

The Right to Food: Bangladesh Perspectives

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A large number of the people in Bangladesh are deprived of basic economic and social rights. The poor in Bangladesh do not even meet the minimum nutritional requirement to maintain a healthy body. Hence, poverty in Bangladesh, as elsewhere, is synonymous with hunger and malnutrition. An attempt has been made in this paper to evaluate the performance of Bangladesh on the implementation of the right to food in the light of the commitments made by the State. In particular, the paper has examined whether the process of policy formulation, implementation and monitoring is consistent with the requirements of the rights-based approach. The paper has also suggested possible directions that the State of Bangladesh needs to follow for enhanced implementation of the right to food in the country.

I. INTRODUCTION

There is an emerging consensus in the world community that the right to development is a fundamental human right for all citizens of a country. Bangladesh has also committed itself to such a view; by signing the *Vienna Declaration and Programme of Action* adopted by the *World Conference on Human Rights* in 1993 the country has committed itself to implementing the *Declaration on the Right to Development* adopted by the United Nations in 1986. Although neither Declaration has the legally binding status of a Treaty, the moral force of the universal consensus

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underlying the Vienna Declaration enjoins upon the State the obligations to fulfil the commitments laid out in these Declarations.¹

In reality, however, a large majority of the people in Bangladesh is still deprived of basic economic and social rights, including the right to adequate food. The poor in Bangladesh do not even meet the minimum nutritional requirement to maintain a healthy body. Hence, poverty in Bangladesh is synonymous with hunger and malnutrition.² Hunger, as is well known, is not simply an economic problem in the narrow sense, but more importantly, it has social and political dimensions as well. “It does not, of course, really matter whether political, social and cultural influences on economic matters are counted inside or outside the discipline of economics, but it can be tremendously important not to lose sight of these influences in analysing many of the profoundly economic problems. This is particularly the case with the problems of hunger” (Drèze and Sen 1991).

An attempt has been made in this paper to evaluate the performance of Bangladesh on the implementation of the right to food in the light of the commitments made by the State. In particular, the paper would examine whether the process of policy formulation, implementation and monitoring is consistent with the requirements of the right-based approach, and whether the goals and targets set by policies are in conformity with the targets to which the State has committed itself in the process of signing various human rights instruments. In order to be consistent with the rights-based approach, the analysis would focus on certain characteristics such as participation by stakeholders and progressive realisation of rights in the process of policy formulation, setting of targets and priorities, emphasis on the principles of equity and non-discrimination, and accountability. Needless to emphasise, the process is as important as the outcome in the rights-based approach to development.

The Human Rights Approach to Food Policy is described in Section II of this paper. Section III presents the overall record of progress in the food sector of Bangladesh, with particular emphasis on the progress for the most vulnerable groups. The policies and projects involving the right to food in Bangladesh are discussed in Section IV. An assessment of achievements from the perspective of rights-based approach to development has been made in Section V. Section VI

¹ Besides, Bangladesh has made legally binding commitment to implement various Covenants and Conventions on human rights that together make up the concept of the right to development.

² In 2005, about 40 per cent of the people in Bangladesh were classified as poor based on national poverty line (BBS 2007).

suggests possible directions that the State of Bangladesh need to follow for enhanced implementation of the right to food in the country.

II. THE HUMAN RIGHTS APPROACH TO FOOD POLICY

For an analysis of the right to food in Bangladesh, it is important to begin by examining both the national obligation concerning the right to food to which the government is committed and Bangladesh's ratification of the international conventions, which includes specific commitment to the right to food including any reservations.

Bangladesh's Human Rights Commitments with regard to Food

The Constitution of Bangladesh (Article 15) recognises the fundamental responsibility of the state to secure to its citizens the provision of the basic necessities of life including food. There is, therefore, a clear commitment on the part of the State to ensure access of food to those who are in need of it most.

The Commission on Human Rights has repeatedly affirmed that hunger constitutes an outrage and a violation of human dignity. There is no disagreement that the right to food and nutrition is a core human right. Bangladesh is a signatory to the *Vienna Declaration and Programme of Action* adopted by the *World Conference on Human Rights* in 1993 and has expressed its commitment to implementing the *Declaration on the Right to Development* adopted by the United Nations in 1986. Moreover, Bangladesh has made legally binding commitment to implementing the right to development through ratifying *International Covenant on Economic, Social and Cultural Rights* in 1998. This is the most important human rights instrument for the right to food as it enshrines the right to food and the right to be free from hunger in its article 11. Article 11(2) of the Covenant states that the "State Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures including special programmes." This means that the Government has committed itself to respect, protect and fulfil the right to food.³

The obligation to respect is a negative freedom—it puts limits on the ability of the State to take action that would threaten people's existing access to food, such as taking away their land. The obligation to protect the right to food means that the Government must protect its people against others seeking to violate their right to food. Finally, the obligation to fulfil means that the Government must take positive action to actively identify vulnerable groups and implement policies to enable them

³ These obligations have been fully outlined in the Special Rapporteur's report to the UN General Assembly (Ziegler 2001).

to feed themselves. The Government must create an enabling environment to ensure adequate food to all. In the final analysis, the Government is responsible for assisting those whose food security is threatened for reasons beyond their control. The Government would violate its obligation if it let people starve when they are in desperate need and have no means of feeding themselves. The right to food also prohibits discrimination in access to food on the basis of race, colour, sex, language, religion, etc.

As mentioned above, Bangladesh has ratified or acceded to a number of UN Treaties and Conventions which constitute important commitments of the country to the United Nations. In the 1990s, building on the themes of earlier international conferences and UN resolutions, quite a few major World Conferences and Summits have been held. The Declarations and Plans of Actions unanimously adopted in such Conferences and Summits should also be considered as equally binding on every participating nation including Bangladesh. From the perspective of the right to food, the *World Food Summit of 1996* deserves special mention. Leaders from 186 member States of FAO met in Rome in 1996 and made the declaration to halve the number of 800 million hungry people by the year 2015. Based on this Declaration, the World Food Summit (WFS) Plan of Action was drawn up to implement seven commitments in order to attain the objective stated above. The Ministry of Food, as the lead agency, is entrusted with the responsibility of the follow-up actions in Bangladesh.

Comment: Commitment and accountability is to its own people, and not to the UN. The UN monitors this commitment.

Comment: Small letters when referred to as here.

The 1996 WFS rightly initiated the step towards better defining the right to food and matters associated with it. There is a general misconception that ensuring the right to food is the sole responsibility of the State. It is not. This is reflected in article 20 of the *General Comment* on the right to adequate food of the *Committee on Economic, Social and Cultural Rights*: “while only states are parties to the Covenant and are thus ultimately accountable for compliance with it, all members of the Society—individuals, families, local communities, non-governmental organizations, civil society organizations, as well as the private business sector—have responsibilities for the realization to adequate food. The State should provide an environment that facilitates implementation of these responsibilities” (CESCR 1999). In other words, while it is the primary responsibility of the State to ensure the right to adequate food, it also remains the responsibility of the civil society and the international community to support and complement State action, especially in times of disasters.

Major Requirements of the Rights-Based Approach to Food Policy

The rights-based approach to food essentially involves ensuring certain special characteristics to three aspects of a policy regime: viz., (a) the process of policy

formulation, (b) the content of policies, and (c) monitoring of policy implementation.⁴

The process of policy formulation needs to possess two important sets of characteristics, namely (a) participation by stakeholders and (b) progressive realisation of rights in order to fulfil the requirements of the rights-based approach. One of the significant characteristics of a rights-based approach to policy formulation is that it should be participatory in nature, i.e., the people who are affected by policies should be involved in the process of policy making. The notion of progressive realisation of rights constitutes the second set of characteristics relevant at the stage of policy formulation. In view of resource constraints, many rights, including the rights to food, can only be fulfilled over a period of time in a progressive manner. However, the State is obliged to take all necessary actions to fulfil the rights as expeditiously as possible.

With regard to the contents of policies, the rights-based approach demands that the goals and targets that are set by the State, the resources that are committed for the realization of those targets and the methods that are adopted to achieve them are guided by the human rights norms. Such norms involve several requirements such as the principles of equity and non-discrimination, conformity with human rights instruments, and an integrated approach such that the complementarities among various rights can be realised.

In the context of monitoring, the need to ensure accountability is centrally important for the rights-based approach to development. The emphasis on accountability in turn entails that the process of monitoring of policy implementation must possess a number of characteristics, such as: (a) mechanisms must exist through which the culpability of the State can be assessed in case of failure to adopt and implement appropriate policies, and (b) accountability procedures must be participatory in nature so that citizens are able to hold the State and other duty-bearers accountable for their actions.

The right to adequate food is realised when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means of its procurement. The right to adequate food shall, therefore, not be interpreted in narrow or restrictive sense which equates it with a minimum package of calories, proteins or other specific nutrients. The right to adequate food will have to be realised progressively. However, the State has a core

⁴ For a fuller discussion of the methodology of the rights-based approach to development, see Osmani (2000, 2005) and also the paper by Osmani in the present volume. See also Sengupta (2000).

obligation to take the necessary action to mitigate and alleviate hunger as provided for in para 2 of article 11 of the Covenant, even in times of natural or other disasters.

The Committee on Economic, Social and Cultural Rights (CESCR) expresses the core content of the right to adequate food as follows:

- The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture.
- The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

The content of “adequacy” is to some extent determined by prevailing social, economic, cultural, climatic, ecological and other conditions, but there are some core elements which are applicable under all circumstances and are spelled out in greater detail by the Committee. “Sustainability” incorporates the notion of long-term availability and accessibility and is intrinsically linked to the notion of adequate food or food security, implying food being accessible for both present and future generations.

The criteria spelled out above—relating to the three aspects of the policy regime and the nature of core obligations of the state with regard to the right to food—would be utilised in this paper in order to assess the extent to which the food policy in Bangladesh conforms to the rights-based approach.

III. RIGHT TO FOOD IN BANGLADESH: A PROGRESS REPORT

As observed earlier, the core content of the right to adequate food is defined in terms of two criteria: (a) availability and (b) accessibility. The availability of food refers either to the possibility of feeding oneself directly from productive land or other natural resources or to the existence of a well functioning distribution, processing and market system that moves food from the site of production to where it is needed in accordance with demand. The accessibility of food encompasses both economic and physical accessibility. Economic accessibility implies that personal or household costs associated with the acquisition of food for an adequate diet should be at such a level that the satisfaction of other basic needs is not compromised.⁵ Physical accessibility, on the other hand, implies that adequate food must be

⁵ Economic accessibility applies any acquisition pattern or entitlement through which people procure their food and is a measure of the extent to which it is satisfactory for the engagement of the right to adequate food. Social vulnerable groups such as landless persons and other particularly impoverished segments of the population may need attention through special programmes.

accessible to everyone, including the vulnerable such as women, children, the elderly, the sick, person with physical disabilities, persons who are mentally ill and victims of natural disasters and armed conflicts.⁶ Our assessment of the overall record of progress in terms of these selected criteria and indicators is provided below.

Availability and Consumption of Food

The availability and consumption of food and nutrients at the aggregate level or on an average per capita level should serve as a logical point of departure for subsequent discussion of access to food at the household level, especially for the most vulnerable groups. The availability of food is embodied in the national food balance sheets wherein after deducting certain percentage for seed, feed and wastage, the balance is added to net import and changes in government stock. An alternative way of estimating availability, particularly for food grains procured and distributed in Bangladesh, is to deduct internal procurement and then add *Public Food Distribution System* (PFDS) off take to net domestic production.⁷

The time series of per capita availability of food grains over the twenty-nine year (1980-2009) period is provided in Annex Table A.1. A summary of these data (five-year averages) is presented in Table I. It is readily observed that per capita availability of food grains remained stagnant (around 160 kg per year) during the 1980s and the first half of 1990s but it picked up significantly in recent years.⁸ The import dependence on food grains, especially on rice, has also declined in the 1990s as compared to the previous decade (1980s).⁹ This has been made possible due to significant growth in rice production in recent period. Most of the imported grains were wheat funded largely by food aid in the 1980s and 1990s. In recent period,

⁶ In fact, victims of natural disasters, people living in disaster-prone areas and other specially disadvantaged groups, may need special attention and sometimes priority consideration with respect to accessibility of food. A particular vulnerability is that of many indigenous population groups whose access to their ancestral lands may be threatened.

⁷ This is generally referred to as availability, which gives an idea of “apparent” consumption of different food items over time. The Bangladesh Bureau of Statistics (BBS) provides such information on an annual basis. The *Household Expenditure Surveys* (HES) conducted by BBS, on the other hand, provide information on actual food consumption by households for rural and urban areas, though at discrete intervals, i.e. at a few points in time.

⁸ In fact, Bangladesh has achieved self-sufficiency in rice production, thereby virtually eliminating the “food gap” (total requirements not met by domestic production) in recent years.

⁹ The time series data on food grain imports (with a breakdown between public and private imports as well as between rice and wheat) both in absolute number and as percentage of total availability are provided in Annex Table A.2.

however, private sector commercial imports dominate to meet the growing deficit of wheat in the country.

TABLE I
PER CAPITA AVAILABILITY OF AND IMPORT DEPENDENCE ON
FOOD GRAINS IN BANGLADESH

Period	Per Capita Availability of Food Grains (kg) (five-year averages)	Total Import as % of Total Availability (five-year averages)
1980/81-1984/85	164	11.3
1985/86-1989/90	162	11.2
1990/91-1994/95	163	8.4
1995/96-1999/00	173	11.9 (9.3)
2000/01- 2004/05	198	9.5
2005/06-2008/09	224	8.5

Source: Annex Tables A.1 and A.2.

Note: The figure in parenthesis indicates the average excluding the year 1998/99 when abnormally high amount of grains (3.48 million tons) was imported due to massive floods and associated crop damages in 1998. Also, the figure for recent period (2005/06-2008/09) is four-year average since data for 2009/10 is not available.

Rice and wheat are not the only source of energy for the people of Bangladesh. In general, cereals contribute around 80 per cent of total energy intake. Therefore, non-cereal food items also contribute to the total energy requirement. Table II presents information on calorie intake when total food consumption is converted into an energy equivalent as reported in the relevant HES. Per capita calorie intake in both rural and urban areas of Bangladesh increased continuously (except in urban areas when it fell from 2047.5 kcal in 1981/82 to 2020.2 kcal in 1983/84) between 1973/74 and 1991/92 but declined slightly in 1995/96. In the year 2000, while per capita calorie intake marginally increased in rural areas, it declined significantly in urban areas, thereby lowering calorie intake at the national level as well. In the year 2005, although per capita calorie intake somewhat increased in urban areas, it declined in rural areas, which lowered per capita calorie intake at the national level. Thus per capita average energy intake which displayed an upward trend till the early 1990s (up to 1991/92) has declined since then.

Seasonal and Regional Variations in Food Intake

Agricultural activity, especially food production, revolves around three main seasons of rice production in rural Bangladesh, namely, *Aus*, *Aman* and *Boro* seasons. There is a close relationship between domestic food consumption and

production, and as such seasonal variations in food consumption would coincide with the cycle of food production in the country. *Aman* is the major food crop of the country and is harvested between mid-November and January. Pulses are available early in the year, being harvested from February through March. *Boro* is also a winter crop, being harvested between April and May. *Aus* is grown in March and April, and is harvested from June to August.

TABLE II
TREND IN PER CAPITA CALORIE INTAKE

Year	Rural	Urban	National
1973/74	1885.0 (100.0)	1945.0 (100.0)	-
1981/82	1905.3 (101.1)	2047.5 (105.3)	1925.2
1983/84	2112.6 (112.1)	2020.2 (103.9)	2109.9
1985/86	2203.4 (116.9)	2107.0 (108.3)	2192.2
1988/89	2216.8 (117.6)	2183.2 (112.3)	2215.3
1991/92	2266.8 (120.3)	2258.1 (116.1)	2265.6
1995/96	2251.0 (119.6)	2209.0 (113.6)	2244.0
2000	2263.0 (120.1)	2150.0 (110.5)	2240.0
2005	2253.2 (119.5)	2193.8 (112.8)	2238.5

Source: Chowdhury and del Ninno (1998), BBS (2000, 2007).

