law 406 (Supervised Dissertation) for LL.B. (Hons.) degree offered by the Department of Law, East West University, is approved for submission.

Signature of the Supervisor

Date :

Acknowledgment

I'm incredibly grateful to Almighty Allah for granting me the strength, resources and perseverance to complete this research paper.

My deepest appreciation goes to Dr Nabaat Tasnima Mahbub, Honourable Chairperson and Assistant Professor of the East West University, for providing this invaluable opportunity. I extend my sincere thanks to my supervisor, Sayeed Hossain Sarwar, Senior Lecturer in the Law Department, for his unwavering guidance, insightful feedback, and dedicated support throughout the research process.

Finally, I'm thankful to my friends, classmates, and my family for their constant motivation and assistance.

Declaration

I, Msd. Sanjida Akter, bearing Student ID: 2020-2-66-050, declared that the work in this dissertation titled “The Effectiveness of the National Human Rights Commission of Bangladesh: An Analytical Overview (2021-2025)” has been carried out by me. This is my own work, and the information used for this research has been duly acknowledged. I have not published this research in any Newspaper, Journal or Article.

Msd. Sanjida Akter
ID: 2020-2-66-050

East West University

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Abstract

This study aims to critically examine how effective the National Human Rights Commission (NHRC) has been between 2021-2025, a period characterised by ongoing human rights concerns, political instability, and challenges within the institution itself. The NHRC established under the 2009 Act struggled with limited independence, politicised appointments, financial constraints and legal restrictions on investigating law enforcement agencies, resulting in modest complaint disposal rates but minimal impact on systemic issues such as extrajudicial killings and enforced disappearances. The student protests in 2024, which ousted the Awami League government amid violent repression, exposed the NHRC's inaction, culminating in the mass resignation of its members in November 2024. Through an examination of NHRC's annual reports and a comparative assessment with Asian counterparts, including India, Indonesia, and the Philippines, this study identifies structural, political, and resources-related obstacles that hinder compliance with the Paris Principle. The research concludes with recommendations, depoliticized concludes with binding recommendations, and regional expansion to strengthen the institutions.

List of Abbreviations

NHRI	National Human Rights Institutions
NHRC	National Human Rights Commission
ASK	Aim o Salis Kendra
HRSS	Human Rights Support Society
ANNI	Asian NGO Network for National Institutions
NGO	Non-Governmental Organisations
CSOs	Civil Society Organisations
UN	United Nations
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
HRW	Human Rights Watch
GANHRI	Global Alliance of National Human Rights Institutions
IDHRB	Institutional Development of Human Rights in Bangladesh
NPM	National Prevention Mechanism
OPCAT	Optional Protocol to the Convention against Torture
CHR	Commission on Human Rights

The Effectiveness of the National Human Rights Commission of Bangladesh: An Analytical Overview (2021-2025)

Chapter 1: Introduction

1.1. Background of the Study

As an evolving nation in South Asia, Bangladesh occupies a significant place in the global community because of its sizable population, growing economy and strategic location but since the independence of Bangladesh in 1971, the protection of human rights has remained a major challenge for the state. The country was born out of grave human rights violations during the Liberation War, yet the struggle to fully secure the rights and dignity of its people has continued across the decades.¹ Political instability, repeated changes of government, long periods of authoritarian rule and weak institutional structures have all raised human rights concerns.² Moreover, the overpopulation, poverty, lack of quality education and low public awareness have made many citizens more vulnerable to abuse, discrimination and exploitation.³ These factors combined with the government's unwillingness to address rights violations have created an environment where violations often go unreported and unresolved.

In response to these long-standing challenges, Bangladesh established the National Human Rights Commission (NHRC) in 2009 with the goal of promoting and protecting human rights through an independent national institution.⁴ Ideally, the NHRC should act as a bridge between citizens and the state, ensuring that human rights issues are handled effectively and in line with international standards such as the Paris Principle. The people had hoped that the commission would become an independent institution but unfortunately, the NHRC has not been able to work effectively on human rights violations in the last few years for some specific reasons, especially since the fall of the government last year and it has become an even more ineffective institution.

¹ buildoa, "Bangladesh: Urgent Need for Legal and Other Reforms to Protect Human Rights."

² David Lewis, Bangladesh: Politics, Economy and Civil Society (Cambridge University Press 2011) 42

³ accessed 17 November 2025, 26. Group WB, "World Bank Document"

⁴ National Human Rights Commission Act 2009 (Bangladesh), Act No 53 of 2009
<<http://bdlaws.minlaw.gov.bd/act-1023.html>> accessed November 17, 2025

1.2. Objective of the Research

The study aims to examine how well the NHRC has effectively performed during the critical period, taking into account both national difficulties and international expectations. The years 2021 to 2025 were marked by important events, including concerns about political influence, an interim government, structural and legal weaknesses inside the institution and increasing criticism from both civil society and international organisation. These issues raise serious questions about the NHRC's independence, authority and ability to function according to the Paris Principles which are the international standards that define what a strong and credible national human rights institution should look like.⁵ At the same time, other Asian NHRI's such as India's NHRC, Indonesia's Komnas HAM and the Philippines Commission on Human Rights, provide useful examples for comparison.⁶ Understanding how Bangladesh's NHRC performs in relation to these institutions may reveal effective lessons for improvement. By examining official documents, annual reports, news sources and legal frameworks this research seeks to present a clear picture of the NHRC's performance, the challenges it faced and the reasons behind its success or failure. Finally, this study aims to analyze these issues and provide clear recommendations to build a more effective and reliable human rights system in Bangladesh.

⁵ "Paris Principles" (GANHRI, July 18, 2019) <<https://ganhri.org/paris-principles/>> accessed November 18, 2025

⁶ "General Observations" (GANHRI, February 19, 2021) <<https://ganhri.org/accreditation/general-observations/>> accessed November 18, 2025

1.3. Research Questions

There are two types of research questions in this research paper, which include both the main research question and the supporting research question. The supporting research question is the key to answering the main research question.

1. To what extent has the NHRC been effective in human rights violations in recent years, particularly after the fall of the government?
2. What structural, political, and financial challenges have limited the NHRC's ability to function in accordance with the Paris Principles and international human rights standards?

1.4. Methodology

The research study will analyse doctrinal research methodology which is based on non-empirical (library-based) analysis of statutory instruments and documents. The primary objective of this study is a comprehensive evaluation of the effectiveness of Bangladesh's National Human Rights Commission (NHRC) for the years 2021-2025 as evaluated according to the NHRC Act, 2009 and the internationally accepted standard of the Paris Principles. This study is supported only by secondary sources, including the NHRC's Annual Reports (2021-2023), legislative sources, media reports and international human rights NGO reports. A key component of the research methodology will be Comparative Review, which will compare the work of the NHRC of Bangladesh with NHRIs in other countries in the region such as India, Indonesia, and the Philippines to identify areas of institutional weakness and possible models for improvement. The overall structure of the analytical process will first examine the operational metrics of the NHRC and then conduct a thorough examination of the factors that have resulted in its limited success; specifically identifying the structural, political, and financial barriers that have prevented the NHRC from achieving its full potential and ultimately recommending policy changes to address these issues.

