

THE INTERNATIONAL JOURNAL OF HUMANITIES & SOCIAL STUDIES

From Paper to Action: Realizing the Rights of People with Disabilities in Bangladesh

Shiffat Sharmin

Associate Professor, Department of Law, University of Chittagong, Chittagong, Bangladesh

Abstract:

Persons with disabilities are often considered as one of the marginalized groups in the whole world. Entering the 21st century, we can find that there has been fundamental change in the concept and attitude towards disability and PWD in many countries including Bangladesh. Following their commitment under the CRPD, the government of Bangladesh has enacted a new legislation in 2013 which has safeguarded some basic rights of the persons with disabilities. We now stress on equal opportunities for them with other citizens. We advocate for the promotion, protection and assurance that PWD can sufficiently and equally enjoy all human rights and basic freedom. Despite this, disabled people in Bangladesh face immense difficulties in accessing services, facilities and opportunities. They often have lower education accomplishment, poorer health conditions, higher poverty rates and less economic engagement than people without disabilities. This paper has identified some issues regarding the gaps between the legal entitlements and enjoyment of rights by the disabled people. Also, the paper examines several impediments faced by disabled people in implementing their rights in practice such as discrimination in different sectors, lack of opportunities in education, employment and health services, insufficient facilities in infrastructures, transportations etc. However, this paper has suggested some points which are needed to be prioritized and followed by the concerned authority to ensure their rights guaranteed under law of Bangladesh.

Keywords: *Discrimination, accessibility, persons with disabilities, CRPD, early identification and intervention, rights of the persons with disabilities and their protection act, 2013*

1. Introduction

Persons with disabilities (PWDs) are a group of people who have special difficulties because of their physical disabilities or functional impairments. They suffer numerous social, economical, cultural, political and other problems, but they are the most silent community in raising their voices in the public forum. The problems faced by the disabled people are caused by the negative attitude towards disability in their family, community and society. The effects of these problems impede their easy access to the mainstreaming development. Lack of funding, proper monitoring and awful implementation of laws are some of the main reasons that hinder the inclusion process of PWDs in components of development cooperation (Titumir & Hossain, 2005 p.13). Accessibility in public institutions, public health care facilities, educational institutions and rehabilitation services is still an issue to be resolved.

People with disabilities have always been considered as recipients of charity and welfare. In past decades, they were the epitome of sympathy and empathy in the society. For the first time in 2006, the Convention on the Rights of Persons with Disabilities (CRPD) was adopted by the UN General Assembly, which accorded a bundle of rights to the disabled people for promotion and protection of their lives (CRPD, 2006). This international instrument uplifted the status of disabilities from a charity-based approach to a rights-based approach and to disability inclusive development. The Government of Bangladesh ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) on November 30, 2007. Following their commitment under the CRPD, Bangladesh had an international obligation to comply with the provisions ensuring rights for PWDs at the domestic level. This obligation of Bangladesh emerges from its commitment to international instruments and the constitutional obligations as to non-discrimination and affirmative action as provided in article 28 and 29 of the Constitution (The Constitution of Bangladesh, 1972). Finally, the government of Bangladesh fulfills its commitment by way of adoption of the Rights of the Persons with Disabilities and their Protection Act, 2013 (hereinafter mentioned as Disability Act, 2013) under which PWDs are entitled to enjoy a plethora of rights.

The Disability Act, 2013 guarantees certain rights as well as dignity of the persons with disabilities. Despite that, PWDs continue to face legal and practical barriers in their day to day life. In Bangladesh, about seven million PWDs are deprived of their indispensable need including access to education, health services, housing, employment and transportation (Faruque, 2012, p.253). Their right to free movement is still restricted and often they become victims of violence and abuse. This paper presents a brief overview of the existing legal framework to give a picture of the rights and entitlements of the disabled citizen. It tries to find out the disparities between the legal guarantees and existing situations or practices regarding enjoyment of their rights. Moreover, the paper examines the challenges or impediments faced by disabled persons while claiming rights in the society and the barriers in implementing their rights. Finally, the paper

suggests some policies and strategies that can be taken by the government to ensure implementation of rights of the persons with disabilities in Bangladesh.

