

**THE SUPREME COURT OF BANGLADESH: AN ANALYSIS OF
ITS ROLE IN PROTECTING HUMAN RIGHTS**

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ABSTRACT

This thesis is an assessment of the Bangladesh Supreme Court's role in the protection of Human Rights. It examines where the Supreme Court has successfully protected rights, and also where it fails to apply international human rights standards. The Supreme Court of Bangladesh is at the apex of the Bangladeshi judicial structure. Modeled on a British system from its colonial background, the Supreme Court is influenced by harsh executive intervention and political dominance from the Bangladesh government. This has resulted in problems in the organizational and functional structure of the Supreme Court. The interventions by the power-holders of the society can interfere with judicial appointment and with the procedural functions, resulting negatively on human rights protection by the Supreme Court. It is difficult to get the Supreme Court to act effectively on issues when personal law violates human rights, or when applying international standards of human rights. There is evidence of active support by the Supreme Court on some current human rights situations, such as the protection of juveniles, political detainees, foreign prisoners, and protecting certain social groups like sex workers or slum dwellers. The Supreme Court has strong potential for monitoring activities of lower courts, and directing the executive or other organs of the state, for ensuring democratic values supporting human rights protection. The research reveals that the growing activism of the Supreme Court to extend the notion of *aggrieved person* and its *locus standi* is helping promote human rights standards. The Supreme Court needs to take an active role to ensure access for the poor and marginalized section of the society. However, it is clear from the research that the political context of the Supreme Court is complex in nature. Access for the poor and marginalized demands an innovative judicial approach and substantive initiatives from the civil society, NGOs, media, and Supreme Court itself to protect human rights.

KEY WORDS: BANGLADESH SUPREME COURT/ JUDICIAL ACTIVISM/
HUMAN RIGHTS PROTECTION/ LOCUS STANDI/
AGGRIEVED PERSON.

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