1.5. Limitations

In conducting this research paper, lots of limitations were confronted. Among the limitations, the time was very limited to construct more in detail. Besides, the study's focus only on the highly volatile period of 2021-2025 is complicated by political instability, the mass resignation of the entire Commission in November 2024, and the lack of a submitted NHRC Annual Report for 2024, as a result, not much attention was paid to data prior to this time period. Furthermore, the analysis of the new National Human Rights Commission Ordinance 2025 (promulgated on December 6, 2025) is limited to its potential impact, as the law became effective only at the very end of the study's scope. Moreover, the sources were not always available online. Without these limitations, this research would be more informative, organized, and effective.

Chapter 2: National Human Rights Institutions the Paris Principles

2.1. Concept of National Human Rights Institutions

The concept of national human rights institutions (NHRIs) started soon after World War II, when the United Nations (UN) Economic and Social Council in 1946, first recommended forming local human rights committees or information groups to collaborate on post-war human rights challenges.⁷ Before World War II, the idea of a national-level institution for human rights did not formally exist. In 1809, some countries like Sweden had ombudsman type offices but these were not focused specifically on human rights.⁸ However, the modern institutional form of NHRIs took clear shape during an important meeting held in Geneva in September 1978, which was organised by the UN Commission on Human Rights.⁹ At this seminar, the participants suggested guiding principles for the structure and operation of national institutions. They said these institutions should check whether the government is following international human rights rules and also help people learn about human rights through education and public activities. The General Assembly approved these draft guidelines in Resolution 33/46 and that same year called on member countries to establish such bodies.¹⁰ Later, in 1979, the UN General Assembly reiterated the importance of integrity and independence in these institutions and encouraged the involvement of wider civil society. Throughout the 1980s, a modest number of NHRIs were established in various national contexts but without universal standards, their mandate and effectiveness varied widely. In the early 1990s, the need for consensus on design and functions promoted a first international workshop in Paris (1991), which laid the foundations for the Paris Principles.¹¹ Since then the

⁷ Nations U, “International Human Rights Law: A Short History” (United Nations) <<https://www.un.org/en/chronicle/article/international-human-rights-law-short-history>> accessed November 21, 2025

⁸ Walter Gellhorn, 'The Swedish Justitieombudsman' (1965) 75 Yale L J 1 <<https://scispace.com/papers/the-swedish-justitieombudsman-q9k5d0ook2>> accessed 21 November 2025.

⁹ Redjem A, “LA REPRESENTACIÓN DE LA CUESTIÓN CATALANA EN LA PRENSA ESPAÑOLA (EL PRIMER VIAJE DE JOSEP TARRADELLAS A MADRID EN JUNIO DE 1977)” (Zenodo, June 30, 2021) <<https://zenodo.org/record/6371442>> accessed November 21, 2025

¹⁰ UNGA Res 33/46 (14 December 1978) UN Doc A/RES/33/46, “National Institutions for the Promotion and Protection of Human Rights”

¹¹ Nations U, “International Human Rights Law: A Short History” (United Nations) <<https://www.un.org/en/chronicle/article/international-human-rights-law-short-history>> accessed November 26, 2025

Paris Principles has been considered an international standard for national human rights institutions.

2.2. The Paris Principles: International Standards for NHRIs

The Paris Principle set out the basic rules for how National Human Rights Institutions (NHRIs) should operate so that they can properly promote and protect human rights. The Paris Principles said that a NHRI must have the official authority to deal with all human rights issues, and this authority must be written clearly in the country's constitution or law.¹² The NHRI should have a broad mandate and should have the freedom to give advice to the government, parliament, and other bodies.¹³ It can produce opinions, recommendations and reports on laws, policies or situations that affect human rights. It should review existing laws and new bills, suggest improvements and identify the problems where human rights are being violated. The NHRI should also publish reports, raise awareness, and provide guidance to the government to fix human rights issues wherever they arise. It must help in unifying national laws with international human rights treaties, encourage the country to sign more international human rights treaties, and support in preparing the necessary reports that the state must send to the UN. It should also actively collaborate with the UN, other international bodies, universities, and human rights organisations and participate in education, research, and public awareness activities to reduce discrimination.

The Principles also require that the NHRI should be independent and diverse.¹⁴ Its members should come from different parts of society, such as NGOs, trade unions, professional groups, universities, parliaments, and government agencies (although government officials should only advise, not control). The institution must receive enough funding to operate its own office and staff without government interference. The members should be appointed through an official process for a fixed term to guarantee stability and independence.

For the daily operations, the NHRI must have the freedom to investigate any matter within its jurisdiction, talk to any person, and access necessary information. It should meet regularly with the members, communicate openly with the people, and create working groups or regional offices when required. It should also cooperate with other bodies such as the

¹² “Principles Relating to the Status of National Institutions (The Paris Principles)” (OHCHR) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>> accessed November 26, 2025

¹³ “Principles Relating to the Status of National Institutions (The Paris Principles)” (OHCHR) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>> accessed November 26, 2025

¹⁴ “Principles Relating to the Status of National Institutions (The Paris Principles)” (OHCHR) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>> accessed November 26, 2025

ombudsman and NGOs.¹⁵ The NHRI has the power to handle complaints from individuals, it can help resolve disputes, guide victims about available remedies, forward cases to proper authorities and recommend changes in legal regulations to prevent future problems. The NHRIs can also be given the Quasi-Jurisdiction power to resolve disputes early and effectively.

2.3. Relevance of Paris Principles to Bangladesh

The Paris Principles are relevant for Bangladesh as they show how a strong and independent human rights institution should work in a country where many different kinds of human rights violations continuously happen. In Bangladesh, people often face problems such as unfair treatment, gender-based violence, torture, murder, enforced disappearance, limits on free speech and abuse by powerful groups and authorities.¹⁶ Due to these human rights issues, the country needs a national institution that can work without fear or favor, listen to all people, and make sure the government maintains human rights standards. The Paris Principles explain that the NHRI must be free from political control, have enough power and resources to investigate complaints and be open to everyone, including women, children, minorities and vulnerable people.¹⁷ They also provided that the institution should recommend the government, review laws and policies, monitor rights violations and raise public awareness so that people can understand their rights. The guidelines of the Paris Principles are eminently relevant for Bangladesh as they help identify what is missing in the existing system and what improvements are needed to make the Nation Humane Rights Commission more effective. When the Paris Principles are followed, the human rights institutions become stronger, more trusted, and more able to act against rights violations.¹⁸ This is really very important in a country where many people are afraid to report abuse or believe that justice is slow or unfair. Furthermore, the Paris Principles also encourage cooperation with civil society, media and international human rights organisations, which can help Bangladesh build a more open and accountable environment. Therefore, the Paris Principles serve as a roadmap

¹⁵ “Responsibilities of NHRIs: Cooperating at the National Level” (GANHRI, January 14, 2022) <<https://ganhri.org/cooperating-at-the-national-level-nhris/>> accessed November 26, 2025

¹⁶ “——” (Human Rights Watch, November 16, 2023) <<https://www.hrw.org/news/2023/11/16/bangladesh-un-rights-review-amid-violent-crackdown>> accessed November 27, 2025

¹⁷ “The Paris Principles: Lessons Learned” (OSCE Office for Democratic Institutions and Human Rights) <<https://www.osce.org/odihr/104150>> accessed December 15, 2025

¹⁸ “Paris Principles ‘Crucial Tool’ to Protecting Human Rights at National Level, Secretary-General Tells Global Alliance” (UN Meetings Coverage and Press Releases) <<https://press.un.org/en/2023/sgsm21726.doc.htm>> accessed November 27, 2025

which can guide Bangladesh towards a fair and equitable society by helping national human rights institutions protect people's rights, hold wrongdoers accountable, and promote a culture of respect, equality, and dignity for all individuals.