2. Legal Framework on Rights Guaranteed to People with Disabilities in Bangladesh

According to the Disability Act of 2013, any person suffering from autism or autism spectrum disorders, physical disability, mental illness leading to disability, visual infirmity, speech impairment, intellectual disability, hearing infirmity, deaf-blindness, cerebral palsy, down syndrome, multiple disability and other disabilities are considered as disabled person in Bangladesh (The Disability Act, 2013, sec.3-15). Widening up the definition, the new law has now paved the way for access to justice to the people with all sorts of disabilities. The Act approaches disability from a human rights perspective and aims to remove all the discrimination they came across in life and protect their dignity, ensure their educational, physical as well as mental development etc. The latest Act incorporates as much as twenty one rights for the disabled persons which are enshrined in its section 16 ensuring equality before law, right to inheritance, access to justice, right to participate in a unified system of education, right to get protection from persecution, reservation of seats on all forms of public transport, accessibility provisions for all public places, equal opportunities in employment, and participating in all culture, entertainment, tourism and sporting activities. In addition, they are entitled to participate in social and state activities and accordingly, they must get national identity cards and be listed in the voter list. Even they will be able to contest in the polls. Thus, the law is the reflection and recognition of rights of PWDs in Bangladesh.

As per the new law, several Committees shall be responsible for the implementation of the rights guaranteed in the law. A National Coordination Committee (NCC) consisting of 27 members is vested with the responsibility of coordinating the activities of all government and non-government institutions in protecting rights of disabled persons. The NCC is also entrusted with the duty to adopt national policy and to enact rules in accordance with international standards designed for PWDs and to recommend government to implement the same. Then, a 19-member National Executive Committee takes initiative to implement the policies, guidelines adopted by NCC. The Act also makes provisions for the creation of other committees, with compulsory representation from Disabled Peoples Organizations (DPOs) at national, district and upzilla levels to protect the rights of PWDs.

In terms of government agencies, the sole responsibility for advancing the rights of PWDs is vested in the Ministry of Social Welfare (MSW). Besides MSW, the other main state institutions mandated with disability policy and program implementation are the Ministry of primary and Mass Education and Ministry of Education. Despite all the legal provisions and instrumental arrangements in place, the attainment of the rights of PWDs remains a major concern. Apparently, the content of the Act of 2013 seems to be very positive, but without actual implementation, it is difficult to evaluate its effectiveness in essence. It is not always the fault of the text of the law; other complicated factors contribute to such failure as well. Parochial thoughts of the society, lack of knowledge about available facilities among the PWDs and the common people, non-implementation of laws, even existing poverty are few instances of those factors. The following section will highlight the various impediments regarding protection of disabled citizens in Bangladesh.

3. Challenges Faced by the Persons with Disabilities in Practice

The CRPD prescribes that disability results from the interaction between persons with impairments, and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others. Persons with disabilities often face discrimination, negative attitudes and also experience abuse or neglect at home, in institutions and in society. Mainstreaming disability rights is therefore crucial in every aspect of political and public life. By the enactment of the Disability Act of 2013, Bangladesh has adopted new ideas and approaches related to protect the rights and dignity of PWDs. However, the persistence of traditional thinking that opposes new ideas and rights poses a serious threat to achieve a barrier free society for the PWDs. An inadequately informed general public and an ineffective system of monitoring the implementation of relevant laws on disabilities reveal an interesting interaction between social attitude and the legal system (Hyder, 2015a, p.107). This situation leads to PWDs being confined at home and unable to avail the protection and benefits that the laws are meant to provide. Thus, despite the existence of the Disability Act, 2013, PWDs continue to face unjust treatment, discrimination in job opportunities, access to education, health services and so on. These problems make them marginalized and vulnerable to all forms of repression. Some of the challenges or impediments regarding protection of the disabled citizens are discussed below:

3.1. Discrimination Based on Disability

The Constitution of Bangladesh, in Part III lays down certain fundamental rights that apply to all citizens, reflecting the significant principle of equality and non-discrimination. Though the Constitution has no specific provision for safeguarding or protecting the rights of the disabled persons, it allows room for additional or supplementary provisions that will ensure that citizens who do not have access to all the public amenities are able to obtain such services. But ignorance and wrong beliefs surrounding disabilities, compounded with a negative and derogatory attitude of the community, including family members have made the PWDs neglected and victims of discrimination in the society. Even parents also discriminate against their own children based on disability. The standard of living of most persons with disabilities is not good enough compared to others due to negligence and discrimination.

