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ARTICLES

Women's rights in the Nikahnama in Bangladesh : A critical study

An Application of Islamic Law in Bangladesh with Special Reference to Women

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Muslim wives' right to maintenance in Bangladesh: the role of N.G.O's in Rajshahi District

Prevention of Crime in Islamic Criminal Law: Perspective Bangladesh

যৌতুক : একটি সামাজিক ব্যাধি

সড়ক দুর্ঘটনা ও ট্রাফিক আইন : প্রেক্ষিত বাংলাদেশ

আদালত অবমাননা, সাংবাদিকতা-প্রকাশনা ও তথ্যের অধিকার : পরিপ্রেক্ষিত বাংলাদেশ

বাংলাদেশের রাজনীতিতে পঞ্চম জাতীয় সংসদের কার্যকারিতা : একটি পর্যালোচনা

Abstract on the Project Changing Pattern of Trade Union in Bangladesh

Abstract on the Project Protection of Human Rights in Criminal Justice: Bangladesh Perspective

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Protection of Human Rights in Criminal Justice: Bangladesh Perspective

Muhammad Faiz-ud-Din*
Mohammad Abdul Hannan**

ABSTRACT 2000

Every criminal justice system has the obligation to protect human rights of the accused, because an accused is treated as innocent before conviction under the provision of law. The right to life, right to liberty and right to a fair trial are the fundamental human rights of the accused. There is a genuine link between peace and human rights. This pursuit and preservation of peace and security of humankind, the first stated purpose of the United Nations, necessitate the protection and implementation of human rights, without which human rights cannot be effectively achieved.

Infringement of the fundamental human rights to life, liberty, personal security and physical integrity affect individual rights as well as it has a negative impact in the equality of life. These infringements are a product of both state parties and politicise national criminal processes when carried out under the colour of law by public officials. The topic of human rights of the accused in criminal justice is of universal concern that cuts across major legal and political boundaries. However, this study seeks to correlate internationally and nationally protected human rights, which are applicable in the criminal process. Rights of the accused, specifically rights of arrested and detained persons including the state of preventive detention under the Special Powers Act, 1974 in Bangladesh; right to reasonable investigation, questioning, search and seizure; and the right to a fair trial including the role of police in Bangladesh are set forth in details and comparison is made basically with the provisions in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Interviews have been taken with a large number of accused, convicts, police officers, magistrates and lawyers who expressed their experience, opinions and suggestions. We have collected these views in order to gather information regarding the state of human rights in Bangladesh.

Admittedly, this study is unusual because it makes a comparison of international law and national criminal justice system. A comparison of the criminal jurisprudential philosophy in both international and Bangladeshi legal systems should enable readers to distinguish the direction of human rights strategy followed in both administration of criminal justice.

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[This Project was submitted to the Faculty of Law, Rajshahi University in 2000]