Chapter 3: The National Human Rights Commission of Bangladesh (NHRC) and its Effectiveness

3.1. Establishment under the Human Rights Commission Act 2009

After the independence of Bangladesh, the idea of a national human rights institution was under discussion for many years. In late 1994, a formal attempt began through the Institutional Development of Human Rights in Bangladesh (IDHRB) project, which was launched in 1995.¹⁹ Between 1996 and 2001, drafts for a human rights law were prepared.²⁰

In December 2001, the Government formed a committee headed by the Law Minister to review the feasibility of establishing a National Human Rights Commission. That committee recommended enacting a comprehensive law on human rights protection, not merely a statute to establish a commission and by January 2003 it had finalised a draft bill, which was delivered to the Cabinet Division. However, the bill stalled and never presented to the Cabinet.²¹

After years of inaction, the then-caretaker government revived the attempt in 2007. On 9 December 2007, a draft ordinance was approved by the Council of Advisers and on 23 December 2007 the National Human Rights Commission Ordinance, 2007 was

¹⁹ “A National Human Rights Commission for Bangladesh” (ヒューライツ大阪)
<<https://www.hurights.or.jp/archives/focus/section2/1999/12/a-national-human-rights-commission-for-bangladesh.html>> accessed December 6, 2025

²⁰ “National Human Rights Commission” (Banglapedia)
<https://en.banglapedia.org/index.php/National_Human_Rights_Commission> accessed December 6, 2025

²¹ “National Human Rights Commission” (Banglapedia)
<https://en.banglapedia.org/index.php/National_Human_Rights_Commission> accessed December 6, 2025

promulgated.²² The Ordinance provided a legal framework and resulted in the formation of the first NHRC. On 1 December 2008, the first Chairman and two Commissioners were appointed.²³

That resulted in the National Human Rights Commission Act, 2009, which was passed by Parliament on 9 July 2009 and signed by the President on 13 July 2009.²⁴ The new law expanded and strengthened the Commission's powers for instance, giving NHRC civil court-like powers to summon witnesses, take evidence and conduct inquiries. Thereby embedding international human rights commitments and constitutional rights safeguards into a permanent statutory institution.²⁵

Thus, over more than a decade, Bangladesh's human rights law evolved through civil-society advocacy, draft bills, an interim ordinance, and finally a full law in 2009 establishing the NHRC as an independent statutory watchdog for human rights.

3.2. Institutional Structure

The National Human Rights Commission (NHRC) of Bangladesh is an independent body created to promote and protect human rights. It is formed under the National Human Rights Act, which sets out its institutional structure such as its composition, powers, functions, and working rules. Based on this Act, the Commission can investigate rights violations, guide the government, work with other national and international groups.

i) Composition of the Commission

The act establishes the National Human Rights Commission (NHRC) as an independent statutory entity responsible for promoting human rights in Bangladesh. Section 5 of the NHRC Act states that the Commission consists of a Chairman and up to six members, with at least one woman and one member from an ethnic group. The Chairman and one member work on a full-time basis, while the others serve in an honorary capacity. They are appointed by the President based on recommendations from a seven-member selection committee led by the Speaker of Parliament.²⁶ The Commission enjoys perpetual succession, possesses its own

²² The Daily Star, 'NHRC Ordinance Approved' (The Daily Star, 2007) <<https://www.thedailystar.net/news/nhrc-ordinance-approved-article-url>> accessed 6 December 2025.

²³ "Index of /Suppliments/2011" <<https://archive.thedailystar.net/suppliments/2011>> accessed December 6, 2025

²⁴ "Index of /Suppliments/2011" <<https://archive.thedailystar.net/suppliments/2011>> accessed December 6, 2025

²⁵ The Daily Star (Archive), 'National Human Rights Commission: A New Beginning' (2011) <<https://archive.thedailystar.net/suppliments/2011>> accessed 6 December 2025.

²⁶ National Human Rights Commission Act 2009 (Bangladesh) s 6 <<http://bdlaws.minlaw.gov.bd/act-1023/section-39405.html>> accessed December , 2025

seal, and has the authority to acquire and manage property.²⁷ According to section 6 and 8 the members are appointed for a term of three years, which can be renewable once, and they can only be removed for reasons similar to those applicable to Supreme Court Judges, except for specific reasons like insolvency or conviction for moral turpitude.²⁸

ii) Powers and Functions of the Commission

The Commission has the authority to look into instances of human rights violations, whether on suo moto (own initiative) or in response to a complaint. Its responsibilities include monitoring detention facilities, reviewing law, safeguards pertaining to human rights, analyzing proposed legislation, supervising compliance with international human rights instruments and providing recommendations to the government. It also coordinates with NGOs, offers legal assistance to victims, provides training to law enforcement agencies and promotes human rights education.²⁹ However, the commission is unable to intervene in cases that are sub judice, fall under the jurisdiction of the ombudsman or relating to service matters triable by Administrative Tribunals.

iii) Inquiry, Investigation, and Follow-Up Procedures

The Commission has civil court powers for inquiry, including summoning witnesses and requiring documents.³⁰ It may ask reports from government authorities and initiate its own investigation if necessary. If the Commission finds that a human rights violation has happened, the Commission may first attempt mediation or conciliation under section 14. If that doesn't work, it may recommend legal action, temporary financial relief for victims. For cases involving disciplined forces, inquiries are limited to recommendations after receiving a

²⁷ Ain o Salish Kendra (ASK), 'NHRC, Bangladesh: Institutional, Functional and Financial Independence Need to be Strengthened' (Written Submission for the Capacity Assessment of the Bangladesh National Human Rights Commission, December 2013) at 4 <<https://www.askbd.org/ask/wp-content/uploads/2014/03/NHRC-Capacity-Assessment-ASKs-Written-Submission-December-2013-1.pdf>> accessed 9 December 2025

²⁸ National Human Rights Commission Act 2009 (Act No 53 of 2009) (Bangladesh) s 8 <<http://bdlaws.minlaw.gov.bd/act-1023/section-39407.html>> accessed December 7, 2025

²⁹ National Human Rights Commission of Bangladesh, NHRC Bangladesh SOGI Report (IDLO and UNDP 2013) <<https://www.undp.org/sites/g/files/zskgke326/files/publications/Bangladesh%20national%20report%201.pdf>> accessed 7 December 2025.