In spite of the Constitutional provision that all citizens are equal before the law and are entitled to equal protection by the law (article 27), in practice, discrimination in the family, the community and the workplace is at the core of most violations of the rights of persons with disabilities in Bangladesh. Enforcement of laws and policy implementation are deficient as the governmental mechanisms do not function effectively and do not respond adequately to the need of the

PWDs. The common notion about them is that they are inferior human beings. Beliefs are that disability is a curse and these social beliefs are deeply rooted at all levels. They usually experience deprivations in public and private life. Even they do not have any control over their own financial affairs and are deprived from their right to inheritance. Women and children with disabilities are more prone to such situations. They are usually subjected to problems like gender-based violence, sexual exploitation, and they actually evade pleading in order to avoid further denigration or disparagement.

3.2. Accessibility in Public Structures

One of the main reasons for the PWDs not enjoying their rights and entitlements are the general inaccessibility to infrastructures. The CRPD requires in Article 9 that building, roads, transportation, schools, housing, medical facilities and workplaces should be accessible for disabled persons. The Disability Act, 2013 stipulates that necessary facilities have to be installed in all public structures for the disabled people to ascend, move and to make those easily accessible as soon and as much as possible (The Disability Act, sec 34). But despite all these provisions, in reality existing infrastructural facilities are not reasonably in good shape for the disabled persons and they do not receive the deserved benefits and utilities required for their special needs. Probably the root of the problem is apathy to the needs of disabled people. They are rarely consulted or considered when planning infrastructure or services.

Although the Bangladesh National Building Code 2008 provides a detailed guideline regarding changing of public structures suitable to accommodate PWDs, in practice only few government and public institute buildings have ramps and toilets but they are not accessible for PWDs because the specific guidelines and instructions of the Code are not followed for constructing government and private buildings, especially educational institutions (DRRA, 2014). Part 6 of the Code lays down specific guidelines and instructions with structural design to be followed while constructing a building. But these are not followed, leading to wastage of resources only. Even new infrastructure development continues to be done without sufficient consideration to accessibility. Therefore, a proper monitoring system must be ensured by the government to modify, or alter the structures and thereby creating accessibility for PWDs.

There are no special public transport facilities available in Bangladesh for PWDs. All transports particularly buses, and trains are not designed in such a way to accommodate PWDs in our country. However, as per section 32 of the Disability Act, 2013 reserving 5% seats for disabled citizens in every public transport system is required, but in practice this is not performed mandatorily by the transport authority and no special arrangements for them in transportation is evident. However, in 2008, some new initiatives were taken by public institutions to facilitate mobility. For example, Dhaka University's Transport Department reserved seats for disabled students in university buses from October 2008 and installation of ramp facilities in front of the library and different faculties are in process (Hyder, 2015b). The attitude of the bus drivers and conductors of buses are not sympathetic to the general people, rest aside PWDs. The authority should be more careful to train up the personnel to handle the PWDs with care and caution.

3.3. Discrimination in Employment

Employment and/or self-income generation activities lessen the dependency of the PWDs on their families and broaden the economic self-reliance of them. But employment opportunities for the PWDs in Bangladesh have been a farfetched dream.