Note: Figures in parentheses refer to respective indices with 1973/74 as the base year.

Chowdhury (1993) shows that food consumption varies according to the seasons discussed above. Fluctuations in both food prices and income drive the seasonal variation. The production of a large winter rice crop (e.g. *Boro*) in recent years has transformed July's price spike into a post-boro-harvest price trough.¹⁰ Given increased labour demand during the *Boro* harvest, wage income has also

¹⁰ In fact, the seasonal price spread has declined significantly (almost cut down by half) during the 1980s and 1990s as compared to the earlier decade (see Annex Table A.3). The increase in the size of *Boro* harvest relative to *Aman* and *Aus* is the major factor behind the observed change in seasonality (Dorosh and Shahabuddin 1999).

increased during this period. Thus, the agricultural transformation has favourably influenced food prices and income to protect the level of food consumption during this period. Prices now peak in March-April and September-December. Absence of employment before the *Aman* harvest makes the second lean season especially acute, particularly for the rural landless who depend on wage labour for their income. In other words, the transformation in agriculture since independence has resulted in impressive growth in the winter crops, thereby reducing the nutritional stress that existed during that period. Yet the pre-*Aman* harvest lean period persists and the variation in food intake between pre-and post-*Aman* harvest is still quite substantial.

Considerable regional variations in food consumption exist depending primarily on the productivity of land. Drawing on the findings of a nutritional survey conducted by BIDS in 1990-91, Chowdhury (1995) shows that regional variations in food intake are wider than that in seasonal variations. The peak (post-*Aman* harvest) period per capita food intake in rural areas was 884.6 gm, which is around 20 per cent higher than the lean (pre-*Aman* harvest) period intake of 736.9 gm in 1990/91. On the other hand, the difference between the highest (1124 gm) and the lowest (682 gm) level of per capita food intake across the surveyed villages was assessed at about 65 per cent. Although there is one major lean period in Bangladesh in general, the variation in food intake between regions is still quite large and such regional variations are still much wider than the seasonal variations that exist.

Diversification of Food Intake

It is worthwhile to examine the growing diversification of food intake that has taken place over the last one decade and a half. This is shown in Table III. There has been a decline in the consumption of cereals between 1991-92 and 2005. This is particularly pronounced in case of wheat, whose per capita daily intake has been cut down by two-third over this period.¹¹ As a result, the share of daily intake of cereals in major food items fell from about 58 per cent in 1991/92 to 53 per cent in 2000 and further to about 48 per cent in 2005. Among the non-cereal food items where intake showed significant increase include potato (mostly in rural areas), milk (both rural and urban consumption), fruits (both rural and urban consumption) and vegetables (both rural and urban consumption).

¹¹ It may be mentioned here that while in the case of rice, the decline in intake largely be attributed to a decline in urban consumption, the decline in wheat intake was observed in both rural and urban areas.

TABLE III
AVERAGE PER CAPITA DAILY INTAKE OF MAJOR FOOD ITEMS
(gm)

Food Item	1991-92			2000			2005		
	National	Rural	Urban	National	Rural	Urban	National	Rural	Urban
Rice	472.8	481.6	416.0	458.54	478.84	372.66	439.6	459.7	378.5
Wheat	36.3	34.6	47.1	17.24	14.00	30.12	12.1	8.0	24.5
Potato	43.7	41.4	58.3	55.45	54.71	58.38	63.1	61.9	67.5
Pulses	17.9	17.3	21.7	15.77	14.97	19.04	14.2	12.7	18.6
Vegetable	137.4	135.3	150.9	140.47	141.11	137.92	157.0	156.5	158.7
Edible Oil	10.1	9.0	16.4	12.82	11.24	19.11	16.5	14.3	22.9
Onion	11.9	11.2	17.0	15.41	14.08	20.72	18.4	16.1	25.3
Beef	5.2	4.5	9.9	8.30	6.87	13.98	7.8	6.4	12.0
Mutton	0.9	0.8	1.3	0.49	0.43	0.71	0.6	0.6	0.7
Chick-Duck	2.0	1.9	3.1	4.50	3.52	8.41	6.8	5.8	10.1
Eggs	4.7	4.6	5.8	5.27	4.61	7.89	5.2	4.4	7.4
Fish	34.5	32.5	47.8	38.45	37.83	40.89	42.1	39.7	49.6
Milk	19.1	18.5	23.2	29.71	28.99	32.59	32.4	31.0	36.6
Fruits	16.9	15.9	23.4	28.35	26.53	35.63	32.5	32.4	32.9
Sugar/Gur	8.8	8.5	10.8	6.85	6.37	8.78	8.1	7.5	9.7
Miscellaneous	64.0	60.5	85.7	55.44	54.58	54.86	38.2	36.9	42.5
Total	886.2	878.1	938.4	893.06	898.68	870.67	947.7	946.3	952.1

Source: BBS (2001, 2007).

Accessibility of Food

As observed earlier, the accessibility of food encompasses both economic and physical accessibility. Poor people are generally food-insecure. The poverty trend in Bangladesh is, therefore, discussed below to throw light on the economic accessibility of food in the country.

Poverty Trends in Bangladesh: Economic Accessibility

Although inter-temporal estimates of poverty reveal substantial variations due to difference in underlying assumptions and methodologies, some trends can nevertheless be established with available data. The typical sources of data which are nationally representative for measurement of analysis of poverty at the household level are several rounds of the *Household Expenditure Survey* (HES) of the Bangladesh Bureau of Statistics (BBS). The poverty estimates based on these data are presented in Table IV for the 1983/84 through 2005 period.

As can be seen from the table, that the incidence of poverty, as measured by the head-count ratio, declined from about 59 per cent in 1983/84 to 40 per cent in 2005. Both urban and rural poverty declined. The incidence of rural poverty, however, remained higher than that of urban poverty. The estimates reveal two contrasting trends, which are worth mentioning. The urban poverty declined at a faster rate than

rural poverty between 1983/84 and 1995/96. The incidence of urban poverty declined appreciably—from about 50 per cent in 1983/84 to about 29 per cent in 1995/96. During this period, rural poverty declined only marginally—from about 60 per cent in 1983/84 to about 55 per cent in 1995/96. In contrast, the later period (1995/96-2005) witnessed considerable decline in rural poverty (from about 55 per cent in 1995/96 to about 44 per cent in 2005) while urban poverty almost stagnated (28.4 per cent in 2005 compared to 29.4 per cent in 1995/96). In fact, urban poverty actually increased in 2000, compared to that prevailed in 1995/96.

TABLE IV
INCIDENCE OF POVERTY IN BANGLADESH

Year	Head Count Ratio (per cent)			Number of Poor (million)		
	Rural	Urban	Total	Rural	Urban	Total
1983/84	59.6	50.2	58.5	50.3	5.6	55.9
1988/89	59.2	43.9	57.1	54.1	6.2	60.3
1991/92	61.2	44.9	58.8	57.6	6.3	63.9
1995/96	55.2	29.4	51.0	53.6	5.8	59.4
2000	53.0	36.6	49.8	53.4	9.3	62.7
2005	43.8	28.4	40.0	45.8	9.7	55.5

Source: Mujeri (2000) and BBS (2007).

Notes: The head count ratio refers to the percentage of the population living below the upper poverty line as measured by Cost of Basic Needs (CBN) Method. The number of poor has been derived using estimated population and its rural-urban distribution implicit in respective surveys.

Over the 1984-2005 period, the absolute number of poor in the country remained almost the same, when total population increased by about 44 million. The number of rural poor declined from about 50 million in 1983/84 to about 46 million in 2005. The number of urban poor, however, registered an increase (by about 4 million) during the same period.

Real wage constitutes one of the important correlates of poverty. Access to real income and hence food can be examined in terms of the movement of real wage over time. The time series data on real wage are presented in Table V. It is readily observed that the indices of real wages—both general and sectoral indices—displayed an upward trend over the last two decades and a half. The index of real wage, however, is observed to be lower in agriculture, which employs most of the labour force, as compared to those in manufacturing and construction. Movement in real wages determines the affordability to those who are employed. In order to have an idea about the overall economic accessibility, one needs to look at the trend of underemployment in the country. This is shown in Table VI. The rate of

underemployment has declined from 43.4 per cent in 1989 to 31.9 per cent in 1999/00 and further to 28.7 per cent in 2009, thereby indicating an improvement in economic accessibility over the last two decades, although it is somewhat worrying to note that the rate of decline has slowed down considerably over the last decade compared to the preceding one.

TABLE V
INDEX OF REAL WAGE (1969/70=100)

Year	General	Manufacturing	Construction	Agriculture
1980/81	87	79	94	86
1981/82	86	80	96	85
1982/83	88	82	99	82
1983/84	90	95	99	75
1984/85	86	91	91	75
Average	87	85	96	81
1985/86	95	102	100	82
1986/87	102	109	106	89
1987/88	106	108	117	93
1988/89	107	110	120	92
1989/90	110	115	113	96
Average	104	109	111	90
1990/91	107	114	107	95
1991/92	107	113	104	98
1992/93	113	119	109	105
1993/94	114	121	106	106
1994/95	111	121	100	103
Average	110	118	105	101
1995/96	114	123	106	104
1996/97	120	130	111	109
1997/98	122	137	114	107
1998/99	118	131	113	102
1999/00	121	137	116	103
Average	119	132	112	105
2000/01	125	142	118	107
2001/02	130	150	121	112
2002/03	141	169	127	118
2003/04	146	177	125	121
2004/05	149	181	124	123
Average	138	164	123	116

Source: *Bangladesh Economic Review* (various years), Ministry of Finance, Government of Bangladesh.

TABLE VI
UNDEREMPLOYMENT RATE IN BANGLADESH: 1989-2009

Year	Rate of Underemployment (per cent) (among 10+ years aged labour force)
1989	43.4
1990-91	42.8
1995-96	34.6
1999-2000*	31.9
2002-2003*	34.0
2005-2006*	24.5
2009*	28.7

Source: Labour Force Survey (various years), and Monitoring of Employment Survey, 2009; Bangladesh Bureau of Statistics.

Note: * These years' data are for 15+ years aged labour.

Access to Food for the Most Vulnerable Groups: Physical Accessibility

The persons who are living in chronic poverty are those who are most vulnerable nutritionally i.e. from food consumption point of view. A picture of the nutritionally vulnerable people can be obtained from the incidence of poverty estimated by Direct Calorie Intake Method (DCIM) by Bangladesh Bureau of Statistics in different survey years. These are presented in Table VII.

TABLE VII
INCIDENCE OF POVERTY (HEAD COUNT RATIO) BY DIRECT
CALORIE INTAKE METHOD

Survey Year	Number and Per cent of Population Below Poverty					
	National		Rural		Urban	
	No. in Million	Per cent of Population	No. in Million	Per cent of Population	No. in Million	Per cent of Population
Poverty line 1: Absolute Poverty 2122 Kcal per person per day						
2005	56.1	40.4	41.3	39.5	14.8	43.2
2000	55.8	44.3	42.6	42.3	13.2	52.5
1995-96	55.3	47.5	45.7	47.1	9.6	49.7
1991/92	51.6	47.5	44.8	47.6	6.8	46.7
1988/89	49.7	47.8	43.4	47.8	6.3	47.6
1985/86	55.3	55.7	47.4	54.7	7.9	62.6
Poverty line 2: Hard Core Poverty 1805 Kcal per person Per day						
2005	27.1	19.5	18.7	17.9	8.4	24.4
2000	24.9	20.0	18.8	18.7	6.0	25.0
1995/96	29.1	25.1	23.9	24.6	5.2	27.3
1991/92	30.4	28.0	26.6	28.3	3.8	26.3
1988/89	29.5	28.4	26.0	28.6	3.5	26.4
1985/86	26.7	26.9	22.8	26.3	3.9	30.7

Source: BBS (2001, 2007).

It is readily observed that the incidence of absolute poverty (in terms of percentage of total population with less than 2122 kcal intake per day) has declined from 55.7 per cent in 1985-86 to 44.3 per cent in 2000 and further to 40.4 per cent in 2005. As a result, the total number of food-insecure people slightly increased (by 0.8 million) over the twenty-year period when the total population increased by about 40 million. The incidence of hardcore poverty (with less than 1805 kcal intake per day), although increased during late 1980s (1988/89) and early 1990s (1991/92), declined sharply to 20.0 per cent in 2000 and remained almost the same thereafter (2005). This has led to a decline in the absolute number of vulnerable people by about 2 million in 2000 as compared to those in 1985/86, although it has increased by about the same number in 2005. One, however, gets a contrasting picture in the rural and urban areas in this respect. While the number of food-insecure and vulnerable people declined by 4.1 million in the rural areas, this has increased by 4.5 million in urban areas over the last two decades (between 1985/86 and 2005).

Intra-household Distribution of Nutrient Intake

Nutritional deprivation represents the most basic and the most acute of all deprivation. A nationally representative survey conducted by the Institute of Nutrition and Food Science (INFS) in 1981 indicated that the extent of malnutrition within the households varied substantially according to individual characteristics such as age and sex (Chowdhury 1993). According to the INFS survey, an average rural household met 87 per cent of the calorie requirement. None of the age groups of boys and girls under the age of 20 years, however, met their requirements. Further, within these age groups, the younger the children the larger was the deficiency. Lactating and simultaneously pregnant mothers were deficient by as much as 30 per cent. In other words, acute maldistribution of food was observed within the household, with mothers and young children being particularly vulnerable. The 1990/91 nutrition survey conducted by BIDS also reported similar findings of maldistribution of food within the household. The results indicated that none of the boys and girls under the age of 20 years met the calorie requirement. The younger they were, the higher was the shortfall. Girls were in a more disadvantageous situation than the boys.

The bias against female members in food intake becomes very pronounced when comparison is made in terms of levels of intakes (as opposed to fulfilment of requirements in percentage terms) as reported in Table VIII. The table shows that male intake of all nutrients is substantially higher than that of female for all age groups.

TABLE VIII
**MALE INTAKE AS A PROPORTION OF FEMALE INTAKE OF VARIOUS
 NUTRIENTS IN RURAL AREAS: 1995/96**

Age in Years	Energy (kcal)	Protein (gm)	Calcium (mg)	Iron (mg)	Vitamin A (iu)	Thiamine (mg)	Riboflavin (mg)	Niacin (mg)	Vitamin C (mg)
10-12	1.10	1.09	0.96	1.20	1.44	1.11	1.10	1.10	0.97
13-15	1.18	1.19	1.35	1.15	1.21	1.12	1.13	1.16	1.00
16-19	1.44	1.41	1.50	1.39	1.37	1.43	1.36	1.48	1.32
20-39	1.44	1.47	1.50	1.40	1.02	1.40	1.42	1.41	1.34
40-49	1.43	1.45	1.65	1.29	1.69	1.42	1.37	1.46	1.58
50-59	1.53	1.51	1.53	1.40	1.44	1.57	1.53	1.56	1.51
60-69	1.37	1.41	1.44	1.59	1.85	1.39	1.34	1.33	1.40
70+	1.32	1.32	1.45	1.43	1.73	1.35	1.23	1.36	1.59

Source: Calculated from BBS (1997).