³⁰ National Human Rights Commission Act 2009 (Act No 53 of 2009) (Bangladesh), s 16 <<http://bdlaws.minlaw.gov.bd/act-1023/section-39407.html>> accessed December 7, 2025

government report.³¹ The commission can publish inquiry summaries and has the right to intervene in court proceedings involving human rights violations. Government authorities must respond to the Commission's recommendations within specific time frames.

iv) Administrative, Financial, and Legal Provisions

The Act allows the Commission to have a Secretary and other staff, whose jobs and rules of service are set by specific regulations. A Human Rights Commission Fund is established to support operational expenses, funded through government grants and local contributions. The Commission can use its approved budget freely, but its account must be checked by the Comptroller and Auditor-General.³² All members and staff are legally protected for any actions done in good faith. The Commission is also allowed to give some of its powers to others and make rules, but these rules need the President's approval.

3. 3. Review of NHRC Annual Reports (2021-2023)

The National Human Rights Commission must prepare an annual report and submit to the President within 30th March of every year according to section 22 of the National Human Rights Commission Act, 2009.³³ Annual reports are a statutory requirement, first it is submitted to the President and then to the Parliament. This report tells about the human rights violations in the country, shows what complaints people made, and what the NHRC did to help. The report asks the government to make laws better and it is written to make everyone understand the actual situation easily. The review of the annual report from 2021-2023 shows the human rights situation in the last few years and draws on available summaries, news reports on submissions, and independent assessments, highlighting key activities, challenges, and trends.

i) Annual Report of 2021

The annual report of 2021 submitted in mid-2022, which covered a year marked by the ongoing COVID-19 pandemic, which exacerbated vulnerabilities in healthcare access, migrant worker rights and detention conditions.

³¹ Kamal S, "The Daily Star" (The Daily Star, December 10, 2023) <<https://www.thedailystar.net/opinion/views/news/the-national-human-rights-commission-has-fundamental-flaw-s-3490231>> accessed December 7, 2025

³² National Human Rights Commission Act 2009 (Act No 53 of 2009) s 26 <<http://bdlaws.minlaw.gov.bd/act-1023/section-39386.html>> accessed December 7, 2025

³³ The National Human Rights Commission Act 2009 s 22 (Bangladesh) <<http://bdlaws.minlaw.gov.bd/act-1023/section-40348.html>> accessed December 7, 2025

The Commission received a total of 1271 complaints in 2021, disposing of 972 (76.5%), primarily related to human rights violations such as torture, discrimination, and issues affecting vulnerable groups like women, children, and minorities.³⁴ As monitoring and advocacy, jail visits increased by 20% compared to 2020, leading to reports on overcrowding and poor sanitation.³⁵ The NHRC faced several challenges in 2021, its limited budget—mostly from government funds, made it difficult to carry out field investigations because it can not directly investigate the security forces.³⁶ The Commission had little influence on stopping extrajudicial killings, which remained a serious problem with more than 40 reported cases.³⁷ Independent assessments also found that the NHRC often reacted to incidents instead of taking early action. They also said the Commission scored poorly in terms of having diverse voices and representation in its decision-making.

ii) Annual Report of 2022

The report of 2022, formally submitted to president Mohammad Shahabuddin on May 9, 2023 by an eight-member delegation led by Chairman Dr. Kamal Uddin Ahmed, the report emphasized post-pandemic recovery and rising socio-economic disparities.³⁸ In 2022, more than 950 complaints were recorded, mainly about women's rights like domestic violence increased by 15% because of financial stress.³⁹ In this year the NHRC also looked into the situation of Rohingya refugees. It carried out over 50 fact-finding visits and suggested changes to improve the country's anti-trafficking laws. 2022 saw a tragic industrial accident like factory fire, resulting in the deaths of many workers (women and child labor included).⁴⁰ Subsequent protests by workers and relatives were reportedly met with police-force,

³⁴ “4,101 Incidents of Rights Violation Reported in 2021: NRHC” (4,101 incidents of rights violation reported in 2021: NRHC) <<https://www.newagebd.net/article/188757/4101-incidents-of-rights-violation-reported-in-2021-nrhc>> accessed December 7, 2025

³⁵ “জাতীয় মানবাধিকার কমিশন বাংলাদেশ” <<https://nhrc.portal.gov.bd/>> accessed December 7, 2025

³⁶ Tithi N, “The Daily Star” (The Daily Star, August 30, 2023) <<https://www.thedailystar.net/opinion/views/interviews/news/nhrc-cant-directly-investigate-cases-involving-law-enforcers-3406261>> accessed December 7, 2025

³⁷ ““Where No Sun Can Enter”” [2021] Human Rights Watch

³⁸ [Report T, “NHRC Submits Annual Report to President” (The Business Standard, May 10, 2023) <<https://www.tbsnews.net/economy/corporates/nhrc-submits-annual-report-president-629726>> accessed December 7, 2025

³⁹ “World Report 2023: Rights Trends in Bangladesh” (Human Rights Watch, January 12, 2023) <<https://www.hrw.org/world-report/2023/country-chapters/bangladesh>> accessed December 7, 2025

⁴⁰ Odhikar, Annual Human Rights Report 2022 Bangladesh (ICNL 2023) <https://www.icnl.org/wp-content/uploads/AHRR-2022_English_30.01.2023.pdf> accessed 7 December 2025.

including tear gas and rubber bullets, raising severe labour-rights concerns.⁴¹ Moreover, economic instability, inflation, food and fuel price hikes, and pressure on public services exacerbated inequality, hitting the most vulnerable hardest.

iii) Annual Report of 2023

In March 2024, the annual report of 2023, handed over to President Shahabuddin, by a ten-members delegation again led by Dr. Kamal Uddin Ahmed,⁴² this report captured a turbulent year with economic pressures, climate included displacement, and escalating protests. In 2023, the Commission received 1078 complaints and disposed of 665 cases.⁴³ Overall, the disposal rate was averaged around 67% across the period. Approximately 300 complaints were processed, prioritising child rights (trafficking in border areas) and freedom of expression amid media crackdown. The NHRC mediated in 70% of cases, securing relief in labour disputes. The NHRC published special reports on climate refugees and the rights of people with disabilities, which helped start important policy talks. Their visit to jail showed ongoing problems, such as poor medical care, and they made urgent suggestions for improvements. The report openly mentioned that lack of money and the rule preventing investigations into security forces made it hard to look into more than 50 reported cases of extrajudicial killings.⁴⁴ During the student protests in July 2023, the NHRC released public statements but couldn't take action on the ground because they didn't have enough capacity. However, the Asian NGO Network for National Institutions (ANNI) Report 2023 rated the NHRC at 3.5/10 for mandate fulfilment, 4/10 for independence, and 3/10 for pluralism, citing politicisation and suppression of rights under the prior government.⁴⁵

3. 4. The Government Fall and the Interim Government

The Awami League party, led by Sheikh Hasina, had ruled the country for 15 years. The rule of Awami League party had been unalterably prolonged since 2009 but in 2024, but Bangladesh saw a massive student protests against the quota system that favored relatives of

⁴¹ “জাতীয় মানবাধিকার কমিশন বাংলাদেশ” <<https://nhrc.portal.gov.bd/>> accessed December 8, 2025

⁴² “NHRC Submits Annual Report to President” (BSS) <<https://www.bssnews.net/news/181635>> accessed December 15, 2025

⁴³ “জাতীয় মানবাধিকার কমিশন বাংলাদেশ” <<https://nhrc.portal.gov.bd/>> accessed December 8, 2025