The Constitution of Bangladesh under article 29(3) allows the state to make special provisions in favour of any background section of citizens to secure their representation in the service of Republic. In pursuant to this provision, since 2003, government declared a 1% quota for the disabled people in all cadre service jobs. But this declared quota for government jobs for the disabled has never been implemented properly, mainly because of ignoring the potentialities of disabled persons and absence of proper monitoring system to protect the job security of the PWDs. In the private sector jobs, as no such quota facilities are available, PWDs are not appreciated; rather they experience inequality in appointments, promotions, payments and access to training facilities. Thus, discrimination is evident for the PWDs in job market in Bangladesh. Employers both in public and private sector do not consider the specific needs of persons with disabilities and fails to provide reasonable accommodation needed to fulfill their job responsibilities. On the basis of disability, they discriminate against disabled persons in all matters concerning condition of recruitment, hiring and appointment, continuance of employ, career advance and safe and healthy working conditions

To ensure non-discrimination in employment, the 2013 Act provides that despite being qualified for a position, which is suitable for a disabled person according to the type of disability, no disabled person shall be deprived of or discriminated against in getting such position (The Disability Act, sec 35). If any question arises as to whether any position is suitable for any disabled person, the National Coordination Committee shall provide necessary instruction and the instruction provided by the committee shall be final. Despite these provisions, many qualified candidates with disabilities have not been considered for employment in the service of Republic or in other statutory bodies several times. Even the Public Service Commission, in 2008, failed to provide admit cards to the visually challenged candidates for BCS examinations and denied scribe support for a visually challenged candidate for the preliminary test of the 28th BCS examination (Ahmed, 2008). Thus, although government has job quota at different employee grades for PWDs, negative attitude towards PWDs is a barrier to fulfill the quota which also hinders the process of creating jobs for the disabled. A study conducted in 2005 reveals that in Bangladesh the employment rate of persons with disabilities is less than a quarter of those without a disability, and 87 percent of disabled persons leave full-time employment within the first year of becoming disabled (Chowdhury, 2005). These findings illustrate the limited employment opportunities and inadequate working environment for the PWDs.

3.4. Education

Before the enactment of the Disability Act, 2013, PWDs enjoyed segregated educational facilities. They had separate institutions to be taught. Beliefs were that they not competent enough to learning together with the students of mainstream institutions. They were indeed considered as the challenging precinct to be handled by their instructors. This model of education was transformed into inclusive model with the passage of the Disability Act, 2013. The act promotes the right of the PWDs to attend every level of education and also directs the government to take initiative to accommodate disabled students in regular educational institutes.

However, the inclusive education concept and practice is at a nascent stage of development in Bangladesh. Limited awareness and understanding of inclusive education system, social norms and behavior among educational staff and community members continue to obstacle progress regarding education of disabled children in Bangladesh. Once the children with disabilities reach the age at which normal kids begin their school, parents are asked to keep their disabled child back at home while the other siblings get enriched with the light of education. Parents face many obstacles to enrolling their disabled children in school. From school authorities they face ignorance and negative attitude as well as fear of not being able to handle children with disabilities. In addition, they suffer repercussions from other parents and students for allowing children with disabilities to mingle with their peers without disabilities (Habib, 2012). According to the World Bank, at least 3.4 million children with disabilities do not receive an education thus barring them from obtaining knowledge essential to gain full employment and forcing them to grow up to be financially dependent upon others (World Bank, 2004). Even if a child with disability is admitted in an educational institution, he or she does not get the facilities which are specifically needed for them. It is very difficult to get permission for writer who writes exams on behalf of visually impaired children. The curriculum of the educational system is very vast, braille text books and materials including writing frames and stylus are not much available. Braille books are very expensive as compared to textbooks that are free from government for everyone else. Accessibility is still perceived as exclusively about ramp installation, and does not extend to the classroom environment, teaching materials and curricula, which means that visual, hearing and speech challenged students still do not get the requirements necessary for them.