Public Expenditure for Targeted Programmes

The time series data on public expenditure for different targeted programmes such as FFW, GR/TR, VGD, VGF, etc. during the 1990/91 to 2004/05 period are presented in Table IX. The public expenditure on these programmes targeted to the poor more than doubled over the last fifteen years.¹² This is largely attributed to introduction of the FFE programme since the mid-1990s and its subsequent expansion in recent years. The total expenditure as percentage of GDP, however, displayed an upward trend (despite some fluctuations) over the 1990s but declined in recent period. The percentage share, although quite low, increased from 0.67 during the first half of the 1990s (average of five years, 1990/91-1994/95) to 0.87 during the second half (average of five years, 1995/96-1999/00) of the decade. The percentage

¹² It may be mentioned here that during the 1990s while the number of hardcore poor declined from about 30 million in 1991/92 to about 25 million in the year 2000, the public expenditure for targeted programmes in real terms (at constant prices) increased from about Tk. 9734 million in 1991/92 to about Tk. 16316 million in the year 2000. Thus the coverage of public expenditure for targeted programmes has expanded in both absolute and relative terms (relative to number of hardcore poor in the country) during the decade. In fact, public expenditure per head of hardcore poor (in real terms) increased from Tk. 325 in 1991/92 to Tk. 653 in the year 2000. This also indicates that the proportions of "eligible people" covered by various targeted programmes have increased over time. The situation, however, has changed in recent period, especially in the first half of the current decade. While the number of hardcore poor has increased (from about 25 million in 2000 to about 27 million in 2005), the public expenditure for targeted programmes in real terms has declined (from about Tk. 16,316 million in 2000 to about Tk. 12,631 million in 2005). As a result, public expenditure per head of hardcore poor has declined in real terms from Tk. 653 in the year 2000 to Tk. 468 in the year 2005.

share, however, has declined to 0.58 during the first half of the current decade (2000/01-2004/05).

TABLE IX
TREND IN PUBLIC EXPENDITURE ON TARGETED FOOD
PROGRAMMES IN BANGLADESH

(Tk. In crores)

Year	FFW	GR/TR	VGD	VGf	FFE	OTHERS	TOTAL	GDP	As % of GDP
1990/91	424.80	0	387.00	0	0	0	811.81 (973.39)	110520	0.73
1991/92	432.77	393.82	0	0	0	0	826.59 (962.49)	119542	0.69
1992/93	373.92	267.79	0	0	0	0	641.71 (745.15)	125369	0.51
1993/94	384.36	302.58	0	0	68.32	0	755.26 (845.09)	135412	0.56
1994/95	751.71	346.51	0	0	193.46	2.01	1293.69 (1384.44)	152518	0.85
1995/96	558.53	400.76	0	0	267.49	1.74	1226.78 (1226.78)	166324	0.74
1996/97	810.81	256.10	215.27	0	329.53	15.24	1626.95 (1578.18)	180701	0.90
1997/98	836.00	258.71	225.09	76.24	374.98	1.53	1772.55 (1633.24)	200177	0.89
1998/99	715.58	210.23	208.90	584.81	395.43	65.88	2180.83 (1920.25)	219697	0.99
1999/00	806.00	272.00	228.00	229.00	393.57	1.00	1929.57 (1631.63)	237086	0.81
2000/01	888.19	159.75	236.90	297.11	346.14	40.00	1968.08 (1674.96)	253550	0.78
2001/02	681.73	196.80	234.96	126.67	387.09	43.00	1670.24 (1376.95)	273200	0.61
2002/03	432.46	153.68	230.79	104.08	623.30	42.00	1586.31 (1251.03)	300580	0.52
2003/04	441.49	160.56	223.73	175.82	611.42	46.00	1659.02 (1255.88)	332970	0.50
2004/05	541.62	182.72	217.53	108.76	652.52	50.00	1753.14 (1263.07)	370710	0.47

Source: *Bangladesh Economic Review* (various years), Ministry of Finance, Government of Bangladesh, and *Annual Reports* (1998/99 and 1999/00) of Food Policy Monitoring Unit (FPMU), Government of Bangladesh.

Note: The figures in parentheses indicate the total public expenditure for targeted programmes at constant (1995/96) prices.

The time series of the public expenditure for targeted programmes as a (percentage) share of total development as well as public expenditure for the 1990/91 to 2004/05 period are presented in Table X. The picture is more of fluctuations than of any distinct trend during the period under consideration. However, the average share of targeted

programmes in both total development and public expenditure increased somewhat and displayed slight upward trend during the second half of the 1990s (as compared to the first half), but show steady downward trend in recent period.¹³

TABLE X
TREND IN EXPENDITURE ON TARGETED FOOD PROGRAMMES AS A SHARE OF
TOTAL DEVELOPMENT AND PUBLIC EXPENDITURE

(Tk. in Crores)

Year	Expenditure on Targeted Food Programmes	Total Development Expenditure	Total Public Expenditure	Expenditure on Targeted Food Programmes as % of Total Development Expenditure	Expenditure on Targeted Food Programmes as % of Total Public Expenditure
	(1)	(2)	(3)	(1)/(2) X 100	(1)/(3) X 100
1990/91	811.81	5269	12579	15.4	6.5
1991/92	826.59	6024	13924	13.7	5.9
1992/93	641.71	6550	15060	9.8	4.3
1993/94	755.26	8983	18133	8.4	4.2
1994/95	1293.69	10303	20603	12.6	6.3
1995/96	1226.78	10016	21830	12.3	5.6
1996/97	1626.95	11041	23576	14.7	6.9
1997/98	1772.55	11037	25537	16.1	6.9
1998/99	2180.83	12509	29274	17.4	7.5
1999/00	1929.57	15471	33915	12.5	5.7
2000/01	1968.08	16240	36902	12.1	5.3
2001/02	1670.24	14090	36782	11.8	4.5
2002/03	1586.31	15434	40741	10.3	3.9
2003/04	1659.02	16817	45207	9.9	3.7
2004/05	1753.14	18771	53435	9.3	3.3

Source: *Bangladesh Economic Review* (various years), Ministry of Finance, Government of Bangladesh

¹³ The average share (average of five years) of targeted programmes in total development expenditure and total public expenditure increased from 12.0 per cent and 5.4 per cent during the first half of the 1990s to 14.6 per cent and 6.5 per cent respectively during the second half of the 1990s, but has declined to 10.7 per cent and 4.1 per cent during the first half of the current decade. More recent data are not directly comparable with the earlier ones because of some definitional changes, but they confirm the downward trend.

IV. POLICIES AND PROGRAMMES INVOLVING THE RIGHT TO FOOD IN BANGLADESH

In order to implement the right to development, the State will have to formulate a set of programmes and policies, keeping in view the interrelationship among individual rights and by adopting a genuine participatory process. The question still remains as to what kind of actions the State will have to take so as to meet their obligations as the principal duty bearer. In the human rights literature, the obligations for the State have been specified at three levels as mentioned earlier: the obligations to respect, the obligations to protect, and the obligations to fulfil (to facilitate and to provide) human rights. The types of action that the State is required to take follow from these three types of obligations. The steps taken by the Government of Bangladesh so far in terms of different policies and programmes in each of these three areas are discussed below.

Government Policies and Programmes

Obligation to Respect

This particular obligation, as we observed earlier, is generally important in a negative way when the state actually deprives some segment of the population of its rights consciously and deliberately, e.g. by withholding food from some groups during a civil war. This is obviously not relevant in the context of Bangladesh and hence the state cannot be blamed on this ground.¹⁴

Obligation to Protect

The relevant issue in this case, e.g. the obligation to protect is whether the State is protecting those whose right to food might be threatened by some third parties. This in turn leads to the question in what way might any third party be threatening somebody's right to food? There are at least two possibilities that one can think of that may be relevant in the context of Bangladesh. One possibility is that the village elite may unlawfully grab the land of the poor. In that context, the obligation would require the State to ensure proper land registration and enforcement of land rights. Another possibility is unlawful eviction of tenants or forcing the tenants to accept exploitative terms of contracts. The protect obligation would then naturally call for appropriate tenancy reforms. The steps taken by the Government of Bangladesh in both these areas are discussed below.

¹⁴ There may be instances, however, where the government in times of natural disasters has not distributed relief materials, especially food, where they are needed most on political considerations.

There have been several attempts at land and tenancy reforms in Bangladesh but the provisions have remained in paper due to poor performance in implementation. Complicated land administration and poor maintenance of records of land ownership is a source of litigation and harassment for resource-poor households, especially in the rural areas. In fact, reform of land administration is an issue of serious concern. Not only in the past, even now land is central to the dynamics of social and economic life of Bangladesh. The current structure of land administration is built around three core functions: (a) record keeping, (b) registration, and (c) settlement. At the lowest tier, the function of record-keeping is the jurisdiction of *Tahsil* Office, while registration is that of the sub-registrar's office. There is an altogether different office which handles the function of settlement. The major problem here is that ownership rights are being recorded in different offices, each of which is located in completely different executive processes.¹⁵ So we have a situation where official record of ownership rights are being generated in three unconnected executive processes, one of which, i.e. settlement, is functionally redundant. This in a nutshell is the source of all the ills of land administration in Bangladesh (Rahman 1994).

In fact, the multiplicity of documents or records of rights is the fundamental flaw in the system of land administration. It should be noted, however, that even the multiplicity of documents might not have been a problem if they were based on a systematic procedure of cross-check. Unfortunately, such is not the case. What is extraordinary is that the law itself expressly forbids any crosschecks on the authenticity of land transaction. This leads to the most serious problem with land administration—the problem of false records, which is perhaps the major factor behind the endemic nature of land disputes in Bangladesh.¹⁶

The interesting point here is that while the above flaws in land administration are generating tremendous complication within society, the solutions to such a flawed system are relatively obvious, and straightforward (Rahman 1994). For example, with regard to settlement, it is clear that such an office is by now historically redundant and should be immediately phased out. This may sound extreme but even a moment's thought will make it abundantly clear that such an

¹⁵ *Tahsil* office has a chain in command extending to the Ministry of land, while the Sub-registrar's office follows a chain in command extending to the Ministry of Law. Similar is the case with Settlement.

¹⁶ It is estimated that up to 80 per cent of court cases in rural areas are related to these conflicts which are often identified for creating a major "downward mobility" pressure particularly for small and marginal farmers (unpublished BIDS Survey results).

office continues to exist solely by virtue of administrative inertia. If it were abolished tomorrow, it would entail no loss to society. On the other hand, efficiency of land administration would receive a significant boost because one major source of false record creation would be removed.

There is a simple solution regarding the other two offices as well (Rahman 1994). This solution entails establishing better coordination between the functions of record-keeping and registration. In the late 1980s, an administrative reorganisation committee, commonly referred to as the Muyeed Committee, proposed a solution whereby the functions of record-keeping and registration are brought within a single executive process at the field level, i.e. *tahsil* and sub-registrar's office both to come within the jurisdiction of a single executive officer, the Assistant Commissioner (Land). The major objective would be to ensure a cross check at the stage of registration on the authenticity of the deed being transacted. There could be other models to ensure this objective besides that proposed by the Muyeed Committee. But the important issue is to pursue this objective. Unfortunately, even though the solution here is relatively simple one, it has not yet materialised. One reason for this is that discussions on these issues are very limited. Moreover, many vested interests have historically grown up who oppose these solutions. Such vested interests are not necessarily only among the rich, they may also be amongst low-income functionaries, including the redundant functionaries such as deed writers who are well organised and function as pressure groups to prevent rationalisation of land administration. Thus the archaic land records systems and cumbersome land registration procedures with entrenched vested interests to oppose their rationalisation stand in the way of developing an efficient land administration system. This obviously has an important bearing on enforcing land rights and hence right to food in rural Bangladesh.

It may be emphasised here that the accomplishments of the tasks pertaining to land management and administration require the participation of the people at the local level. Local government bodies, NGOs, civil societies and peasant organisations can help ensure such participation. They also provide support in developing projects, identifying and selecting beneficiaries, in organising cohesive groups and motivating them in the right direction. In this regard, mutual cooperation of GO and NGO is needed which has taken place in the past. For example, in a government-initiated project of *Adarsha Gram* where NGO workers and the government of Bangladesh officers worked jointly to distribute *khas* land and construct houses for rehabilitation of about two *lakhs* distressed people in more than one thousand villages on a permanent basis. Such experiences of mutual cooperation between GO and NGO have been useful for the Ministry of Land for

taking a number of other development projects focusing on char development and credit scheme. But the important point is that such a process of mutual cooperation has so far been not institutionalised (Saha 2000-01).

The traditional land system of Bangladesh is one in which a dominant minority of landholders have secured rights to land whereas the majority in rural areas have either tenuous rights to land or no land at all. Those having secured rights to land seldom perform labour on it or make investments in its improvement. Instead, they have assigned labour and investment functions to actual tillers who can be evicted by the superior landholder at will. Within the framework of this system, with ownership and control of land traditionally separated from labour and investment, neither the owner nor the tiller of the soil has a strong incentive to increase productivity.

It may be mentioned here that the Land Reforms Ordinance in 1984 has incorporated provisions in safeguarding the interests of tenants. However, the non-implementation of the provisions, in the absence of effective measures, appears to be the essential feature of the Ordinance (Saha 2000-01).¹⁷ The fact remains that sharecropping and other forms of tenancy agreements are almost exclusively verbal agreements in rural Bangladesh. In the absence of written agreements, tenants have no security of tenure. The landlord can evict any tenant whenever he considers it necessary thereby violating the right of tenants for earning his livelihood and ultimately his right to food.¹⁸

¹⁷ The Land Reform Ordinance of 1984 was promulgated with a view to maximizing production and ensuring a better relationship between landholders (having permanent occupancy rights over land in their possession) and sharecroppers. Enhancing the legal status and rights of sharecroppers was not an explicit purpose of the Ordinance. Nevertheless, the 1984 Ordinance accord de jure status and rights—although extremely qualified by their terms—to this category of actual tillers who, in the modern history of the region, have not enjoyed any such status and rights. However, it is almost impossible to enforce provisions of the Ordinance that would confer new status and rights to sharecroppers, given the existing distribution of power, legal and de facto, in rural Bangladesh. In fact, a review of the main features of the 1984 Ordinance will confirm that the Ordinance was written in such a way as to make many of its principal provisions either unenforceable or meaningless (Jannuzi and Peach 1990).

¹⁸ In the face of competition for land in the rental market, the bargaining power of tenants is reduced to a great extent so much so that they helplessly become dependent on the landlords. On the other hand, if they fail to get a piece of land from their landlord, they are reduced to the rank of agricultural labourer which may be considered to be more degrading. In these circumstances, the poor peasants strive for rented land, even though the return on sharecropper's labour is lower than the market wage rate in most cases (Hossain 1981, 1989).

A comparison of 1996 Agricultural Census with 1983-84 Census indicates that the proportion of area under tenancy has been observed to increase from about 17 per cent of operated area in 1983-84 to about 22 per cent in 1996. However, there has been a dramatic change in the structure of tenurial arrangements.¹⁹ This may largely be attributed to the dissemination of relatively risk-free irrigated HYV *Boro* rice in the winter season. What implications this might have on security of tenancy merit serious investigation.

Jannuzi and Peach (1990) advocated for a particular kind of land reform in Bangladesh—one having the limited objective of confirming secured rights in land to one category of actual tillers, those currently classified as sharecroppers or *bargadars*. Such a reform would also aim at taking away rights to land from landholders in Bangladesh who do not reside on their land and who do not invest personally in the agricultural production process or perform labour on the land. The definition of agrarian reform as perceived by Jannuzi and Peach (1990) is not synonymous with “land reform,” if “land reform” were defined as a panacea by which existing land resources would be redistributed in Bangladesh to provide landholdings to all possible claimants of rights to land. Their overriding concern is for an agrarian reform that focuses on changing the tradition in Bangladesh by which landholder’s control of land is divorced from their direct involvement in agricultural operations. This means taking steps to establish conditions in the countryside to ensure that secure rights in land are conferred only on persons who are prepared to perform manual labour on the land and to assume the costs and risks of agricultural operations. The most meaningful agrarian reforms, therefore, would be one wherein the principle was established that landholders enjoying secured rights in land would (1) reside on their lands, (2) invest personally in the agricultural production process and (3) perform manual labour (themselves and their families) on their lands. This would mean denying all rights in land to landholders who customarily give out land on a share-tenancy basis to others. This would mean conferring effective permanent occupancy rights on the actual tillers of the soil.

Obligation to Fulfil (Facilitate)

The obligation to fulfil (facilitate) means that the State must pro-actively engage in activities intended to strengthen people’s access to and utilisation of resources and means to ensure their livelihood, including food security. In this context, the

¹⁹ In fact, the area under share tenancy has declined from 74 per cent in 1983/84 to about 62 per cent in 1996, whereas areas under fixed rent and other tenancy arrangements have increased from about 26 per cent to 38 per cent over the same period.

pursuit of a pro-poor growth strategy so that the poor can earn enough to buy the food they need assumes special significance.