⁴⁴ Uddin R commission can't probe 'Ayna GK, “Due to Constraints, Rights Commission Can't Probe 'Ayna Ghor’, Says Chairperson Kamal Uddin” bdnews24.com (September 2, 2024) <<https://bdnews24.com/bangladesh/07b1f31581d0>> accessed December 8, 2025

⁴⁵ “Bangladesh’s NHRC Is Far from Its Mandate: ANNI Report 2023” (Bangladesh’s NHRC is far from its mandate: ANNI Report 2023) <<https://www.newagebd.net/article/218736/bangladeshs-nhrc-is-far-from-its-mandate-anni-report-2023>> accessed December 8, 2025

freedom fighters, sparking the biggest uprising since independence.⁴⁶ The protest started peacefully in early July and quickly turned deadly as Prime Minister Sheikh Hasina's government cracked down hard, using police, army, and ruling party supporters to silence voices.⁴⁷ The quota system that gave 30% of government jobs to families of 1971 war heroes.⁴⁸ This seemed unfair to many young people who wanted jobs based on skills and hard work. The protests started small but grew big when the government used force, killing many protesters and hurting hundreds more. The government shut down the internet and imposed curfews, but the anger only increased. By early August, millions marched to Dhaka, the capital, and demanded change. On August 5, 2024, Prime Minister Sheikh Hasina could not control the crowds anymore so she resigned, and fled to India by helicopter with her sister.⁴⁹ On that day, the army chief announced an interim government would take over to keep peace.⁵⁰ The next day, August 6, the President dissolved the parliament. It should be also mentioned that between August 5-8, there was no government in the country but on August 8, the famous economist and Nobel Peace Prize winner Muhammad Yunus became the chief advisor of the new interim government who is known for helping poor people through microloans with his Grameen Bank.⁵¹ The interim government was not stated in the constitution, but the Supreme Court permitted it because of the emergency situation in the country.⁵² So the interim government has been ruling Bangladesh since August 2024 and is

⁴⁶ Bleckner J, "After the Monsoon Revolution" [2025] Human Rights Watch

⁴⁷ "What Happened at the Quota-Reform Protests in Bangladesh?" (Amnesty International, July 29, 2024) <https://www.amnesty.org/en/latest/news/2024/07/what-is-happening-at-the-quota-reform-protests-in-bangladesh/?utm_source=chatgpt.com> accessed December 8, 2025

⁴⁸ The Guardian, 'Bangladesh court scraps job quotas amid student-led protests' (The Guardian, 21 July 2024) <https://www.theguardian.com/world/article/2024/jul/21/bangladesh-court-scraps-job-quotas-student-led-protests> accessed 8 December 2025.

⁴⁹ News V, "Bangladesh Prime Minister Resigns, Flees to India" Voice of America (VOA News) (August 5, 2024) <<https://www.voanews.com/a/bangladesh-pm-sheikh-hasina-resigns-interim-government-to-be-formed-/7730098.html>> accessed December 8, 2025

⁵⁰ Ahmed R and Ahmed K, "Bangladesh PM Has Resigned and Left Country, Army Chief Confirms" The Guardian (August 5, 2024) <<https://www.theguardian.com/world/article/2024/aug/05/bangladesh-pm-has-resigned-and-left-country-media-reports-say-sheikh-hasina>> accessed December 8, 2025

⁵¹ "Muhammad Yunus Sworn in as Chief Adviser of Bangladesh's Interim Government" The Indian Express (August 8, 2024) <<https://indianexpress.com/article/world/muhammad-yunus-sworn-in-as-chief-advisor-bangladesh-interim-government-live-9503180>> accessed December 9, 2025

⁵² Desk T, "High Court: Interim Govt Backed by Legal Framework, People's Mandate" Dhaka Tribune (February 12, 2025) <<https://www.dhakatribune.com/bangladesh/court/373494/high-court-interim-govt-backed-by-legal>> accessed December 9, 2025

planning to hold elections very soon.

3.5. Status of the 2024-2025 Reports and Institutional Crisis

The annual reports of the Nation Human Rights Commission typically cover activities, complaints received, and human rights trends for the preceding fiscal or calendar year, but the period from mid-2024 to late 2025 was marked by significant political upheaval, including student-led protests in July-August 2024 which led to the ouster of Prime Minister Sheikh Hasina on August 5, 2024, and the formation of an interim government under Chief Adviser Muhammad Yunus. This instability directly impacted the activities and reports of the National Human Rights Commission. The NHRC, led by Chairman Dr. Kamal Uddin Ahmed who was appointed in December 2022, submitted its last Annual Report 2023 to President Mohammed Shahabuddin on March 31, 2024, but after the government fall the annual report of 2024 has not been submitted to the President yet. Some national and international human rights organisations such as Odhikar, Human Rights Support Society (HRSS), Human Rights Watch, International Federation for Human Rights, and Amnesty International published the report of 2024 about the human right violations in 2024-2025.

During the July-August protests, security forces unleashed brutal force, leading to shocking human rights abuses. A UN report found up to 1,400 people killed between July 15 and August 5,⁵³ mostly shot by police and army using live bullets, tear gas, and even helicopters and drones-many victims were unarmed students posing no threat. Thousands more were injured, including over 13,500 with gunshot wounds, and about 180 children-12-13% of the dead-lost their lives.⁵⁴ Over 11,700 faced arbitrary arrests, with many tortured in custody, beaten, or sexually assaulted; women and girls suffered gender-based violence too.⁵⁵ Amnesty International verified unlawful use of lethal weapons like assault rifles, calling it a "deadliest crackdown" with at least 197 deaths by late July alone. Human Rights Watch (HRW) documented enforced disappearances and extrajudicial killings as part of a systematic plan by top leaders.⁵⁶

⁵³ "Bangladesh: UN Report Finds Brutal, Systematic Repression of Protests, Calls for Justice for Serious Rights Violations" (Bangladesh)
<<https://bangladesh.un.org/en/289108-bangladesh-un-report-finds-brutal-systematic-repression-protests-calls-justice-serious>> accessed December 9, 2025

⁵⁴ Ibid 54.

⁵⁵ <https://odhikar.org/wp-content/uploads/2025/02/AHRR-2024_Odhikar_English.pdf> accessed December 9, 2025

⁵⁶ "World Report 2025: Rights Trends in Bangladesh" (Human Rights Watch, December 18, 2024)
<<https://www.hrw.org/world-report/2025/country-chapters/bangladesh>> accessed December 9, 2025

National group Ain o Salish Kendra (ASK) tallied 18 total uprising deaths, urging probes into these horrors. Under Hasina's long rule from 2009, abuses were routine. Odhikar and Al Jazeera reported over 2,597 extrajudicial killings by security forces, often in fake "shootouts," plus hundreds of enforced disappearances, a new commission got 1,850 complaints, finding over 300 presumed dead in secret jails.⁵⁷ HRW highlighted torture, arbitrary detentions, and attacks on free speech via the harsh Digital Security Act, jailing journalists and activists. Minorities like Hindus faced 3,679 attacks from 2013-2021, per ASK, including beatings and home burnings. Workers and protesters endured violence too, with garment strikes met by shootings. The US State Department noted widespread unlawful killings, disappearances, and child labor.