The societal value of education and the reluctance of schools to accommodate special needs children substantially contribute to the discrimination of these individuals, as well as emphasize on the issue of resources limitation. Children with disabilities require specialized educational resources and teaching practices largely unavailable in developing countries. For that reason, to implement the notion of inclusive education, the Disability Act 2013 acknowledged the reasonable accommodation (RA) principle which is a corollary to the right to education. The fact cannot be denied that educational institutions must accommodate diverse needs of PWDs. At the same time, the limitations of educational institutions including financial resources should be taken into consideration. To make a balance between these two factors is reasonable accommodation which is enshrined in section 16(m) of the 2013 Act. The incorporation of Reasonable accommodation guarantees that PWDs with their impediments require additional support in education. The approach to fulfill the demand is the responsibility of the educational institutions; the institutions must take positive steps to accommodate a person's impairments. Since disability is regarded as social construct, it is the responsibility of every educational institution to make appropriate modification and adjustment of the structure or other facilities for PWDs accordingly. They must remove physical or social barriers that debar PWDs to perform in a conventional way. It is clear that denial of reasonable accommodation is a form of discrimination. It is our responsibility to transform educational institutions and their policies, practices and procedures to heighten low self-esteem and poor self-attitudes among PWDs (Reiser, 2012 p.39).

According to the Education Policy, 2010 of the government of Bangladesh, all types of children with disabilities can enroll in mainstream education. But it was reported that out of an estimated 1.6 million children with disabilities in the primary school going age group only 4% had access to education in areas with no disability services, and the majority were children with mild to moderate physical impairments (CSID, 2002). This shows that access of children with disabilities to education is extremely limited. To increase the number of enrollments in schools, the third phase of the National Primary Education Development Program PEDP-III (2012-2017) gives priority to make schools more accessible and introduces stipends to support marginalized and disadvantaged children, including those with disabilities (Nahar, 2016). The Bangladesh Primary Education Annual Sector Performance Report 2013 reported that the number of children with disabilities enrolled in government primary schools and registered non-government primary schools had increased significantly, exceeding the target set in the PEDP II (UNICEF, 2014). This was particularly true for children with physical disabilities and visual impairments.

3.5. Stigmatised Social Attitude

The Disability Act Of 2013 requires in section 16(1) (e) that PWDs have the right to live in a society with parents, and to have marital relations and form families. Unfortunately, PWDs are recognised as burden in society as well as in the family. Capabilities or competencies of the PWDs are overshadowed by prejudice and ignorance. They are often victims of violence, abuse and negligence in families and kept separated from relatives and others. Society considers them to be unproductive and useless. Families often treat them as 'curse' because they can't work and can't engage themselves in development of themselves. They get lesser chance of participation in social functions and activities. The illiteracy, ignorance and conservative outlook of society still play a dominant role to conceal or hide disabled members in the family; particularly the women with disabilities are concealed in the family by their parents for the fear of the marriage of their other non- disabled daughters. Also, women with disabilities are frequently subjected to violence, such as mental, physical and sexual abuse. It is found from experiences of NGOs working across the country that visually impaired male persons get

married much more easily, whereas a visually impaired female person doesn't generally find a partner easily (Hossain, 2008). Such facts of life are rather common in the society of Bangladesh, as superstition is still quite strong in the society, especially in rural areas.

3.6. Political Participation

The CRPD in article 29 guarantees the right of political participation of the disabled persons. Unfortunately, the Constitution of Bangladesh disqualifies a person from being elected as a member of parliament, using the old term 'unsound mind' [Constitution of Bangladesh, art 66(2)]. Now, it becomes a matter of controversy to interpret these words 'unsound mind' as to whether they shall include persons with physical, psychological or intellectual disability as well or not. But the constitution does not bar the citizens with disabilities to cast vote in all elections at national and local level. In 2007, for the first time, the Election Commission inserted a provision for identifying voters with disabilities in the registration form. While this enabled many PWDs to be registered, it excluded persons with mild or moderate disabilities, as well as elderly and pregnant women who had limited access to registration centers. The EC then issued instructions for home visits, but in the absence of adequate information on eligible voters, this has proved difficult to implement. In villages, many people still use inappropriate words to describe disability. When the form is provided to them, they don't know how to fill up those forms, as they don't know to describe the correct terms of disability. Thus, very often persons with intellect or psychosocial disability are excluded from the voters list thus taking away their right as a citizen of this country.