With a low level of per capita income and slow growth in key social indicators, Bangladesh needs to adopt a multi-strategy solution for poverty reduction. Within the strategy, economic growth matters for reducing both income and non-income poverty. In particular, a pro-poor or broad-based growth is necessary so that increasing benefits for the poor are generated. A comparison of the growth rates over different sub-periods with corresponding changes in the incidence of poverty reveals some links between growth and poverty. The evidence suggests that declining poverty, in general, is associated with relatively high GDP growth originating in agriculture.

In terms of structure and sectoral composition of economic growth, the poverty-reducing role of agriculture seems to be important. The poor mostly live in rural areas and depend on agricultural activities for their livelihood. The growth of agriculture has several advantages in accelerating overall growth and creating a growth structure that contributes to raising the poor's income. The impact of agricultural growth on rural wages is an important element in the process since, for the poor households, a major share of income originates from wage labour in agricultural and non-agricultural activities. A high agricultural growth also creates synergies for diversification of the rural economy and development of the rural non-farm sector with greater poverty reduction impact. It is, therefore, important for Bangladesh to accelerate growth of agricultural and non-farm sector, improve coverage and quality of social services, ensure well-functioning rural institutions, and expand rural infrastructure (Mujeri 2000).

The characteristics of poverty and growth linkages in the Bangladesh economy indicate that rapid agricultural growth is necessary in accelerating economic growth and creating a structure of growth that has a high capacity to reduce poverty. The past performance of agriculture, influenced by two major factors, points to the need to reconsider the strategies in view of emerging development in the agricultural sector. *First*, policy reforms—both macroeconomic and sector specific—have initiated significant changes in incentive structures within agriculture and between agriculture and non-agriculture sectors. The empirical evidence indicates that the policy changes, on the whole, have created positive impact and contributed to increased production. The reform agenda, however, has fallen short of targets in certain cases due to several factors e.g. lack of social consensus, incomplete and selective implementation, backsliding of the reform process, inadequate design and sequencing of reforms, emphasis on achieving quantitative targets without facilitating institutional reforms, and politicizing of the reform agenda. Sustained improvements in agriculture require the Government to pursue pragmatic reforms

and adopt a set of clearly defined criteria, based on priorities of agricultural development and sound economic rationale for public sector involvement, for allocating public resources and mobilising private initiatives. *Second*, while the past focus of policies on cereals (e.g. rice) has paid large dividends, it is unlikely to provide a sustainable engine of agricultural growth in future. The emphasis in agricultural policy needs to incorporate non-cereal crops and non-crop agriculture for ensuring growth of an integrated and dynamic agriculture to supply necessary food stuff for a balanced diet of the population, generate exports and create the foundation of a modern economy (Mujeri 2000).

The government's *Poverty Reduction Strategy Paper* (PRSP) of 2005 identified eight specific avenues—four strategic blocks and four supporting strategies—through which the goal of accelerated poverty reduction will be pursued (GOB 2005). These are, firstly, supportive macroeconomics to ensure rapid growth with particular focus on stable macroeconomic balances, improved regulatory environment, higher private investment and increased inflow of foreign direct invests (FDIs), effective trade and competition policies, and poor and gender-sensitive budgetary process; secondly, choice of critical sectors to maximize pro-poor benefits from the growth process with special emphasis on the rural, agricultural, informal and SME sectors, improved connectivity through rural electrification, roads and telecommunications; thirdly, safety net measures to protect the poor, especially women, against anticipated and unanticipated income/consumption shocks through targeted and other efforts; fourthly, human development of the poor for raising their capability through education, health, nutrition and social interventions; fifthly, participation and empowerment of the poor, specially women and other disadvantaged and marginalised groups such as disabled, ethnic minorities, ecologically vulnerable; sixthly, promoting good governance through improving implementation capacity, promoting local governance, tackling corruption, enhancing access to justice for the poor, and improved sectoral governance; seventhly, improving service-delivery in the areas of basic needs, and finally, caring for environment and its sustainability.

Price Stabilisation of Food Grains

Stabilisation of food grain prices is a major objective of food policy in Bangladesh.²⁰ Food grain prices are crucial for producers and consumers,

²⁰ The time series data on annual rice price fluctuations are provided in Annex Table A.4. It is observed that by several measures (year-to-year fluctuations in nominal prices as well as random price fluctuations measured in terms of deviations from trend), annual rice prices displayed a greater degree of stability during the 1980s than in the 1970s but fluctuations in rice prices again increased in the 1990s (Dorosh, Shahabuddin and Farid 2004).

especially the poor. Sharp increase in prices significantly lowers real income of the poor households, 70 per cent of whose budget is spent on food grains. At the same time, instability in producer prices increases farmers' uncertainty and discourages private investment in agriculture. This classic conflict of interests perhaps is best addressed in the medium term through liberalisation of trade and creating conditions for efficient production and marketing (World Bank 1999). The government resorts to *Open Market Sales* operation (OMS) i.e. sales of food grains, especially rice when prices exceed certain limit to contain upward fluctuations in prices. Recently, private sector trade has been playing an increasingly significant role in this respect. In fact, since Bangladesh liberalised private sector trade in the early 1990s, the import parity prices (ex-India) have effectively provided ceiling on domestic rice prices in Bangladesh. This certainly proved to be the case in the aftermath of the flood and associated crop damages in 1998, with private sector rice imports stabilising market supplies and prices. Unfortunately, however, because of continued restriction of movement of rice from Bangladesh to India, there is no corresponding market mechanism to provide a price floor. An alternative could be domestic rice procurement programme.

Food grains, especially domestic rice procurement programme has a fairly long history in the region comprising Bangladesh, but price support is of more recent origin. For a long time, the primary objective of the procurement programme was to secure enough food grains to feed the *Public Food Distribution System* (PFDS). Since 1975, price support became an important objective, although feeding PFDS remained an important concern. While the programme has largely succeeded in augmenting public stock, especially in the *boro* season (more than 90 per cent of procurement targets have been fulfilled), its contribution to provide price support has been minimal.²¹ What is more important, the access of farmers, especially small farmers, to procurement centres has been very limited. A recent survey shows that only 10 per cent of the sample farmers participated in the 1998 *boro* procurement programme, of which 5 per cent were small, 13 per cent were medium and 22 per cent were large farmers. The collusion between traders and government officials at the procurement centres and lack of effective functioning of the local committee are among the major factors contributing to such a sorry state of affairs.

²¹ There is an asymmetry in trade-based mechanism of price stabilisation in that while import parity serves as a ceiling price in times of large production shortfall, export parity does not provide an effective floor price of rice at present, in the absence of exports due to lack of market links, and international grading and processing facilities. Domestic procurement programme, therefore, has an important role to play in providing price support and production incentives to the farmers.

Greater accountability and improved monitoring of the programme would go a long way in enhancing the efficiency of the programme through minimising irregularities and rent-seeking activities. The much-publicized wheat procurement scam recently has demonstrated how gross irregularities largely attributable to lack of accountability and appropriate monitoring at different tiers of the programme have cost the government dearly, apart from causing disincentive effects to wheat growers in the country.²²

Obligation to Fulfil (Provide)

Whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) that right directly. This obligation also applies for persons who are victims of natural or other disasters.

As observed earlier, despite recent economic growth pervasive poverty and malnutrition are present in Bangladesh. According to latest estimates, about half of the population cannot afford an adequate diet. Although long-term trends in the overall incidence of poverty show modest signs of improvement, the standard of living for those in extreme poverty has stagnated, with one-quarter of the population maintaining a precarious existence. Chronically underfed and highly vulnerable, these people remain largely without assets (other than their own labour power) to cushion lean-season hunger or the crushing blows of illness, floods and other natural disasters. The need for targeted safety nets, therefore, remains strong.

²² The government formed two enquiry committees to probe into the wheat procurement scam. It has been learnt from what has been leaked in the newspaper reports (the findings of the committees have not yet been made public) that as many as five ruling party lawmakers and ten government officials are involved in this scam. It is also learnt that while all of the officers have been made OSD (also three of them were removed from service subsequently), no action seemed to have been taken against the five ruling party lawmakers allegedly involved in the scam. Apart from the corruption involved, the subsequent distribution of the low-quality insect-infected imported wheat (alleged to be unfit for human consumption) would certainly represent a gross violation from human rights perspective. This incident also highlights the importance of an integrated approach towards the realisation of various rights—how the right to information (the incidence has been extensively publicized in the newspapers and other media which has prompted to the government to probe into the scam) may have facilitated the simultaneous fulfilment of some other right, i.e. the right to food. In fact, the Ministry of Relief has already requested the Ministry of Food not to release such wheat in their food relief distribution programmes.

In the long run, of course, poor families require increased employment and incomes to ensure adequate food intake. Consequently, any long-term solution to malnutrition requires widespread, labour intensive pro-poor economic growth as discussed earlier. Such growth, however, is a slow process for improving food security of vulnerable people.²³ As an interim solution, targeted intervention programmes may provide much needed income and thereby improve food consumption and nutrition. But the need overwhelms resources available. Recent estimates suggest that income transfers on the order of 2.6 billion per year would be required to raise the underfed population to minimum nutritional standards. Yet resource for targeted interventions stand at less than one-tenth of that amount and the aid-financed portion of those funds may shrink in the future. Therefore, for maximum impact, the government must carefully target its scarce resources to particular people, location and seasons (Ahmed 2000).

Public Food Distribution System (PFDS) is an important element in the food economy of Bangladesh, designed to improve access to and consumption of food grains by various target groups. Given the large quantum of food grains moving through the PFDS, its effectiveness assumes special significance. The government has intervened in two major ways to relieve the nutritional stress of the poor: (i) through price subsidies on food grains, and (ii) targeted income transfers. Through its general open market sales (OMS) operation, the government aims to arrest seasonal price hikes, thereby relieving consumer stress in the lean season. Through its targeted ration channels, the government offers rice and wheat for sale to selected groups at various rates of discount over market price. Income transfers, on the other hand, involve payment in cash or kind “for work” or free through such programmes as *Food-for-Work (FFW)*, *Vulnerable Group Development (VGD)*, *Food-for-Education (FFE)*, *Rural Maintenance Programme (RMP)*, etc. Some of these programmes allow the purchase of commodities (rice or wheat) at subsidized prices, some deliver commodities for free, others for work and still others deliver cash. All of these programmes increase the real income of the recipient households. The cost of running the programmes and the benefits received by the households to a large extent depend on the manner in which the income transfer is carried out.

With subsidies being gradually withdrawn and ultimately eliminated from all the monetized channels except essential priorities (EP), the role of these channels (monetized) in the PFDS has declined substantially. The Modified Rationing Programme (MR), which began in 1956, was discontinued in 1989 due to the well

²³ It is widely recognised that since land, capital and economic opportunities are fairly unequally distributed and underemployment is widespread, the trickledown effect of economic growth on low-income groups is fairly weak in Bangladesh.

documented failure of the programme to provide consistent supplies and partly because of large quantities estimated to have leaked out of the system. It was replaced by *Palli* (rural) Rationing (PR) programme in 1989. Food grain distributed under the PR programme was priced 25 per cent less than the Statutory Rationing (SR) price. In terms of total off take, the PR programme was largest among the monetized channels and the second largest among all PFDS distribution channels, accounting for about 20 per cent of total PFDS off take in 1990/91. But this programme was also found to be ineffective, operating with about 70 per cent leakage. In fact, it was shown that it costs the government Tk. 6.65 to transfer one Taka of income to an eligible beneficiary of the programme. Moreover, despite the programme's negligible impact on the rural poor, the government paid out subsidies of \$60 million per year. It was no wonder then that the *Palli* Rationing programme (PR) was abolished in 1991, only about two years after its introduction (Chowdhury and Del Ninno 1998).

TABLE XI
ALLOCATIONS TO FOOD-ASSISTANCE PROGRAMMES, 1999-2000

Programme	Main Objective	Programme Off-take in 1999-2000 (metric ton)
Food for Work (FFW)	Employment generation for the poor, mainly in the dry season; development and maintenance of rural infrastructure	754,818
Food for Education (FFE)	Promote primary school enrolment and attendance, reduce dropouts and improve quality of education	285,973
Vulnerable Group Development (VGD)	Assistance to disadvantaged women in rural areas; training in market based income generating activities, functional education	216,675
Vulnerable Group Feeding (VGF)	Disaster relief; food grain distribution to needy families in periods of distress	149,138
Test Relief (TR)	Employment generation for the poor, mainly in the rainy season (similar to FFW except with lighter labour requirements)	124,508
Gratuitous Relief (GR)	Disaster relief; food grain distribution according to perceived need	20,324
Other	--	57,690
Total: 1999-2000	--	1609,126

Source: World Bank (2002).

The composition of spending on food transfer programmes has shifted from pure relief to development objectives. All food assisted programmes in Bangladesh have been developed to assist the poor. However, while some aim primarily at relieving immediate disasters, others have explicit development objectives, such as rural infrastructure development, boosting primary school enrolment rates, and human capital development (Table XI). Although relief provision remains an important objective, most targeted food programmes have gradually shifted in emphasis from relief to development.²⁴

Comment: Assume that this should be "school"

Crisis Management²⁵

The Government has demonstrated considerable success in disaster management. Despite frequent natural calamities, the government has successfully averted any major food crisis since 1974. The crisis management measures successfully adopted by the Government during the 1998 flood to avert widespread hunger will amply support this view.

During 1998, the country was devastated by unprecedented floods, the most severe, both in terms of depth and duration, in this century.²⁶ The massive flood left behind in its wake damage and destruction of output and assets encompassing all sectors, including rice production in the country. The Government responded to the crisis through supplying of food for immediate relief efforts during the flood, coordinating food aid commitments as well as deliveries and launching a post-flood agricultural rehabilitation programme. As part of the relief efforts, the Government increased post-flood food grains distribution and imported food grains through commercial channels. At the same time, private sector imports were encouraged which contributed significantly towards augmenting market supplies and stabilising prices following floods.

It is important to note here that VGF cards are targeted to the poor through a number of committees beginning at the national level and reaching down to the local level. A study evaluating the allocations of VGF cards conducted by *Grameen*

²⁴ The change in orientation of food transfer programme from relief to development has been a gradual process since the early 1980s and is in line with one of the main recommendations of the 1988 Task Force of the government and aid donors on strengthening institutions for food-assisted development (SIFAD).

²⁵ This sub-section draws heavily on Shahabuddin (2000).

²⁶ The 1998 flood started to inundate the country from the beginning of early July and by mid-September engulfed about two-thirds area of the country. Since the depth and duration of the flood varied between different areas of the country, the loss of agricultural output and employment reflected this spatial variation in the severity of the flood in 1998.

Trust and presented at the conference of *Nagarik Durjog Mukabila Udyog* on “The Deluge: Developing Coping Capacities” indicated that this targeting procedure was very effective (Hashemi 1998). The study was conducted in 14 *thanas* of Kurigram, Gaibandha and Jamalpur districts. The survey of 950 households in these three districts found that “poor people almost always were the recipients of VGF cards, though specific sections from amongst the poor may have been favoured”, and that “in general, there was a strong corruption-free climate in the distribution of VGF cards.” Only 2.9 per cent of the households reported spending money to receive cards and the average amount of food grains received was 15.1 kilogram, only 0.9 kgs below the ration of 16 kgs per cardholder. The Government was thus able to cope with the crisis through effective targeting of food grains through the VGF and other channels of distribution.

It may be emphasised here that the Government policy was based on the realisation and rightly so, that Government imports and food aid alone would not be sufficient to make up for the projected loss of the 2.2 million ton shortfall in *Aus* and *Aman* rice production before the wheat and *Boro* rice harvests in April to June, 1999. Following the *Aman* rice production shortfall in 1997/98, the Government encouraged private sector imports of rice through removal of tariff on imports and ensuring the free movement of these imports as official trade of through the land routes. As a result, with ample incentives for trade, the private sector imported over 1 million tons of rice from India through official channels in the first six months of 1998. Following this policy again after the flood, the private sector was encouraged to import more than 200,000 tons of rice per month from August 1998 to March 1999. Between July 1998 and March 1999, the private sector imported 2.20 million tons of rice, thereby keeping prices in Bangladesh approximately equal to import parity levels.