Chapter 4: Challenges of NHRC Bangladesh

4.1. Political Influence and Instability

The National Human Rights Commission (NHRC) of Bangladesh has been fundamentally challenged by pervasive political influence and structural instability, which together have severely compromised its mandated role as an independent watchdog. The politicized appointments of its Chairman and members are fundamental to its political impact as evidenced by the selection of former secretary Dr. Kamal Uddin Ahmed as Chairman in December 2022.⁵⁸ Such appointments frequently create the impression that commissioners are connected with the ruling party, directly compromising the impartiality required by the UN Paris Principles. Furthermore, the Commission suffers from a critical lack of institutional autonomy rooted in financial dependency on government grants and the existence of Executive Veto Power via Presidential approval for rule-making, transforming it from an independent body to one subject to the Executive's control.⁵⁹

This instability was evident in the mass resignation of the entire Commission, including Chairman Dr. Kamal Uddin Ahmed, and five members, on November 7, 2024, shortly after

⁵⁷ Unit AJI and Thorne W, "'Shoot Them': Sheikh Hasina Ordered Firing on Bangladesh Protesters in 2024" Al Jazeera (July 24, 2025) <<https://www.aljazeera.com/news/2025/7/24/shoot-them-sheikh-hasina-ordered-firing-on-bangladesh-protesters-in-2024>> accessed December 9, 2025

⁵⁸ UNB, "Former Secy Kamal Appointed New NHRC Chairman" Prothom Alo English (December 10, 2022) <<https://en.prothomalo.com/bangladesh/txec2csre2>> accessed December 9, 2025

⁵⁹ Mobashwira J, "Bangladesh's National Human Rights Commission: A Watchdog Without Teeth?" (OHRH) <<https://ohrh.law.ox.ac.uk/bangladeshs-national-human-rights-commission-a-watchdog-without-teeth/>> accessed December 9, 2025

the interim government took power.⁶⁰ The mass resignations, which were prompted by the Commission's report's revelations of increasing mob violence, underscore the deep politicization and lack of institutional resilience in the structure of the National Human Rights Commission, indicating that its future is closely tied to political change. This event resulted in the current situation where the NHRC stands entirely vacant-without a Chairman or any members-effectively halting its high-level operations and rendering the crucial institution inactive precisely at a time when significant human rights issues, such as political violence and communal tensions, demand an independent national response. Added to these governance concerns is a limited mandate under the original NHRC Act of 2009, which historically set Investigation Limitations on enquiring into "disciplined forces," in order to shelter criminals and reduce the body's impact on accountability.⁶¹

These combined factors-politicized governance, institutional breakdown, and a legally limited mandate-have made the NHRC's effectiveness fragile and its credibility a major challenge to human rights accountability in Bangladesh. Therefore, to address these challenges, political interference in the NHRC must first be stopped and the law enforcement agency must be brought under accountability by amending the NHRC Act.

4.2. Structural and Legal Limitations

The National Human Rights Commission (NHRC) of Bangladesh faces significant challenges rooted in its structural and legal limitations that undermine its independence and effectiveness. Legally, the NHRC Act, 2009, curtails its investigative power by historically restricting it from independently probing allegations against law enforcement agencies, although recent movements have sought to remove this ban.⁶² Furthermore, its power is limited to making non-binding recommendations, creating a challenge of enforcement and accountability.⁶³ Section 4 of the Act, states that the head office shall be in Dhaka and that the Commission 'in case of necessity may establish offices in the Divisions, Districts and Upazillas.'⁶⁴ However, the Commission has largely operated with only one central office in Dhaka and only four offices outside Dhaka (Rangamati, Khulna, Cox's Bazar, Gopalganj)

⁶⁰ Correspondent S, "The Daily Star" (The Daily Star, November 7, 2024) <<https://www.thedailystar.net/news/bangladesh/news/nhrc-chairman-5-members-quit-3747351>> accessed December , 2025

⁶¹ Ibid 60.

⁶² 2025. Islam Z, "The Daily Star" (The Daily Star, September 21, 2025) <<https://www.thedailystar.net/news/bangladesh/news/govt-plans-sweeping-overhaul-nhrc-3990551>> accessed December 10, 2025

⁶³ n 60

⁶⁴ National Human Rights Commission Act 2009, s 4 <<http://bdlaws.minlaw.gov.bd/act-1023/section-40347.html>> accessed December 10, 2025

and a severely limited staff (around 73 staffs),⁶⁵ which, combined with often unattractive job opportunities, makes it functionally unable to reach victims and conduct field investigations across the country. This lack of branches and inadequate personnel, despite the legal provision to establish them, restricts the NHRC's physical presence and its ability to fulfill its mandate, contrary to the international Paris Principles requiring an NHRI to have a wide-ranging mandate and effective operation.

4.3. Financial and Resource Constraints

Financial and resource constraints are a significant challenge to the effective functioning and independence of the National Human Rights Commission (NHRC) of Bangladesh.⁶⁶ Despite being a statutory body, the NHRC often faces very low allocations from the state, with a large portion of the funds provided by the government typically being spent on staff salaries and allowances, leaving very few resources for operations, infrastructure and important human rights activities. This limited financial autonomy, governed by Section 24 of the NHRC Act, 2009 (Funds of the Commission),⁶⁷ hampers the NHRC's impartial action, particularly in cases involving state parties,⁶⁸ and contributes to its general resource deficit in terms of manpower, technical expertise and logistical support. Furthermore, the Commission's historical and ongoing reliance on project-based funding led by agencies such as UNDP has raised concerns that it may be perceived as an institution limited to high-profile events rather than one that consistently advocates for poor and vulnerable victims of human rights violations. Therefore, the challenge is to ensure the financial independence of the NHRC to fully comply with the Paris Principles and strengthen its capacity to effectively investigate, report and take action on human rights issues.

4.4. Coordination with Civil Society and International Bodies

The National Human Rights Commission of Bangladesh faces significant challenges in fully implementing its mandate due to limited coordination with Civil Society Organisations (CSOs) and International Human Rights Institutions. A key issue reflecting the current situation is the NHRC's previous struggle to maintain independence and be seen as a truly

⁶⁵ Jahan N, "The Daily Star" (The Daily Star, June 12, 2025)
<<https://www.thedailystar.net/news/bangladesh/news/nhrc-yet-be-reconstituted-seven-months-3915056>>
accessed December 10, 2025

⁶⁶ Correspondent S, "The Daily Star" (The Daily Star, November 29, 2024)
<<https://www.thedailystar.net/news/bangladesh/news/nhrc-must-be-free-political-state-influence-3764191>>
accessed December 10, 2025

⁶⁷ National Human Rights Commission Act 2009 s 20 (Bangladesh)
<<http://bdlaws.minlaw.gov.bd/act-1023/section-39394.html>> accessed December 10, 2025

⁶⁸ Kamal S, "The Daily Star" (The Daily Star, December 10, 2023)
<<https://www.thedailystar.net/opinion/views/news/the-national-human-rights-commission-has-fundamental-flaw-s-3490231>> accessed December 10, 2025

impartial institution, which often leads to suspicion and reluctance from key CSOs to engage in meaningful collaboration with CSOs and the international system, the NHRC's accreditation 'B' status from the Global Alliance of National Human Rights Institutions (GANHRI)⁶⁹ partially reflects non-compliance with the Paris Principles, largely due to its political appointment process and limited legal powers, such as its inability to fully investigate causes involving government officials.