In a notable positive change, the Disability Act of 2013 in section 16(1) has guaranteed the rights of the PWDs to be included in the list of voters, to give vote and to participate in elections. But political participation of the PWDs as voters, candidates, campaigners and observers remain limited due to poor literacy, lack of organizational affiliation and support. Very often voters with disabilities face difficulties such as inaccessible polling booths, lack of ramp facilities, no separate queue, line or priority. Also, some voting centers are located on the second or third floor which makes it difficult, if not impossible, for the PWDs to go and cast their votes. Sometimes insensitive behavior from the law enforcing agency are clear violation or breach of affirmative action provisions under the law. For example, the Conduct of Election Rules, 2008 provides under Article 18 for taking assistance of a trusted companion to cast vote in the polling booth for persons with physical and visual disabilities (BEC, 2008). But blind persons do not have the specific ballot papers i.e. braille voting sheets, that they can use to vote in their own privacy, and they must get other's help.

3.7. Early Identification and Intervention

There is growing recognition in Bangladesh of the importance of early identification and intervention for disability in infants and young children. Detection and diagnosis at earliest opportunity, necessary medical care and treatment in time can prevent disability or at least prevent it from escalating into more limiting secondary disabilities. Since there is no clear understanding of the biological causes of some disabilities as yet, there is no specific medication or medical cure as of now. Early intervention has a dual effect-it not only helps the child to develop skills that are expected at his age, but equally prevents the child from developing negative behaviors consequent to the developmental issues faced by him or her. If children with developmental delays or disabilities and their families are not provided with timely and appropriate early intervention, support and protection, their difficulties can become more severe-often leading to lifetime consequences, increased poverty and profound exclusion.

Identification of disabilities is crucial as types of disabilities vary according to the health and environmental conditions. Although assessment of disabilities has no structured procedure in Bangladesh, the Disability Act of 2013 has identified various types of disabilities. An early detection system can ensure a quick response for treatment according to specific disability and improve the accessibility of health care to PWDs and their families. Congenial developmental disabilities such as visual, motor, hearing and intellectual handicaps are now reasonably well acknowledged and recognized in Bangladesh, with a concomitant awareness of what to do about it and where to seek help. On the contrary, the relatively invisible developmental disabilities such as, Attention Deficit Disorder (ADD), Attention Deficit Hyperactivity Disorder (ADHD), Pervasive Developmental Disorders (PDD), Autism Spectrum Disorder (ASD) and Learning Disabilities (LD) are not so well known or identified in our country. Identification of these developmental disabilities is also crucial, as it sensitizes the family, school and the child himself to his or her unique difficulties leading to an acknowledgement of his or her needs. Since early intervention addresses the specific issues of the developmental lags, it reduces the building up of the behavioral consequences.

There is a general scarcity of health services throughout the country for the people with special needs. Of the limited health care opportunities, almost all are located in urban areas. Most of the rehabilitation services are not within the reach of the majority PWDs, particularly for those living in rural areas. High cost of treatment and appropriate devices renders PWDs dependent on their families. Inadequate skilled medical personnel and unequipped rehabilitation centers by the government hampers PWDs from acquiring medical services. Thus, disability related services such as early identification, fitting of artificial limbs, aids and appliances therapeutic services are ill equipped to meet the needs of majority of PWDs in the country.

In the light of above discussion, apparently the content of the Disability Act, 2013 seems to be very positive, but without active implementation it is difficult to evaluate its effectiveness in essence. It is not always the fault of the legal provisions; other complicated factors contribute to such failure as well. Parochial thoughts of society, lack of knowledge about available facilities among the PWDs and the common people, poor implementation of laws, absence of service for the PWDs in many required sectors, ever existing poverty are few instances of those factors (Bari & Jahan, 2015). The

identification of the factors associated with discrimination suggests us to work for raising mass awareness, structuring educational and social system in a moderate and flexible way coupled with proper implementation of the existing legal provisions so that the deprivation of the social and legal rights of the persons with disabilities can effectively be minimized. Although government and its relevant departments and agencies are gradually increasing their efforts to improve this condition, all of these efforts need to be strengthening further.