NGO Programmes and Activities

There is hardly any non-governmental organisation (NGOs) in Bangladesh that works explicitly from a rights-based perspective on food issues. Most organisations, however, tend to approach food security through the prism of three essential elements—availability, accessibility and utilization, particularly for the most vulnerable groups. These elements of food security are included in the right to food. What a rights-based approach adds is setting specific responsibilities and holding the relevant parties accountable for the lack of action or any violation in relation to these responsibilities (Ziegler 2002).

BRAC, one of the leading non-governmental organisations in Bangladesh, has demonstrated considerable initiative in improving food security for the poor. In fact,

BRAC's multi-dimensional programmes are designed to reach the poor including the most vulnerable section of the population. To ensure its programme effectiveness, BRAC constantly reviews its programmes and approaches with the poor, particularly the women, as they are its major partners in development activities. BRAC is an advocate of active participation of the poor in designing the programmes to improve their socio-economic status. Major BRAC interventions include savings and credit programmes, various employment and income generation activities, social development activities including training in legal education and human rights, essential health care, water and sanitation, non-formal primary education, and provision of programme support enterprises.

Today three million rural poor households are covered by BRAC's development programmes. The major BRAC interventions directly linked to food production include development of poultry, livestock, fisheries, agricultural crops, and fruits and vegetables production programmes. Organised savings, credit, skill development and marketing services promote self-employment in the above sectors enhancing greater availability and access to food. Provision of training in human rights and legal education, motivation and active participation in health, water and sanitation, and programme on adult literacy and children's education have contributed to create a more favourable environment for enhancing access to food and improving nutrition.

A recent impact assessment study on BRAC's development programme demonstrates that involvement of women in income generating activities had improved their ownership and control over assets and their status both in the household and at the community level (Hussain 1998). All these have reduced the discriminations against women in various socioeconomic aspects, and have positively contributed to their improved food security. BRAC programmes have also improved their coping capacity against crises, reduced seasonal fluctuations in food expenditure, enabled them to have higher amounts of food stocks in both peak and lean seasons of the year, and thus have made them less vulnerable in terms of food security. The study further showed positive improvement in the poverty status of the participants. Both incidence and intensity of poverty have been reduced. Average per capita calories consumption improved. BRAC members were found to consuming more nutritious food items such as vegetables, fish and meat than the comparison group (non-members).

A lesson learned from the development programmes of BRAC is their inadequacy to effectively satisfy the special needs of the bottom 10 per cent of the rural poor in ensuring sustainable food security. The poorest have a very low asset-base with lack of alternative employment and/or income sources. It is difficult for this group to sustain its membership in any NGO. They lack the capacity to raise

regular savings deposits and repay loans regularly. In many cases, they do not have male income earner. Thus, microcredit programmes alone cannot solve their problems. Experiences indicate that along with different development inputs, this very poor segment of the rural population needs subsidies, like food aid, until they can raise their asset base and become capable of coping with crisis. This would enable them to effectively participate in development programmes to improve their food security.

It is in this context that *Income Generation for the Vulnerable Group Development* (IGVGD) programme—a BRAC initiative for the poorest—deserves special consideration. BRAC's programme is specifically designed to transform a food aid programme into a development programme so as to sustain their economic activities and link this group with the mainstream development activities. It is a joint venture of the government and BRAC and is supported by the World Food Programme (WFP) and *Palli Karma-Sahayak Foundation* (PKSF). The primary selection of the Vulnerable Group Cardholder's²⁷ is done by the Chairperson and members of the local Union *Parishad*, and is finalised by the Department of Relief and Rehabilitation, Department of Livestock Services and BRAC. The poor destitute women, who are given VGD cards,²⁸ are eligible to participate in the programme.

The main objective of IGVGD programme is to include the most vulnerable poor women in the development activities on a sustainable basis and, therefore, to improve their household food security. Major activities include small group formation, training on poultry raising and other income generation activities, provision of microcredit, and health and nutrition education. At the same time, non-formal primary education and basic health services are also offered. By the time the IGVGD cycle of 18 months ends, most of these women are able to initiate self-employment projects and continue to have a steady flow of income through involvement in BRAC's regular rural development programmes. A study assessing the impact of the IGVGD programme on nutritional status suggested that the programme had significant positive effects on meal frequency, egg intake and the anthropometric status of the pre-school children. Moreover, sense of the well-being and self-confidence were higher among the programme recipients than comparable non-recipients (Hyder and Hossain, undated).

²⁷ Vulnerable group has been defined as divorced, separated or abandoned women who do not have access to productive assets and regular source of income.

²⁸ Vulnerable Group Development (VGD) card is given to a woman who receives a monthly ration of 31.25 kg wheat for a period of 18 months.

V. AN ASSESSMENT OF ACHIEVEMENTS

Apart from constitutional obligations, the adoption of Bangladesh of the international human rights instrument establishes the formal commitments of the State to the right to food. From a rights-based perspective to development, an assessment of achievements would naturally concentrate on assessing the extent to which the food policy and programmes in Bangladesh conforms or fails to conform to the rights-based approach as outlined in Section II. Hence, the discussion in this section is organised around three sub-sections, e.g. the process of policy formulation, the content of policies, and monitoring and accountability.

Process of Policy Formulation: An Assessment

The right to adequate food, of necessity, will have to be realised progressively, given the resource constraints most developing countries including Bangladesh face. However, the States have a core obligation to take necessary action to mitigate and alleviate hunger as provided for in article 11 of the Covenant, even in times of natural or other disasters. It needs to be emphasized though that while only States are parties to the Covenant and thus ultimately accountable for compliance with it, all members of society—individuals, families, local communities, non-government organisation, civil society organisation, as well as the private business sector—have responsibilities in the realisation of the right to adequate food. The State should provide an environment that facilitates implementation of these responsibilities. In other words, the process is as important as the outcome and the right to participate is an integral part of the right to development.

As observed earlier, the number of food-insecure people in Bangladesh is so vast compared to resources available for targeted programmes that the progressive realisation of rights assumes special significance. This in turn requires some degree of priority-setting with respect to different projects and programmes. The progressive realisation of rights also calls for policies and programmes with time-bound targets based on participatory mechanism for decision-making as well as monitoring. Also, one should distinguish here between short-term and long-term access to food. From a human rights perspective, such choices and exercises should be made with full participation and consultation of members from the civil society (including the stakeholders who are directly affected by such decisions).

There has been hardly any participation of the civil society and stakeholders in the formulation of different policy documents prepared in the food sector over the last decade. For example, the SIFAD (Strengthening of Institutions of Food-Assisted Development) Task Force Report was prepared by GOB officials in consultation with the relevant donor agencies. The National Food Policies—the one approved in 1988 and the other recently approved by GOB—have also been

prepared by the officials of the Food Ministry, without any consultation from the members of the civil society. Another policy document approved by the GOB in 2001—Report of the Task Force on “Comprehensive Food Security Policy for Bangladesh”—has only one representative from NGOs out of nineteen Task Force Members. This is an important document in the sense that along with availability, access (sufficient food entitlements for all households) and utilisation (adequate nutrition for all individuals, particularly for women and children) have been emphasised to achieve comprehensive food security for all.

In the implementation of the various targeted programmes, however, the NGOs are involved along with local level officials, which perhaps resulted in better targeting of these programmes e.g. VGD and FFW, as we observed earlier. In the FFW programme, Labour Contracting Society also plays an important role to make the process more participatory, which is important from a human rights perspective. However, the problems of leakages and cost-effectiveness of these and other targeted programmes remain a matter of concern. This calls for greater transparency and accountability in allocation and distribution of grain and cash in targeting the vulnerable groups and geographical areas. Thus, the participation of different stakeholders and civil society is necessary not only as an essential component of the human rights approach but also to ensure effective implementation of the targeted programmes.

The Content of Policies: An Assessment

The current approach of the government emphasizes availability, with insufficient attention to two other critical dimensions of a sound food security approach, namely access and utilisation. Availability depends on supply, access on income, and utilisation on living conditions. Food policy must strive to encompass all three dimensions and not just focus on availability. Such an approach will be consistent with broader, more comprehensive approach to food security. At the *1996 World Food Summit*, the Government of Bangladesh set as its goal to reduce the number of undernourished people to half by the year 2015. Achieving this goal will require attention to all three aspects of food security in a coordinated effort involving several ministries, private sector, NGO and other concerned agencies.

Food security is generally interpreted in terms of intake of food grains (rice and wheat), neglecting other items of food needed for a balanced diet. It has been observed that while average intake of food grain consumption has reached satisfactory level due to considerable progress made in domestic food grain production, especially rice production in recent years, the production and average intake of several other food items are far below minimum nutritional requirements. For example, pulses accounted for only 39 calories per person per day, on average,

during 1997, which was less than one-fifth of the target of 231 calories per person per day. Intake of fish and meat was about two-thirds of the target levels and intake of vegetable oil and fruits was approximately one-third and one-fourth of requirements. Vegetable consumption was less than one-seventh of the target level. If these represent the picture at the average level, one can easily imagine the dismal situation for those who are nutritionally more vulnerable.

There are high degrees of regional and seasonal variation in food consumption and nutritional status. Thus limiting interventions to specific distressed locations of the country and concentrating programme resources during the lean season will considerably improve the cost-effectiveness of such interventions. Currently, no existing programme has managed to target the acute lean season of September and October. Although year-round scheme such as VGD, RMP and FFE do deliver transfers during the period, no scheme has successfully targeted the season exclusively. Because of difficulties in earthmoving during these monsoon months, efforts will require experimentation with new models of delivery and targeting. Given the acute stress of vulnerable groups, seasonal targeting during September-October remains a high but challenging priority for the future. Geographical targeting of interventions to disadvantaged areas needs priority since areas with good agricultural performance also have lower incidence of poverty. There is also a bias against poorer areas in NGO interventions since it is difficult to ensure sustainability of microcredit programme in areas of low agricultural productivity. Policy interventions are needed to eliminate the bias through targeted agricultural development and NGO intervention.

Of the 55 million food insecure people, only about five million are currently aid recipients. Given the big gap between total number of programme beneficiaries and the number of food-insecure people and the prospects of continued decline in food aid, it becomes necessary to explore how a social safety net can be delivered more cost-effectively than the present system. To the extent the present delivery system can be made more efficient, more people could be covered with the same amount of aid. In fact, the government needs to reform the present food policy to alleviate poverty and hunger in the short term, reduce costs of food administration, and reduce disincentive effects of food aid. A reformed policy can accomplish these goals by increasing benefits and reducing costs of food programme of the government.

The development benefits of some programmes—in particular, *Vulnerable Group Development* (VGD)—are substantial, but the benefits of other programmes—e.g. *Food-for-Education* (FFE), *Food for-Work* (FFW)—are questionable. FFE increases school attendance among poor children but the quality of the education is low. FFW builds an extensive network of rural roads but their quality is also low.

These programmes meet their consumption support objectives but not development objectives. Their development orientation can be improved by linking food aid to quality of services and through establishing a strong local government system to administer these programmes in a manner that ensures quality and responsiveness to the needs of the people.

There are reports of extensive leakage from the PFDS—estimated at 30-35 per cent of programme costs. For example, in the FFW, one of the major programmes, it costs 2.6 Taka to deliver 1.0 Taka to the beneficiary. To realise greater benefits from targeted programmes, it is necessary to ensure accountability and reduce leakage. Participation of local bodies (or representative of beneficiaries) at the stage of scheme selection and implementation should be strengthened. Moreover, if beneficiary communities share costs of public works programme, they are more likely to take active part, be more accountable and help reduce leakage in the system.

The Government of Bangladesh approved *The Comprehensive Food Security Policy for Bangladesh* in September 2001. The composition of the Task Force which prepared the document, however, left much to be desired, with hardly any representation from stakeholders and other members from the civil society. The latest *National Food Policy* was approved by the Government in 2006. A *Plan of Action* (2008-2015) was subsequently prepared by the Food Planning and Monitoring Unit (FPMU) of the Ministry of Food and Disaster Management. The development of the *Plan of Action* has been guided by three major principles: stakeholder's involvement, policy consistency and result-orientation. It also provides an outline of the strategy for monitoring of progress. This is an encouraging development in the context of promoting rights-based approach to food in Bangladesh.

Agrarian reform does not occur simply because laws are enacted. Such reforms are unusually initiated and implemented when there are local constituencies advocating reforms and when those who govern have the will to invest in the future well-being of a whole people, rather than only a privileged few. Such reforms occur when those who govern also have the capacity to employ, when necessary, coercive means to neutralise the inevitable opposition of traditional landholders to reform measure of any kind. The historical record of other reform initiatives suggests that the agrarian reform that Jannuzi and Peach (1990) proposed would not likely to be implemented within the existing political economy of Bangladesh. The political will of the government of Bangladesh to initiate such a far-reaching transformation of the agrarian structure of Bangladesh would need to be bolstered significantly before such a reform could be effectively implemented. However, government's recognition of the advisability of such a reform could be encouraged and supported, if

external aid institutions would endorse the need for it and give impetus to it by means of supporting resources and investments in the process.

Monitoring and Accountability Procedures: An Assessment

Lack of a systematic approach to monitoring the progress and holding the State accountable for failing to perform its duty is perhaps the major weakness in the rights-based approach to food in Bangladesh. The government should develop and maintain mechanisms to monitor progress towards realisation of the right to adequate food for all, to identify the factors and difficulties affecting the degree of implementation of its obligation, and to facilitate the adoption of corrective legislation and administrative measures, including measures to implement their obligations. Although Bangladesh has adopted *1996 World Food Summit Plan of Action*, no comprehensive monitoring and accountability procedures has subsequently been developed to ensure that the targets set in the Plan of Action are fulfilled. At the national level, the parliament in general and the specific parliamentary committee on food and agriculture in particular can play an effective role in this respect. At the local level, although NGOs are playing an increasingly important role in monitoring the food distribution programmes so that these are properly targeted, there is scope for strengthening their role in neutralising the vested interests of the local elite groups and making the local committees more accountable, much in conformity with the rights-based approach to development. Finally, wider dissemination of relevant information at all levels would assist the people and the civil society to assess how effective and accountable the Government is in promoting the right to food in Bangladesh.

VI. LOOKING AHEAD: DIRECTIONS FOR ENHANCED IMPLEMENTATION OF THE RIGHT TO FOOD

Although the government has adopted specific programmes and policies to address chronic food security and also appropriate institutional mechanism have been put in place to deal with food crisis in times of natural disasters, these do not constitute an explicitly right-based approach. As mentioned earlier, the government is required to respect, protect and fulfil the right to food. Moreover, the policies pursued should reflect the major characteristics of the right-based approach. In particular, the processes of policy formulation, the contents of policies and the monitoring of policy implementation should be consistent with the requirements of the right-based approach. Also, the goals and targets set by policies should be in conformity with the targets to which the State has committed itself in the process of signing various human rights instruments.

As mentioned earlier, Bangladesh has ratified or acceded to a number of UN Treaties and Conventions which constitute important commitments of the country to the United Nations. In the 1990s, building on the themes of earlier international conferences and UN resolutions, quite a few major world conferences have been held. The Declarations and the Plans of Action unanimously adopted in such conferences should also be considered as equally binding on every participating nation including Bangladesh. However, although human rights have gained increasing prominence in debates over food policies and programmes, discussion of human rights in food policy documents is often inadequate. Furthermore, while signatories—and Bangladesh is no exception—acknowledge human rights, they ultimately downplay them in actual policies. This may have emanated, at least partly, from the historical nature of the human rights debate, which has emphasised civil and political rights and minimised social, economic and cultural rights. The undervaluing of these “second generation” rights has affected debates about the balance between individual choice and the collective needs of society.