In addition, although the NHRC has tried to engage with international bodies by submitting reports on treaty compliance (like the Universal Periodic Review, UPR), it still struggles to properly monitor and address international issues, such as the exploitation of migrant workers, remains limited by jurisdictional constraints and lack of operational autonomy. Therefore, strengthening this coordination is crucial, requiring both legal reform to enhance the independence and resources of the NHRC and a renewed, transparent effort to build trust with local rights groups and global partners.⁷⁰

4.5. The Interim Government and its Role in Shaping NHRC Effectiveness

The role of the National Human Rights Commission (NHRC) of Bangladesh, during the mass protest held in 2024, was widely criticised as silent and ineffective in the face of human rights violations, reflecting its pre-existing international weakness and lack of independence from the previous government. It's only public action was a statement calling the situation 'unfortunate'. After the establishment of Interim Government, the NHRC chairman resigned en mass in November 2024, leaving the institution vacant.⁷¹ Recognising the need for genuine reform consistent with the UN Paris Principles, the interim government prioritised empowering the NHRC. This led to the drafting and final approval of the National Human Rights Commission Ordinance 2025 by the Advisory Council in late October 2025.⁷² The current status is that the ordinance has been promulgated and is effective from December 6, 2025. The interim government acceded to the United Nations 'International Convention for the Protection of All Persons from Enforced Disappearance' on 29 August 2024. The interim

⁶⁹ "The NHRC Must Not Be Forgotten in Bangladesh" (Amnesty International, May 27, 2025)
<<https://www.amnesty.org/en/latest/news/2025/05/bangladesh-legal-and-institutional-reforms/>> accessed December 10, 2025

⁷⁰ "Call for Reforming NHRC to Safeguard Citizens' Rights" (UNDP)
<<https://www.undp.org/bangladesh/press-releases/call-reforming-nhrc-safeguard-citizens-rights>> accessed December 10, 2025

⁷¹ Correspondent S, "The Daily Star" (The Daily Star, November 7, 2024)
<<https://www.thedailystar.net/news/bangladesh/news/nhrc-chairman-5-members-quit-3747351>> accessed December 10, 2025

⁷² Ordinance G approves HRC, "Government Approves New Human Rights Commission Ordinance, Expands Jurisdiction and Powers" bdnews24.com (October 30, 2025)
<<https://bdnews24.com/bangladesh/8cd106ab9699>> accessed December 10, 2025

government on 27 August 2024 also formed a five-member Commission of Inquiry on Enforced Disappearances.⁷³ These new major reforms, significantly expanding the NHRC's powers to include the ability to investigate human rights violations by law enforcement agencies and all state-sponsored activities, and empowering it to act as the country's National Preventive Mechanism (NPM) under the Optional Protocol to the Convention against Torture (OPCAT), thereby transforming it into a truly independent and effective human rights monitoring body.

Chapter 5: Comparative Review, Findings, Recommendations and Conclusion

5.1. Comparative Review: India (NHRC), Indonesia (Komnas HAM), and Philippines (CHR)

Below, I compared the NHRC of Bangladesh with the human rights institutions of some important countries in Asia and discussed its shortcomings.

i. India (NHRC)

The National Human Rights Commission (NHRC) of India, established in 1993 as a statutory body under the Protection of Human Rights Act,⁷⁴ serves as the country's 'watchdog of human rights'. The NHRC of Bangladesh has structural and conceptual similarities with the Indian NHRC, reflecting the common socio-cultural and legal context of South Asia. It can be said that as a neighbouring country, the NHRC Act of Bangladesh has been influenced by the Indian Protection of Human Rights Act and both institutions operate under the framework of the Paris Principles, statutory bodies mandated to protect and promote the rights enshrined in their respective constitutions and international treaties. Furthermore, they also share a common function of investigating complaints of human rights violations and recommending action to the government. Although NHRC of Bangladesh and NHRC of India have many similarities in their structure, but NHRC of India has a broad mandate for human rights violations.

⁷³ Odhikar, 'Annual Human Rights Report 2024' (February 2025) <https://odhikar.org/wp-content/uploads/2025/02/AHRR-2024_Odhikar_English.pdf> accessed 10 December 2025.

⁷⁴ NHRC Home" <<https://nhrc.nic.in/>> accessed December 11, 2025

The NHRC of India, under Section 13 and 14 of the Protection of Human Rights Act, has the civil court powers for inquiries.⁷⁵ These powers include summoning and enforcing attendance of the witness, examining witnesses, receiving evidence, and requisitioning public records or copies from any court or office, where the NHRC of Bangladesh simply issues a nominal summons and discharges its responsibility. The NHRC of India has established sufficient offices at both the central and state level to ensure proper resolution of complaints at the root level. In contrast the NHRC of Bangladesh has been able to set offices in only four cities including Dhaka. This causes unnecessary delays in resolving complaints and prevents victims at the root level from getting justice in case of human rights violations. Under Section 30 and 37, the NHRC of India has the authority to create a ‘Human Rights Court’ for speedy trial and constitutes a ‘Special Investigation team’ for investigations which isn't seen in the case of NHRC of Bangladesh. Moreover, the Global Alliance of National Human Rights Institutions (GANHRI) status of NHRC of India is ‘A’⁷⁶ which means the fully-compliance with the Paris principles, whereas the status of NHRC of Bangladesh is ‘B’.⁷⁷

ii. Indonesia (Komnas HAM)

Indonesia’s Komnas HAM, established in 1993 and strengthened by Law No. 39/1999,⁷⁸ has consistently ranked above Bangladesh’s NHRC due to its international accreditation ‘A’ status, which symbolises superior independence and adherence to the Paris Principles. Komnas HAM’s core strength is its clear and unique legal authority to conduct investigations into serious human rights violations and address systemic abuse by law enforcement agencies, including the police, and military, which the NHRC in Bangladesh doesn’t have. Last year (June 25, 2024), the Komnas HAM investigated the death of a teenager and found the involvement of the police.⁷⁹ This investigation mandate is further strengthened by the power to refer inquiries to the Attorney General for prosecution. The Institutions also emphasises its mediation activities to resolve judicial disputes, resulting in the successful

⁷⁵ “The Protection of Human Rights Act, 1993”

<<https://nhrc.nic.in/acts-and-rules/protection-human-rights-act-1993>> accessed December 11, 2025

⁷⁶ “Membership” (GANHRI, July 26, 2019) <<https://ganhri.org/membership>> accessed December 11, 2025

⁷⁷ Ibid.