4. Activities to Successfully Progress the Disability Agenda

Mainstreaming or including the rights of the persons with disabilities in the developmental agenda is a way to achieve equality for the PWDs. Disabled persons and their family members, particularly those living in rural or remote areas or urban slums often do not benefit from development initiatives and therefore disability inclusive development is essential to ensure that they can participate meaningfully in development processes and policies. In order to progress the disability agenda, the Disability Act of 2013 sets the different obligations on a number of institutions to establish a system of united efforts. Still it is the responsibility of every person and institution not to discriminate any PWD. We need to create accessible environment so that we can create a place for them to live. If disability issues are actively considered in main development work and more focused or targeted activities for PWDs are carried out where necessary, they will also be able to contribute in the society. So, it is imperative to harmonize coordinated effort of government authorities as well as the society, the non-governmental organizations, disabled people's organizations (DPOs), family members of PWDs, general public and the like. To bring some positive atmosphere in this regard, initiative must be taken by the government involving following activities, which are as follows:

- Government should adopt additional and supplementary steps to prevent discrimination, and to ensure that PWDs can be equitably and proactively enjoy every right in respect of social, political, economic, cultural and other factors. For example, women with disability should be included in government jobs with special quota. Private sectors should be obliged to maintain such quota as like government jobs. Government can provide tax incentives to companies or schools that accept PWDs.
- In the local level planning process, inclusion of the PWDs and disabled people's organization (DPO) will make the local planner accountable and that will facilitate allocation of local funds for PWDs. All Union Parishads in Bangladesh receive block grants from the Local Governance Support Program and the Pourshava receives funds from central government to undertake local government schemes and projects. A proportion of the grants should be used for the welfare of PWDs, and inclusion of PWDs in the social safety net program of the local government.
- Existing regulations that make the physical environment, transportation, information and communication, and other facilities and services accessible to PWDs must be implemented and enforced, specially the use of sign language, Braille letters, cassettes, larger font sizes and other means of assistive technology. Monitoring implementation must be an integral part of the task of the competent authority. Any person or institution failing to take appropriate measures for PWDs must be answerable before the competent authority, which in turn will ensure the access of services to them.
- It is a well-known proverb that, "Prevention is better than cure". Much physical, mental and sensory impairment can be prevented if measures are taken at earlier stages. Prevention of disabilities contributes to reduce the incidence of impairment. It also attempts to eliminate the causes of disabilities, to reduce the severity in existence and to postpone the occurrence of disability and handicap. Preventive programs, viz., improvements of primary health care system that reach all segments of the population, expansion of programs of immunization, maternal and child health services, safety promotion at times of delivery, reducing malnutrition and communicable diseases, improving quality of pre-natal care conduct of information campaign related to disability should be given priority to minimize the disability consequences.
- Government must develop the 'standard of care' in all services and facilities that must be maintained by the service provider as mandatory responsibility. Any service provider failing to ensure that standard must be held responsible and must compensate for their negligence, carelessness inconsideration or other reckless activities.
- Creating inclusive employment that better facilitates the participation of individuals with disabilities can have a significantly positive impact on not only the lives of these individuals but also the economics of nations who implement such measures. So, government must ensure to employ persons with disabilities in public as well as private sector through appropriate policies and measures. Vocational and technical training facilities for PWDs should be organized by the government in remote and rural areas so that people living in those areas can avail those opportunities and broaden the scope of self-employment.
- In cases where prevention of disability is too late or impossible, rehabilitation services is needed to enable them to reach optimum physical, mental and social functions levels. Rehabilitation includes all measures aimed not only at reducing the impact of disabling condition, but also to training them to adapt to their environment and to facilitate their social integration.
- The state must take reasonable steps to ensure that disabled persons are protected and safe in the situation of risk such as flood, natural disaster, river erosion, earthquake etc. The contingency plan for disaster preparedness, rescue, relief and rehabilitation will consider the vulnerabilities of disabled persons and prepare the mitigation plan.