As we observed earlier, food-assisted targeted programmes such as VGD, FFE and VGF are reasonably well-targeted—with the poorest fifth of the population nearly five times as likely to participate as the richest fifth. However, most of the pro-poor targeting is due to targeting of the poor within communities rather than targeting of poor areas. Exclusion errors are quite high, with a substantial share of eligible households currently not covered by any programme. Priority reform areas to improve targeting outcomes include developing finer targeting criteria to reduce inclusion errors and increase coverage of eligible households currently excluded from the programme. Considerable scope exists to improve geographic targeting to concentrate resources in poor areas. Finally, disaggregated poverty maps offer a potentially useful tool in this respect.

Even though visible transfer receipts are pro-poor, a large share of budgeted resources appears not to reach the intended beneficiaries, indicating serious problems of accountability.²⁹ Reforming programme administration to stem leakage’s offers a potential win-win option: not only would reducing leakage free-up additional resources needed to expand programme coverage, but increases in

²⁹ For example, leakage estimates based on data from the 2000 HIES indicate that as much as 75 per cent of total FFE transfers do not reach any beneficiary. Moreover, marginal incidence analysis of programme transfer suggests that expanding them at the margin would be decidedly pro-poor: households in the bottom-fifth of the population would be roughly 4-5 times more likely to benefit from extra taka of spending than households in the richest fifth (World Bank 2002).

spending permitted by these additional resources would be decidedly pro-poor. Thus reducing leakage from safety programmes is an urgent policy imperative. Reform options include emulating the design features of other programme with lower system losses (as GOB has done by announcing that the FFE will be replaced by a cash-stipend programme to be administered like the female secondary school stipend programme), piloting new initiatives such as smart cards or experimenting with alternative payments systems used in successful programme like RMP as well as institutionalising other monitoring tools (such as periodic survey-based assessments, public expenditure tracking surveys, citizens report cards, etc.) to improve accountability and minimise transaction costs.

We have observed earlier that over time there has been a welcome improvement in targeting with some poorly targeted subsidized PFDS ration channels cut back, and others abolished outright. Moreover, food transfer programmes have shifted objectives from pure relief to development, making one of the most important advances in the evolution of these programmes. The change needs to be sustained to ensure that programme resources make the greatest possible impact on the long-term welfare of intended beneficiaries. Experience with the 1998 floods suggests that programmes such as the VGF and GR have important role to play in providing much needed assistance to disaster-affected families.

Given the Bangladesh's high propensity to natural disasters, it is important to retain some relief programme in the menu of government safety net programme that could potentially be scaled-up to contribute to short-term risk coping. However, the case for excessively large public food grain stocks to guard against shortages as well as to stabilise prices is weak. Enhancing the development impact of food-assisted targeted interventions requires providing complementary inputs and interventions. In addition, regular monitoring and evaluation is needed to ensure that targeted interventions achieve their desired objectives.

The forces that produce persistent and widespread hunger are local, national, and international. National governments—and Bangladesh is no exception—bear the primary responsibility for creating an environment within which individuals and communities can effectively address hunger. But the steps needed to achieve food security cannot succeed if they are carried out in a top-down, technocratic manner. Governments should forge partnerships with NGOs and business and industry and ensure that local governments and communities have the resources and authority they need to facilitate food security and nutrition. Other actors also have critical roles to play. The governments of developed countries should end trade-distorting policies; put resources behind their repeated pledges to provide more aid, but with

better focus on contributing to sustainable food security and poverty reduction; and relieve the unpayable debt of poor countries.

In both developing and developed countries, parliaments and judiciaries can help advance food security along with executive branches of government. Truly representative parliaments can help assure that poor people have political voice and that policies are responsive to them. Independent judiciaries are needed to uphold the rule of law, enforce contracts, protect human rights, prevent arbitrary government action, and assure that governments uphold their obligations, in conformity with the requirements of rights-based approach to development.

International organisations and multilateral institutions are an important source of development finance, technical assistance, and information. International institutions accountable to those affected by globalisation must be developed. Global civil society, from villages to transnational coalitions, has two important roles. First, it must continue to design and implement development activities. NGOs frequently operate development projects and programmes that are cost-effective, well-targeted, and participatory, an essential requirement of the right-based approach which seemed to have been largely fulfilled in case of Bangladesh. Secondly, its advocacy should continue to drive international development activities in a direction that is socially just.

The final point to note is that food-insecure people themselves are important actors in the struggle to achieve food security—not passive victims. When policies remove barriers and make opportunities available, food-insecure people work eagerly to achieve and maintain the freedom from hunger that is their right as human beings.

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ANNEX TABLE A.1
AVAILABILITY OF FOOD GRAINS IN BANGLADESH, 1980/81-2008/09

Year	Domestic Production (Gross)			Mid-year Population (million)	Private	Public	Domestic	National	Per Capita	Moving Average
	Rice	Wheat	Total		Imports	Distribution	Procurement	Availability	Availability	
	(000 ton)	(000 ton)	(000 ton)	(000 ton)	(000 ton)	(000 ton)	(000 ton)	(000 ton)	(kg)	(kg)
	1	2	3	4	5	6	7	8	9	10
1980/81	13,880	1,092	14,972	89.9	-	1,542	1,017	14,000	155.7	-
1981/82	13,629	967	14,596	91.9	-	2,067	303	14,901	162.1	161.0
1982/83	14,215	1,095	15,310	93.9	-	1,953	192	15,522	165.3	164.5
1983/84	14,509	1,211	15,720	96.0	-	2,051	266	15,933	166.0	167.1
1984/85	14,623	1,464	16,087	98.1	-	2,562	349	16,692	170.1	164.1
1985/86	15,038	1,042	16,080	100.3	-	1,541	349	15,664	156.2	163.3
1986/87	15,506	1,091	16,497	102.5	-	2,120	188	16,779	163.7	160.6
1987/88	15,413	1,048	16,461	104.7	-	2,503	375	16,943	161.8	162.9
1988/89	15,544	1,021	16,565	106.8	-	2,941	416	17,433	163.2	163.7
1989/90	17,856	890	18,746	108.9	-	2,164	960	18,075	166.0	165.5
1990/91	17,852	1,004	18,856	111.0	-	2,372	783	18,559	167.2	166.3
1991/92	18,252	1,065	19,317	113.0	-	2,345	1,016	18,714	165.6	165.3
1992/93	18,341	1,176	19,517	115.0	355	1,073	233	18,761	163.1	163.1
1993/94	18,041	1,131	19,172	117.0	312	1,376	166	18,777	160.5	159.9
1994/95	16,833	1,245	18,078	119.0	1013	1,573	277	18,579	156.1	158.9
1995/96	17,687	1,369	19,056	121.0	850	1,759	422	19,373	160.1	157.7
1996/97	18,882	1,454	20,336	123.0	237	1,392	615	19,317	157.0	161.1
1997/98	18,862	1,803	20,665	125.0	1135	1,621	617	20,738	165.9	171.9
1998/99	19,905	1,908	21,813	127.0	3480	2,134	753	24,493	192.9	183.1
1999/00	23,067	1,840	24,907	129.0	1234	1,900	967	24,583	190.9	193.5
2000/01	25,086	1,673	26,759	131.0	1,063	1,762	1,088	25,820	197.1	192.5
2001/02	24,299	1,606	25,905	133.0	1,280	1,464	1,053	25,005	189.4	197.7
2002/03	25,188	1,507	26,694	135.0	2,966	1,435	952	27,474	206.6	199.5
2003/04	26,189	1,253	27,442	137.0	2,480	987	843	27,323	202.4	201.9
2004/05	25,157	976	26,133	138.0	2,980	1,367	899	26,968	196.8	203.90
2005/06	26,539	735	27,274	139.0	2,265	1,245	1201	29,539	212.5	208.19
2006/07	27,318	737	28,055	140.6	2,209	1,480	706	30,264	215.2	219.11
2007/08	28,931	844	29,775	142.4	2,916	1,561	1330	32,691	229.6	227.75
2008/09	31,317	849	32,166	144.2	2,217	2,129	1244	34,383	238.4	
Average (1980/81-1989/90)	15,011	1,092	16,103	99.3	0	2,143	442	16,194	163.0	n.a.
Average (1990/91-1999/00)	18,772	1,440	20,172	120.0	862	1,758	585	20,189	167.0	n.a.
Average (2000/01-2008/09)	26,669	1,131	27,800	138	2,264	1,492	1,035	28,830	209.8	n.a.

Source: Dorosh, del Ninno and Shahabuddin. (2004), and FPMU, Ministry of Food.

Note: Total availability equals net production (10% deduction from gross production for seed, feed and wastage) plus public distribution minus domestic procurement plus private imports (if any). Private import of food grains was not allowed before 1992/93.

ANNEX TABLE A.2
BANGLADESH FOODGRAIN IMPORT, 1980/81 – 2008/09
 (000 TON)

Year	Public Import			Private Import			Total Import			Total Availability of Foodgrain	Total Import as % of Total Availability
	Rice	Wheat	Total	Rice	Wheat	Total	Rice	Wheat	Total		
	1	2	3	4	5	6	7	8	9		
1980/81	84	992	1,076	0	0	0	84	992	1,076	14,000	7.7
1981/82	144	1,111	1,255	0	0	0	144	1,111	1,255	14,901	8.4
1982/83	317	1,527	1,844	0	0	0	317	1,527	1,844	15,522	11.9
1983/84	179	1,877	2,056	0	0	0	179	1,877	2,056	15,933	12.9
1984/85	659	1,898	2,593	0	0	0	659	1,898	2,593	16,692	15.5
1985/86	37	1,163	1,200	0	0	0	37	1,163	1,200	15,664	7.7
1986/87	258	1,509	1,767	0	0	0	258	1,509	1,767	16,779	10.5
1987/88	590	2,327	2,917	0	0	0	590	2,327	2,917	16,943	17.2
1988/89	61	2,075	2,136	0	0	0	61	2,075	2,136	17,433	12.2
1989/90	299	1,234	1,533	0	0	0	299	1,234	1,533	18,075	8.5
1990/91	10	1,567	1,577	0	0	0	10	1,567	1,577	18,559	8.5
1991/92	39	1,525	1,564	0	0	0	39	1,525	1,564	18,714	8.4
1992/93	19	809	828	0	355	355	19	1,164	1,183	18,761	6.3
1993/94	0	654	654	74	238	312	74	892	966	18,777	5.1
1994/95	230	1,325	1,555	583	430	1,013	813	1,755	2,568	18,579	13.8
1995/96	488	1,089	1,577	650	200	850	1,138	1,289	2,427	19,373	12.5
1996/97	19	711	730	15	222	237	34	933	967	19,317	5.0
1997/98	0	1,199	1,199	993	142	1,135	993	1,341	2,334	20,738	11.2
1998/99	393	1,603	1,998	2,663	805	3,468	3,056	2,408	5,464	24,493	22.3
1999/00	5	865	870	428	806	1,234	433	1,671	2,104	24,583	8.6
2000/01	33	459	492	529	534	1,063	562	993	1,555	25,820	6.0
2001/02	9	502	511	118	1,162	1,280	127	1,664	1,791	25,005	7.2
2002/03	4	250	254	1,553	1,414	2,966	1,557	1,664	3,221	27,474	11.7
2003/04	4	285	289	797	1,684	2,480	801	1,997	2,798	27,323	10.2
2004/05	99	293	391	1,196	1,786	2,983	1,294	2,079	3,374	26,968	12.5
2005/06	0	103	103	498	1,767	2,265	498	1,870	2,368	29,539	8.0
2006/07	0	121	121	695	1,516	2,211	695	1,637	2,332	30,264	7.7
2007/08	296	0	296	1,681	1,235	2,916	1,977	1,235	3,212	32,691	9.8
2008/09	396	295	691	187	2,031	2,218	583	2,326	2,909	34,383	8.5
Average (1980/81-1989/90)	266	1,571	1,838	0	0	0	266	1,571	1,838	16,194	11.2
Average (1990/91-1999/00)	120	1,135	1,255	540	320	860	661	1,454	2,115	20,189	10.2
Average (2000/01 - 2008/09)	93	256	350	806	1,459	2,265	899	1,718	2,618	28,830	9.1

Source: Directorate of Food and author's calculation.

ANNEX TABLE A.3
SEASONALITY IN COARSE RICE PRICES IN BANGLADESH

	1970s	1980s	1990s
January	0.923	0.987	0.972
February	0.942	1.021	1.011
March	0.993	1.064	1.052
April	1.049	1.092	1.062
May	1.018	1.005	1.007
June	1.075	0.958	0.990
July	1.115	0.969	0.997
August	1.058	0.955	0.988
September	1.065	1.009	1.006
October	1.021	1.002	1.012
November	0.952	0.983	0.952
December	0.900	0.941	0.944
Peak	1.112	1.092	1.062
Trough	0.900	0.941	0.944
Ratio	1.236	1.161	1.125

Source: Dorosh and Shahabuddin (1999).

ANNEX TABLE A.4
FLUCTUATIONS IN ANNUAL RICE PRICES, 1972/73 - 2004/05

Year	Actual Price (Tk/kg)	Changes from Previous Year (%)	3 years Moving Average	Deviation of Actual Price from Moving Average (%)	Deviation of Actual Price from Linear Trend (%)
1972-73	2.01	--	--	--	-38.7
1973-74	2.69	33.6	3.44	-21.8	-17.1
1974-75	5.61	108.6	3.88	44.7	37.4
1975-76	3.34	-40.6	3.99	-16.5	-16.0
1976-77	3.03	-9.1	3.36	-9.7	-39.9
1977-78	3.71	22.2	3.60	2.8	-24.0
1978-79	4.07	9.9	4.39	-7.2	-22.1
1979-80	5.39	32.3	4.66	15.7	1.2
1980-81	4.51	-16.3	5.27	-14.4	-26.8
1981-82	5.91	30.9	5.62	5.1	-2.4
1982-83	6.44	9.1	6.45	-0.1	0.4
1983-84	7.01	8.8	7.11	-1.5	3.3
1984-85	7.89	12.5	7.47	5.6	9.5
1985-86	7.51	-4.8	8.08	-7.1	0.1
1986-87	8.85	17.9	8.58	3.2	11.1
1987-88	9.37	5.9	9.33	0.5	12.2
1988-89	9.76	4.1	9.53	2.4	12.0
1989-90	9.47	-3.0	9.97	-5.1	5.5
1990-91	10.69	12.9	10.39	2.9	12.9
1991-92	11.03	3.1	10.28	7.3	12.3
1992-93	9.12	-17.3	9.91	-7.9	-10.1
1993-94	9.57	5.0	10.29	-7.0	-8.7
1994-95	12.19	27.3	11.25	8.3	11.7
1995-96	11.99	-1.6	11.32	5.9	7.2
1996-97	9.79	-18.4	11.08	-11.7	-17.3
1997-98	11.48	17.3	11.68	-1.7	-3.2
1998-99	13.77	19.9	12.50	10.2	11.3
1999-00	12.24	-11.0	12.59	-2.9	-2.7
2000/01	11.75	-4.2	11.83	-0.7	-10.1
2001/02	11.49	-2.2	12.11	-5.4	-15.8
2002/03	13.08	13.8	12.67	3.1	-4.5
2003/04	13.43	2.7	13.91	-3.6	-4.4
2004/05	15.23	13.4	-	-	5.5

Source: Dorosh, Shahabuddin and Farid (2004), and author's calculation, for the 2000/01 – 2004/05 period.

The Rights-Based Approach to Education in Bangladesh

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The study examines Bangladesh's record in implementing the right to education in terms of three dimensions of policy-making, e.g. the process of formulation, the contents, and monitoring of implementation. In the context of the human rights approach to education, the study reviews the overall record of progress in the education sector with emphasis on primary education and literacy. The analysis highlights the possible directions that the State of Bangladesh can pursue for enhanced implementation of the right to education in the country. Analysing the follow-up action plan of the Dakar Conference 2000, the study suggests what more needs to be done in order to streamline the country's education process in accordance with human rights principles. The study concludes that the rights-based approach having well-defined principles of participation, accountability, transparency, equality, non-discrimination, universality, and indivisibility can have significant value addition in the education sector in Bangladesh.