⁷⁸ Dewi NKTC, “32 Years of Komnas HAM: Understanding Its Duties and Functions” TEMPO.CO (June 9, 2025) <<https://en.tempo.co/read/2015745/32-years-of-komnas-ham-understanding-its-duties-and-functions>> accessed December 11, 2025

⁷⁹ Teresia A, “Indonesia Investigating Death of Teen Allegedly Killed by Police” Reuters (June 25, 2024) <<https://www.reuters.com/world/asia-pacific/indonesia-investigating-death-teen-allegedly-killed-by-police-2024-06-25/>> accessed December 11, 2025

settlement of a significant number of complaints annually. For example, while the official year-end figures for 2025 are still pending, the track record of Komnas HAM, such as the 63 cases successfully resolved through mediation in 2024,⁸⁰ demonstrates the consistent resolution rates achieved through proactive, non-judicial intervention in complex cases, particularly in agricultural and land disputes, where the police were often involved.

iii. Philippines (CHR)

The Philippines' Commission on Human Rights (CHR) is significantly ahead of the National Human Rights Commission (NHRC) of Bangladesh, as it has established 'A' status⁸¹ with GANHRI, indicating full compliance with the Paris Principles, while the NHRC of Bangladesh has the lower status 'B'. Constitutionally the CHR is a creation of the 1987 Philippine Constitution (Article XIII, Section 17)⁸² which grants it a broad mandate and investigative powers. In contrast, Bangladesh's NHRC was established by an Act (2009), and its enabling legislation places limitations on the power to investigate abuses by law enforcement agencies, often limiting it to requests for reports. In terms of case resolution, the CHR reported that 46.68% of all investigated cases in 2023 (including carry-over cases) were resolved.⁸³ Bangladesh's NHRC faces challenges in terms of effectiveness, with its recommendations typically not binding on the government, resulting in generally low rates of effective regulation due to limited compliance.

5.2. Findings

Since its establishment in 2009, the National Human Rights Commission (NHRC) has struggled to achieve full independence and effectiveness envisioned by the Paris Principles. Although between 2021 and 2023, the Commission received more than 3,299 complaints and averaged a disposal rate of about 67% of all complaints, it had no significant impact on perceived critical issues such as extrajudicial killings because of the legal limitations placed on the Commission regarding conducting investigations into law enforcement agencies. In

⁸⁰ Komisi Nasional Hak Asasi Manusia, 'Pengaduan' <<https://www.komnasham.go.id/pengaduan>> accessed 11 December 2025.

⁸¹ "Membership" (GANHRI, July 26, 2019) <<https://ganhri.org/membership/>> accessed December 11, 2025

⁸² "1987 Philippine Constitution" (The LawPhil Project) <<https://lawphil.net/consti/cons1987.html>> accessed December 11, 2025

⁸³ "CHR Philippines – – CHR Ng Lahat: Naglilingkod Maging Sino Ka Man" <<https://chr.gov.ph/>> accessed December 11, 2025

addition to these structural limitations, the political appointments of members, lack of financial resources, and lack of regional outreach have all contributed to keeping the NHRC at the low level of "B" status according to GANHRI guidelines. By the end of 2024, criticism of the NHRC reached a peak as a result of its failure to respond to the massive student protests and violent repression and, as a consequence of this, the entire Commission resigned in November of that year.⁸⁴ The passing of the National Human Rights Commission Ordinance 2025 (6 December 2025) will now significantly change this situation by making the NHRC a stronger entity than before.⁸⁵ Furthermore, with the passing of this historic reform, the NHRC will be able to investigate law enforcement agencies and function as the National Preventive Mechanism in accordance with international standards.

Recommendations

5.00 Based on the study of the National Human Rights Commission of Bangladesh (NHRC) in this dissertation, a few basic and easy to follow recommendations should be considered to enhance its effectiveness and compliance with the Paris Principles such as :

1. The politicized appointment process for the NHRC's Chairman and members must be reformed to guarantee impartiality and end the impression of connection with the ruling party. This would comply with the Paris Principles.
2. The NHRC needs to receive adequate funding, which is independent of the government. The NHRC should have the resources to operate independently, employ staff and operate an office that is free from any government influence, as defined by the Paris Principles.⁸⁶
3. The present Act should be amended to remove the restriction on investigating "disciplined forces" for any human rights violation committed by them.
4. The NHRC should take advantage of the provisions in the NHRC Act in establishing regional offices to provide additional access to victims and to facilitate more efficient field investigations throughout Bangladesh.

⁸⁴ Bleckner J, "After the Monsoon Revolution" [2025] Human Rights

⁸⁵ "Call for Accelerated Implementation of NHRC Ordinance 2025" (UNDP)
 <<https://www.undp.org/bangladesh/press-releases/call-accelerated-implementation-nhrc-ordinance-2025>>
 accessed December 11, 2025

⁸⁶ Sultana Kamal S, "The Daily Star" (*The Daily Star*, December 10, 2023)
 <<https://www.thedailystar.net/opinion/views/news/the-national-human-rights-commission-has-fundamental-flaws-3490231>> accessed December 11, 2025

5. The NHRC's recommendations to the government should be made legally binding to ensure accountability and a higher rate of effective regulation, instead of only making non-binding recommendations.
6. The Commission must make a transparent effort to build trust and strengthen coordination with local Civil Society Organisations (CSOs) and international human rights institutions to overcome suspicion and improve its mandate fulfilment and credibility.
7. The government and the NHRC as restructured should operate within the framework of the Paris Principles in order to obtain the Global Alliance of National Human Rights Institutions (GANHRI) 'A' status accreditation which indicates that the NHRC is independent and effective.
8. The NHRC should establish a 'Special Investigation Team' to conduct investigations into complex human rights abuses similar to the NHRC in India in order to increase the efficiency of the investigation process.

Conclusion

In 2009, the National Human Rights Commission of Bangladesh was formed for the promotion and protection of Human Rights as outlined in the Paris Principles, but was ineffective between 2021-2025 due to extensive political influence affecting the Commission's independence. There were numerous politically motivated appointments and the entire Commission including its Chairman Dr Kamal Uddin Ahmed made a dramatic mass resignation in November 2024 with the change of Government.⁸⁷ The NHRC has very limited powers to independently investigate and report on the "disciplined forces", which had been historically restricted, and can only provide non-binding recommendations. It operates with huge financial constraints and operates primarily from one head Office in Dhaka and four regional offices with limited outreach. The NHRC processed a significant amount of cases at an average case disposal rate of approximately 67% during the period 2021 to 2023, however, the NHRC has had little impact on the more serious human rights violations such as extrajudicial killings. The ineffectiveness of the NHRC has also translated globally into the NHRC maintaining the 'B' Accreditation from the GANHRI, whereas many of its regional counterparts, such as India, Indonesia and the Philippines, maintain an 'A' Accreditation and enjoy wider investigative powers. However, a turning point could be on the horizon, as the interim government that came into power made genuine reform in accordance with the United Nations Paris Principles, and in late 2025, the interim government has promulgated

⁸⁷ Admin, "GANHRI Fails On Bangladesh NHRC Because Of Political Motivation" Rights & Risks Analysis Group(November 7, 2025)
<<https://www.rightsrisks.org/by-country/bangladesh/ganhri-fails-on-bangladesh-nhrc-because-of-political-motivation/>> accessed December 11, 2025

the National Human Rights Commission Ordinance 2025.⁸⁸ Hopefully this Ordinance will be a revolutionary step forward as it gives the NHRC significantly more powers including the ability to conduct investigations into human rights violations committed by law enforcement agencies, and therefore, the NHRC may become a truly independent and effective mechanism for monitoring and promoting human rights in Bangladesh.

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