4. Conclusion

The challenge of integrating and including persons with disabilities in the development agenda calls for policies guided by standard rules on the equalization of opportunities for disabled persons. Disability concerns should not be left to the social welfare sector alone. Rather, every sector has a primary responsibility for the disability issues arising in the sector concerned. The awareness of planners and government agencies of the existence and needs of PWDs in their target groups should be improved. Although government is showing increasing interest in the disability sector, an all-out effort from other quarters are also mandatory. The PWDs themselves, their organizations, and all advocacy platforms need to go through the process of major changes in order to ensure disable-friendly environment at all levels.

5. References

- i. Ahmed, S. (2008). Deprived visually challenged candidates demand opportunities to PSC in Press Conference. *Amar Desh*, Nov. 21, 2008.
- ii. Bari, K. M. A. & Jahan, N. (2015). A Legal Assessment of the Rights of the Persons with Disabilities: Bangladesh Perspective, *DHLR BLOG*. July 31, 2015. Retrieved from <http://www.dhakalawreview.org/blog/2105/07/rights-persons-with-disabilities-901>
- iii. Bangladesh Election Commission (BEC). (2008)., *The Conduct of Election Rules 2008*, Electoral Laws. Oct. 23, 2008. Retrieved from [http:// www.ecs.gov.bd/Menu External files Eng/248pdf](http://www.ecs.gov.bd/Menu%20External%20files%20Eng/248pdf)
- iv. Centre for Services and Information on Disabilities (CSID) & Cambridge Consortium. (2002). *Educating Children in Difficult Circumstances: Children with Disabilities, Esteem- II Study of Directorate of Primary Education*, Government of Bangladesh.
- v. Chowdhury, J. (2005). *Disability and Chronic Poverty: An Empirical Study on Bangladesh*. (M Phil Thesis). Oxford University.
- vi. Disabled Rehabilitation and Research Association (DRRA). (2014). *Contextual Analysis of Socio-Economic Situation of Persons with Disabilities in Bangladesh*, DRRA Publication. Retrieved from [http:// www.dr-ra-bd.org](http://www.dr-ra-bd.org)
- vii. Faruque, A. A. (2012). *International Human Rights Law*. New Warsi Book Corporation. Dhaka.
- viii. Habib, A. (2012). Education Right of the Disabled Children in Bangladesh: A Sociological View, 6(1) *ASA University Review*, 34, p.34-37.
- ix. Hossain, A. (2008). *Report on Women with Disabilities in Bangladesh: Social Assistance and Rehabilitation for the Physically Vulnerable*. Retrieved from http://www.da.org.au/uploads/bangladesh_ww1
- x. Hyder, A. N. (2015a). Preserving the Rights of Disabled Persons in Bangladesh: Challenges and Solutions. *Bangladesh Research Publication Journal*, 11(2), 107-111. Retrieved from www.bdresearchpublications.com/admin/journal/upload/1410068/1410068.pdf
- xi. Hyder, A. N. (2015b). Protecting the Rights of Disabled persons in Bangladesh. *The Financial Express*, July 3. Retrieved from www.thefinancialexpress-bd.com
- xii. Nahar, L. (2016). An analysis of the Disabled Children's Right to Education in Bangladesh, *Law Journal Bangladesh*, 4. Retrieved from <http://www.lawjournalbd.com>
- xiii. Reiser, R. (2012). *Implementing Inclusive Education: A Commonwealth Guide to Implementing Article 24 of the UN Convention on the Rights of Persons with Disabilities*, Charles Worth Press, UK.
- xiv. *The Constitution of Bangladesh, 1972*
- xv. *The UN Convention on the Rights of Persons with Disabilities, 2006*
- xvi. *The Rights of the Persons with Disabilities and their Protection Act, 2013*
- xvii. Titumir, R. M. & Hossain, J. (2005). *Disabilities in Bangladesh: Prevalence, Knowledge, Attitude and Practice*. Unnayan Onnesha.
- xviii. UNICEF. (2014). *Situation Analysis on Children with Disabilities in Bangladesh*. UNICEF Bangladesh
- xix. World Bank. (2004). *Disability in Bangladesh: A Situation Analysis*.