I. INTRODUCTION

Bangladesh has committed itself to the consensus of the global community that the right to development is a fundamental human right of all citizens of the country. Bangladesh's commitment to human rights requires explicit focus on human development such that empowerment and participation of the poor and disadvantaged groups are ensured for promoting an equitable process of development. While all components of human development are necessary to ensure

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human rights in a comprehensive manner, the lack of education has an especially significant negative impact on people's ability to exercise all forms of human right. In Bangladesh, an approach under which the right to education can be ensured will create a unique regime that will be more favourable to protecting other human rights. A foundation of basic education and literacy expands an individual's economic and social opportunities, helping to acquire better job with higher and more dependable income. Education can also be a powerful vehicle for improving awareness on other social issues, such as healthcare and the uptake of preventive health services.

Over the last decade, most educational indicators have shown positive trends in Bangladesh. In particular, marked progress is seen in enrolment in primary education. The progress has also been largely pro-poor, with enrolment (and completion) rising faster amongst the poor than the non-poor, faster amongst girls than boys, and faster in rural areas than in urban areas. But still inequalities in education are significant and a policy of ensuring the right to education is essential to promoting a rights-based approach to development. This would guarantee equity in access to resources and in sharing of benefits along with effective participation of individuals in decision making and in executing a transparent and accountable process of development. A focus on education, as an element of human rights, has, therefore, an inherent commitment to broadening and deepening the right to development in Bangladesh.

The present study makes an assessment of Bangladesh's record in implementing the right to education in the light of the commitments made by the State. In particular, the study examines the educational policies and programmes in terms of three major dimensions, e.g. the process of formulation, the contents, and monitoring of implementation. In order to be consistent with the rights-based approach, each of these dimensions is required to display certain characteristics, such as participation of the stakeholders in the process of policy formulation and setting of priorities and targets, and adoption of the principles of equity, non-discrimination, and accountability. In addition to outcomes, the analysis also stresses the process itself which is an equally important feature of the rights-based approach.

The study is organised in six sections. After the brief introduction of this section, Section II spells out the human rights approach to education policy along with a review of Bangladesh's commitments and major requirements of the rights-based approach to education. The section also identifies the obligations of the State and their implications for the country's education sector. Section III provides a review of the overall record of progress in the education sector in Bangladesh with emphasis on primary education and literacy. This provides a picture of the present situation in relation to the commitments made by the State.

Section IV examines, using the perspective of the rights-based approach, the country's education policies and some projects involving the right to education. In particular, the section examines the *National Plan of Action* (2003-2015), prepared as a follow-up of the Dakar Conference 2000, in terms of its potential to address the human rights concerns in education. This serves as a background to the assessment undertaken in Section V of the achievements in the education sector from the human rights perspective and identifying the gaps that need to be addressed to fulfil the State's commitments with regard to the right to education. Finally, Section VI provides some concluding observations.

II. THE HUMAN RIGHTS APPROACH TO EDUCATION

The human rights approach to education, as defined in international and national human rights laws and declarations, provides clear and specific human rights standards in recognising, promoting and protecting the right to education at all levels.¹ The approach affirms the need to put into practice a comprehensive strategy that conceptualises education as covering all aspects of (a) the right to education, (b) human rights in education, and (c) human rights education, in order to enhance the enjoyment of all forms of human rights and freedoms through education. This section examines Bangladesh's human rights commitments in education as well as the rights-based approach to education and its implications for the education sector in the country.

The rights-based approach to education provides the broad guidelines for achieving the educational goals in an efficient and equitable manner. Three elements of the policy regime are important for ensuring that the human rights requirements are met and the State's obligations are fulfilled. These are: (i) the policy formulation process; (ii) contents of policies; and (iii) monitoring of implementation.² The *process of policy formulation* in education needs to be participatory especially to reflect the voices of the population groups who are affected, directly or indirectly, by such policies. It needs to be recognised, moreover, that effective participation requires empowerment of citizens, particularly the poor and the deprived sections, which can come through building awareness and fulfilling other civil and political rights. The *policy contents* of the rights-based approach to education—e.g. goals and targets, allocation of resources, and methods for realising the targets—also must be guided by the human right norms. Such norms involve several requirements like the principles of equity and non-discrimination, conformity with human right instruments, and an integrated

¹ See, ECOSOC (2001b), ASK (2000), Tomasevski (2000a, 2000b, 2000c, 2000d).

² See Osmani (2005) and also Osmani's contribution in this volume.

approach such that the complementarities among various rights can be realised. Finally, the *process of monitoring and evaluation* of the educational outcomes needs to possess, apart from its traditional elements, some mechanisms that can ensure that the State, as the duty-bearer, can be made accountable for its performance. The process of ensuring accountability must be participatory in nature involving procedures to hold the State accountable for each element of its duties. Along with mechanisms to ensure both internal and external accountability, it is also important for the rights-based monitoring to assess the culpability of the State in case of failure to adopt and implement appropriate policies.

The State has the principal responsibility for the direct provision of education as exemplified in Article 13 (2) (e) of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (“*development of a system of schools at all levels shall be actively pursued*”), but the extent of this obligation is not uniform for all levels of education. The provision of free primary education for all is the immediate duty of the State of Bangladesh, but the State is also required to adopt and implement a national educational strategy which includes the provision of secondary, higher and basic education consistent with the requirement of the Covenant. The minimum responsibility of the State is to ensure the most basic forms of education in the country. In Bangladesh, such responsibility obligates the State to:

- (i) Ensure the right of access to public educational institutions and programmes on a non-discriminatory basis;
- (ii) Ensure that education conforms to the human rights requirements;
- (iii) Provide compulsory primary education which is available free to all;
- (iv) Adopt and implement a national educational strategy which includes provision for secondary, higher, and fundamental education; and
- (v) Ensure free choice of education, subject to conformity with minimum educational standards, without interference from the State or Third Parties.

It is important to recognise several implications of these obligations. *First*, the right to education is comprehensive and precise. While the provision of free and compulsory primary education to all children is the priority, the State’s obligation is also to progressively ensure free and equal secondary education (including vocational education and training) for all and provide equal access to free higher education based on capacity. In addition, the State is required to take concrete steps to promote fundamental (basic) education to eliminate illiteracy and satisfy the basic learning needs of the adults.

Second, the right to education incorporates the basic principles of equality and non-discrimination such that the State's priority is to ensure equal access for all including the girl child and other vulnerable groups, such as children with disabilities and from minority and ethnic populations.

Third, the quality of education is an important concern of the human rights approach. Moreover, quality is conceived within a broad framework such that the education system contributes to developing the child's personality, talents, and abilities to the fullest potential; prepares the child to lead a responsible life in society along with a spirit of tolerance and respect for human rights, and equip the child to inculcate social behaviour consistent with his/her own socio-cultural identity and civilisations. It is also necessary to ensure school discipline and norms that are consistent with the child's human dignity.

Fourth, the provision of these rights by the State can, in principle, be ensured through both public and private provisioning of education. The important obligation of the State is, however, to guarantee the availability of adequate number of public schools with qualified teachers that can provide quality education to all those students who would like to access education through public schools. This obligation is particularly relevant for primary education since private schools do not generally provide free education to all children.

Fifth, the State has also an obligation to respect the rights of parents to establish their own educational institutions (in conformity with standards and norms) if they wish to do so, choose private institutions for schooling of their children, and impart religious and moral education that conforms to their own convictions.

It is important to stress that the obligations of the State in relation to different levels of education are not identical. While the right to educational freedom, non-discrimination and equal treatment, academic and institutional autonomy, and similar other requirements have applicability across all levels of education, the priority of the State is to introduce compulsory, free primary education. Article 14 of the ICESCR provides five important characteristics which should form the pillars of the primary education programme. These are:

Compulsory: The important feature of this requirement is that the decision that the child should have access to primary education is obligatory and not negotiable on the part of the parents, guardians and the State. Moreover, it permits no gender discrimination in access to education. It also requires that the education that is offered must be adequate in quality, relevant to the child, and must promote the realisation of child's other rights.

Free of charge: The availability of primary education must be ensured without charge to the child, parents or guardians. Any fees imposed constitute disincentives

to the enjoyment of the right. Similarly, any indirect costs (e.g. levies or requirement to wear a relatively expensive school uniform) may also jeopardize the realisation of the right and need to be eliminated.

Adoption of a detailed plan of action: The State must adopt a detailed plan of action covering all actions necessary to secure each of the requisites and ensure comprehensive realisation of the right. Participation of all sections of civil society in drawing up the plan is necessary along with mechanisms for periodic review of progress and to ensure accountability.

Obligations: The State has the unequivocal obligation to adopt the plan of action, if necessary, with international assistance and cooperation.

Progressive realisation: The plan of action must aim at securing the progressive implementation of the right to compulsory primary education within a time-frame fixed in the plan. For this, the plan is required to set out a series of targeted implementation dates for each stage of its progressive implementation.

In the light of the preceding discussion, the obligations of the State of Bangladesh in the human rights approach to education can be detailed as follows:

Access to education

- The State must ensure the right to education and guarantee that the right is recognised and exercised without any kind of discrimination;
- The State must take adequate measures to eliminate obstacles limiting the access to education notably for girls, indigenous children, children with disabilities, and children from poor and disadvantaged families; and
- The State must ensure elements of availability, accessibility, acceptability, and adaptability to education in all its forms and at all levels.

Primary education

- The State must ensure that primary education is compulsory, accessible, and available free to all;
- The State must take measures to encourage improved enrolment and retention rates and regular attendance at schools, close the gap between school leaving age and the minimum age for employment, ensure quality education, eliminate gender discrimination and gender stereotypes in educational curricula, materials, and education process; and
- The State must ensure that the primary education, as the most important component of basic education, satisfies the basic learning needs of all

children with due account to the culture, needs, and opportunities of specific communities.

Secondary and higher education

- The State must ensure that secondary education includes completion of basic education which consolidates the foundations for life-long learning and human development along with preparing the students for vocational and higher educational opportunities;
- The State must ensure that technical and vocational education (TVE) provides a wider role as a part of both the right to education and the right to work. For the purpose, the State should view TVE as an integral element of all levels of education; and
- The State must ensure that higher education is available in different forms to respond to the needs of the students in different settings and equally accessible to all on the basis of capacity.

Basic education

- The State must ensure that the right to education extends to all those who are yet to satisfy their basic learning needs and which is not limited by age or gender. Basic education must be treated as an integral component of adult education and life-long learning and is a right of all age groups so that the curricula and delivery systems should be devised to suit such requirements.

In addition, the State has the responsibility to perform a few other duties, which include: (i) install mechanisms, such as indicators and benchmarks on the right to education, by which progress can be monitored; (ii) ensure an educational fellowship system to assist disadvantaged groups; (iii) establish minimum educational standards to which all educational institutions would conform along with transparent and effective systems to monitor such standards; (iv) ensure that communities and families are not dependent on child labour; and (v) remove gender and other stereotyping which impedes the educational access of girls, women and other disadvantaged groups. As a first step, however, the primary responsibility of the State of Bangladesh is to work out and adopt a detailed plan of action for the progressive implementation of the principle of providing compulsory primary education free of charge for all within two years of the ratification of the Covenant.

III. RIGHT TO EDUCATION IN BANGLADESH: A PROGRESS REPORT

The Constitution of Bangladesh recognises education as a basic right of all citizens and obligates the State to adopt effective measures to ensure access to education as a goal in its own right and as a means to improving the quality of life and human welfare. Article 17 of the Constitution mentions that it is the responsibility of the State “to provide uniform, mass-oriented and universal education and to extend free compulsory primary education to all children to such stage as may be determined by the law.”

In addition to such national imperatives, the State of Bangladesh is committed to international goals in education as set out in various declarations. Bangladesh has re-affirmed its commitment to basic education through the two world conferences on “Education for All” (EFA) in 1990 and 2000; and is a signatory to the *World Declaration on “Education for All”* adopted in the Dakar Conference 2000. Following the *Framework of Action* adopted in the Conference, a post-Dakar *National Plan of Action (2003-2015)* has been formulated. Bangladesh also aims to achieve the *Millennium Development Goals (MDGs)* covering universal primary enrolment, adult literacy rate of 90 per cent and secondary enrolment rate of 95 per cent by the year 2015.³ Prior to the Dakar Conference, the government signed the *Jomtien Declaration (1990)* and adopted “Education for All by 2000” under which the priority agendas included eradication of illiteracy and ensuring universal primary education.

Since independence in 1971, the primary focus of education policies and programmes has been to deal with the problems of access, equity and quality. Despite the priority accorded to education in the country’s development strategy, the progress towards realising these goals has been slow. As a result, Bangladesh remains a poorly educated country.

This section uses selected indicators to assess the overall record of progress in the country’s education sector. Despite significant quantitative expansion, the

³ The UN General Assembly has proclaimed the decade of 2003-2012 as the *Literacy Decade* recognising the view that creating literate environments is essential to eradicating poverty, achieving gender equality, and ensuring sustainable development. The Decade is about giving a voice to the voiceless and its objectives include: reducing the absolute number of the illiterate people, especially women and those living in places where illiteracy rates are high notably in Africa and South Asia; and creating dynamic literate environments and making a demonstrable improvement in the quality of life of those who participate in literacy programmes. By failing to become literate, these people remain deprived of the key to open the door towards empowerment, a better livelihood, smaller and healthier families, and participation in the development process.

record of progress suggests that the past success in rapid expansion of enrolment has been achieved at the cost of quality, indicating the increasing importance of quality-enhancing measures in promoting human rights to education in Bangladesh.

The Structure of the Education System

The structure of the education system in Bangladesh is diverse and complex. The government institutions are dominant at the primary, technical, and tertiary levels while private institutions are pre-dominant at the secondary level. A significant recent development, moreover, is the rapid expansion of the NGO-run non-formal primary schooling and private tertiary institutions.⁴ The traditional religion-based system (*madrasah*), both at primary and secondary levels, is also prevalent. The structure of the diverse system has several characteristics:

- (i) The system normally starts with one or two years of pre-primary education offered by various institutions (e.g. private schools, kindergartens, and religious schools like *maktabs*);
- (ii) The primary education system covers a five-year period for children of 6-10 years age group;
- (iii) The secondary education offers five years of schooling (grades 6 to 10) at the end of which the students are screened through a public examination (Secondary School Certificate). For the religious schools, a separate public examination is conducted;
- (iv) The students, with demonstrated competence at the Secondary School Certificate (SSC) examination, can enter into two-year higher secondary (or vocational/technical) institutions. At the end of the period, the students appear at the Higher Secondary Certificate (HSC) examination for screening and successful students become eligible to pursue higher education;
- (v) A mix of degree, certificate and diploma education of various durations is available at colleges, universities, and other specialised institutions for higher education. It may be mentioned here that successful completion of a degree (or equivalent) education is a requirement for entry into white collar jobs;
- (vi) The post-graduate education (1-2 years) is usually provided in the universities and affiliated institutions.

⁴ The latest *National Education Policy* adopted in 2010 proposes a new tier of pre-primary education for one year.

Overall Record of Progress

Bangladesh's success in achieving rapid human development at a relatively low level of income is manifested in educational outcomes.⁵ In particular, the account of progress shows rapid improvements in many quantitative indicators.

Literacy

Great strides have been made in improving literacy rates since Independence of the country in 1971. Yet, with a huge backlog of illiterate population, the literacy rate in Bangladesh is still low by international standards (Table 1). Despite the fact that literacy rate has more than doubled since 1970, as many as 40 per cent of the adult population were still illiterate in 2008. Moreover, nearly a third of the youth population (15-24 years) was illiterate in 2008, implying that a large majority of the young entrants into the labour force have no education and skills to pursue productive and remunerative income earning opportunities. A significant gender disparity in literacy among the adult population also remains, although it must be acknowledged that the gender gap has narrowed considerably over the years, especially in respect of youth literacy where the gender gap has all but disappeared.

TABLE I
ADULT AND YOUTH LITERACY RATES IN BANGLADESH

	1970	1975	1980	1985	1990	1995	2000	2005	2008
Adult literacy rate (15 years and above)	24	27	29	32	35	38	41	54	59
Female	11	14	17	20	23	26	29	49	55
Male	35	38	41	43	46	49	52	59	63
Youth literacy rate (15-24 years)	31	34	37	40	44	47	50	n.a.	n.a.
Female	18	22	26	29	32	36	39	n.a.	72
Male	43	46	48	51	55	58	60	n.a.	73

Source: World Bank (2001), BBS (2006, 2008, 2009b).

Note: In the final column, the data on youth literacy relates to 2009.

Primary education

The government "nationalised" the primary education sector in 1973. Between 1975 and 2008, the number of primary schools increased by 106 per cent and the number

⁵ The Human Poverty Index (HPI) which stood at 61 per cent in the early 1980s declined to 35 per cent in the late 1990s. Similarly, the Human Development Index (HDI) value increased from 0.20 in 1970 to 0.52 in 2003. See BIDS (2001), Mujeri and Sen (2003), UNDP (2005).

of teachers rose by 122 per cent, both of which exceeded the rate at which the number of students increased during the same period (92 per cent). As a result, both the average number of students per school and the student-teacher ratio show declining trends (Table II). It is important to note, however, that the declining trend in these ratios is a relatively recent phenomenon. The number of students per school started to decline since 1990 and the student-teacher ratio only since 1995, which shows that the last couple of decades have witnessed a sharp acceleration in the availability of schools and teachers at the primary level.

TABLE II
EXPANSION OF PRIMARY EDUCATION IN BANGLADESH

	1975	1980	1985	1990	1995	2000	2005	2008
No. of schools	39,914	42,588	43,588	45,783	62,617	76,809	80,397	82,218
No. of teachers (thousand)	164.62	174.16	183.86	200.06	248.78	309.34	n.a	365.93
No. of students (million)	8.35	8.03	10.08	12.35	16.43	15.77	16.23	16.00
Ratios:								
No. of students per school	209	189	231	270	262	205	202	195
No. of students per teacher	51	46	55	62	66	51	n.a	44

Source: GOB (2001, 2005), BANBEIS website.

Note: This table needs careful interpretation. The figures for 2000 onward include various miscellaneous schools, where the number of students per school is quite low, making comparison with earlier years difficult.

Disaggregation by type of institutions indicates that the growth in primary schooling came mostly from the expansion of private schools (Table III). Between 1980 and 2008, the number of private schools rose by nearly nine times, and the number of while teachers and students in non-government primary schools increased seven-fold and six-fold respectively, while corresponding increases were 0.2 per cent, 23 per cent and 37 per cent for government primary schools. This shows that the non-government primary schools have played the key role in expansion of the system over the last two decades.

TABLE III
EXPANSION OF PRIMARY SCHOOLING BY TYPE

	1980	1985	1990	1995	2000	2005	2008
No. of schools	37,609	36,689	37,760	37,717	37,677	37,672	37,672
Government							
Non-government	4,979	6,899	8,023	24,900	39,132	42,725	44,546
No. of teachers (thousand)							
Government	149.15	153.61	162.24	161.25	n.a.	n.a.	182.90
Non-government	25.01	30.25	37.82	87.53	n.a.	n.a.	183.03
No. of students (million)							
Government	6.94	8.77	10.49	11.83	n.a.	n.a.	9.5
Non-government	1.09	1.31	1.85	4.60	n.a.	n.a.	6.5
Ratio of non-government in total (%)							
No. of schools	12	16	18	40	51	53	54
No. of teachers	14	17	19	35	n.a.	n.a.	50
No. of students	14	13	15	28	n.a.	n.a.	41

Source: BBS (2009a), CAMPE (2009), GOB (2009), BANBEIS website.

Note: Data do not include non-formal primary schools which numbered 35,314 in 2007.

The pluralist and heterogeneous structure of the primary schooling system is apparent from Table IV. In 2008, 46 per cent of the total number of primary schools was operated directly by the government with about 60 per cent of the students. Besides, there were registered and non-registered non-government primary schools, community schools, satellite schools, kindergartens, *madrasahs*, and other types of schools.

Most of the non-government schools receive subsidy from the government including teacher salaries and text books for the students. The curriculum also adheres to the national competency-based curriculum developed by the National Curriculum and Textbook Board (NCTB). In addition, about 2 million children (10 per cent of total primary enrolment) received primary schooling through the NGO-run schools. Since the late 1990s, the government initiated a programme to provide grants to NGOs, CBOs and PVOs (private voluntary organisations) to set up primary schools in villages having no schools. The number of satellite schools increased to 3,884 in 2000 from only 200 in 1996 (DPE 2001).

TABLE IV
STRUCTURE OF PRIMARY SCHOOLING: 2008

Type	School		Teacher			Student		
	Number	Per cent	Number	Per cent	Per cent of female	Number (million)	Per cent	Per cent of female
Government primary schools	37,672	45.8	182,899	50.0	52.7	9.54	59.6	51.3
Non-government primary school								
Registered	20,083	24.4	76,875	21.0	32.9	3.47	21.7	50.1
Non-registered	966	1.2	2,460	0.7	64.2	0.10	0.7	49.3
Others	23,497	28.6	103,691	28.3	28.6	2.89	18.0	47.9
Total	82,218	100.0	365,925	100.0	41.8	16.00	100.0	50.1

Source: BANBEIS website.

Note: "Others" include community schools, satellite schools, kindergarten, primary (*ebtedayee*) sections attached to high *madrasahs*, experimental schools, primary sections attached to high schools and primary schools run by NGOs.

The government also supports non-formal education (NFE) which is supervised by the Directorate of Non-Formal Education in the Ministry of Education. The NFE aims at providing literacy and basic functional education to those who remain out-of-school or to the drop-outs before completing primary education. During 1996-2001, 34.4 million learners (covering age groups 8 to 45 and hard-to-reach target groups) were covered under these programmes. In adult literacy, about 330 NGOs are directly involved in the non-formal education programmes of the government aiming to cover nearly 30 million adult learners.

At the output level, there has been a rapid progress in quantitative expansion of primary education. The gross and net enrolment rates increased to 98 per cent and 91 per cent respectively by 2009 (Table V). Another significant achievement is the gender parity in primary education.⁶ An important factor that contributed to the

⁶ As we shall see later on, the success in ensuring wide coverage and access to primary education and achieving gender (as well as urban-rural) parity was made possible by interventions on both supply and demand sides including targeted programmes to address specific constraints. Along with the enactment of the compulsory Primary Education Act in 1990, the combined impact of various programmes like the Food for Education programme, and special programmes for increasing social motivation and physical facilities in schools, and for enhancing school attractiveness and education quality through both the government and NGO efforts contributed to higher enrolments and better achievements.

rapid progress in primary schooling is the policy emphasis on appointing female teachers in primary schools. Currently, almost half the teachers at the primary level are female (Table IV).

TABLE V
SELECTED INDICATORS OF PRIMARY SCHOOLING

(per cent)

	1970	1980	1985	1990	1998	2000	2009
Gross enrolment rate	54	61	62	72	97	97	98
Female	35	46	52	66	95	97	103
Male	73	75	72	77	98	97	93
Net enrolment rate	50	60	56	64	83	n.a.	91
Female	33	45	47	60	82	n.a.	94
Male	66	74	65	68	84	n.a.	88
Student-teacher ratio	46	54	47	63	n.a.	57	44
Repetition rate	n.a.	18	n.a.	7	8	n.a.	12
Share of pupils reaching grade five	n.a.	21	n.a.	47	65	n.a.	80

Source: GOB (2001), World Bank (2001), BBS (2008), and BANBEIS website.

Recent evidence shows that the proportion of out-of-school children decreased over time—from 23 per cent in 1998 to 13.6 per cent in 2008; nearly one per cent per year (CAMPE 2009). Decrease in out-of-school children was observed in all groups of children categorised by age, gender, area of residence, parental education, household food security status, religious beliefs and ethnicity. Major improvement was noticed in the poorest households (defined in terms of the level of food insecurity). Whereas the proportion of out-of-school children decreased 3.1 percentage points in the *food surplus* households, it decreased 21.8 percentage points in the *always in food deficit* households between the two periods.

The country, however, is yet to achieve complete enrolment at the primary level and reduce the dropout rate which remains extremely high. Although net enrolment rate has gone up from 64 per cent in 1990 to 91 per cent in 2009 (Table V), district-wise analysis showed a gap of about 25 percentage points between the lowest and the highest performing districts (DPE 2008). More significantly, official estimates show that, as of 2007, as many as half of the enrolled students dropped out before completing primary education (DPE 2008). This marks a sharp reversal of earlier trend, as the completion rate in primary education had gone up earlier from 43 per cent in 1990 and 70 per cent in 1998 (BBS and UNICEF 2000). The official trend is confirmed by an independent study, which shows that the completion rate has fallen

from 70 per cent in 2000 to 50 per cent in 2008 (CAMPE 2009). This has happened in both urban and rural areas—the urban completion rate has declined from 79 per cent in 2000 to 69 per cent in 2008 while the rural rate has declined even more sharply—from 74 to 48 per cent during the same period. The increasing trend of dropout from primary education is thus primarily, though not exclusively, a rural phenomenon.

School participation is strongly associated with the socioeconomic characteristics of the children such as age of children, parental education, household food security status, religion, and ethnicity. A study conducted in 2008 shows that 86.4 per cent of the children aged 6-10 years were enrolled in school. Of the remaining 13.6 per cent who were out-of-school, 12.1 per cent were never enrolled in school, and 1.5 per cent were enrolled but dropped out after some time (CAMPE 2009). The rate of out-of-school children is higher among the boys than the girls and in rural areas than in urban areas. The same survey also reveals that primary education provision has become less efficient than in the past and the coefficient of efficiency varies by school type/streams, residence, and gender. Primary-attached high schools are the most efficient and the *ebtedayee madrasahs* are the least efficient primary provision in the country.

Secondary education

In Bangladesh, the secondary education system consists of two levels—secondary education (grades 6-10) and higher secondary education (grades 11-12). In 1971, there were 6,126 secondary schools and the number increased to 18,435 in 2008. In addition, 3,458 junior secondary (grades 6-8) and 638 higher secondary institutions catered to the needs of secondary education in 2008.

The significant increase in enrolments and higher completion rates at the primary level since the 1980s led to higher enrolments at the secondary level in the 1990s. The enrolment in secondary schools more than doubled between 1990 and 2008—from 3.0 million to 6.4 million. At the higher secondary level, total enrolment increased from 0.19 million in 1995 to 0.82 million in 2008. The structure of the secondary education system shows the dominance of the non-government institutions (Table VI). For secondary and higher secondary education as a whole, more than 97 per cent of the institutions belong to the non-government category which provide enrolment to 89 per cent of the students.⁷

⁷ Although these institutions are privately managed, a substantial part of their expenses is covered by government salary subvention payments for teachers and staff and block grants for construction and maintenance. The government also provides support to the religious secondary schools e.g. *dakhil* (grades 6-10) and *alim* (grade 11-12) *madrasahs*.

TABLE VI
STRUCTURE OF SECONDARY EDUCATION: 2008

	Schools/Colleges		Teachers		Students		
	Number	Per cent of total	Number	Per cent of total	Number (million)	Per cent of total	Per cent of female
A. Secondary education (grades 6-10)							
Government	317	1.7	7,120	3.5	0.21	3.3	48.0
Non-government	18,118	98.3	199,448	96.5	6.18	96.7	54.0
Total	18,435	100	206,568	100	6.39	100	53.8
B. Higher secondary education (grades 11-12)							
Government	252	7.7	10,937	12.4	0.72	38.9	41.1
Non-government	3,025	92.3	77,038	87.6	1.13	61.1	46.1
Total	3,277	100	87,975	100	1.85	100	44.2
C. Secondary and higher secondary education							
Government	569	2.6	18,057	6.1	0.93	11.3	43.0
Non-government	21,143	97.4	276,486	93.9	7.31	88.7	51.0
Total	21,712	100.0	294,543	100.0	8.24	100.0	50.1

Source: BANBEIS website.

Note: Within the system, there exist different types of educational institutions. The government schools/colleges cover secondary schools and intermediate/degree colleges. There also exist religious schools known as *dakhil* (grades 6-10) and *alim* (grades 11-12) *madrassahs*. Similar varieties of institutions also exist in the non-government category.

Despite its growing nature, enrolment rates at the secondary level are still low (Table VII). Between 1980 and 2005, gross enrolment rate rose from 18 per cent to 43 per cent along with significant increase in female enrolment rate. A survey in 2005 reports that secondary education participation has reached 45 per cent on a net basis for the 11-15 years age children from 33 per cent in 1998, while enrolment of girls (50.6 per cent) far exceeded that of boys (39.6 per cent) on a net basis (CAMPE 2005). The major function of secondary schooling is the screening of students to pursue higher education and, in this respect, the system is extremely inefficient, and the situation has become worse over time. In 1999, for every 100 students who entered the system at grade six, only six survived through passing the final examination at the higher secondary level which is a pre-condition to continue higher education (Table VIII). More recent data on survival up to the higher secondary level is not available, but comparable data exist for survival up to secondary certificate examination. In 1999, of those who entered the 6th grade some

31 per cent the survived the examination in grade 10 (Table VIII), but in 2008 only 20 per cent did so (CAMPE 2009). Thus, as in the case of primary education, in secondary education too one finds a decreasing trend of completion rate. Considering that only about half of those who enter school complete the primary cycle, and 20 per cent of those who enter secondary school complete the secondary cycle, one can infer that no more than one in ten of the children who ever go to school complete the 10-year schooling cycle. This is a terrible indictment of the educational system in Bangladesh. The fact that an already low completion rate has become even worse over the last decade indicates a serious reversal in the progress towards achieving the right to education, despite increasing enrolment rates at all levels of schooling.

TABLE VII
SELECTED SECONDARY SCHOOLING INDICATORS

	1980	1985	1990	1997	2005
Gross enrolment rate	18	19	19	19	42.7
Female	9	11	13	n.a	47.2
Male	26	27	25	n.a	38.6
Net enrolment rate	18	21	22	22	n.a
Female	10	13	15	16	n.a
Male	25	29	28	27	n.a
Student-teacher ratio	24	28	28	29	31
Private sector share in enrolment	-	93	90	82	97

Source: World Bank (2001) and BANBEIS website

TABLE VIII
SURVIVAL RATES IN SECONDARY EDUCATION

Per cent of:	Co-efficient Efficiency (%)	Cumulative survival rate (%)
Students entering grade 6	100	100
Students completing grade 10	60	60
Students passing Secondary School Certificate (SSC)	52	31
Students entering grade 11	81	25
Students completing grade 12	60	15
Students passing Higher Secondary Certificate (HSC)	40	6

Source: CAMPE (1999).

Moreover, the rapid expansion of the system has aggravated quality problems. High rates of dropout and failure in public examinations indicate serious deficiencies in quality of education. Dropout rates averaged over 50 per cent between grades 6 and 10 in recent years. On an average, half of the candidates, even after they survived the gauntlet from class six to ten and the “test” examination in class ten passed the SSC examination (CAMPE 2005). Poor achievement of students and low quality in secondary education can be attributed to well-known causes, such as deficiencies in teachers’ skills and capability, inadequate facilities and learning materials, poor enforcement of rules and criteria for approval of government subvention, inadequate resources reflected in low per student expenditure, and poor governance and management of schools.

Higher education

The access to higher education is limited with very low enrolment rates (Table IX). Two separate systems exist: the universities and the degree colleges. Enrolment in the universities is selective which accounts for about 15 per cent of the total enrolment and mostly serves the urban elites (Table X). Due to lack of employment opportunities at the lower levels, nearly three out of four students who pass the higher secondary level examination continue with some form of higher education.⁸

TABLE IX
GROSS ENROLMENT RATES IN TERTIARY EDUCATION

	1980	1985	1990	1995
Total	3	5	4	6
Female	1	2	1	2
Male	5	7	7	10

Source: World Bank (2001).

⁸ At present, along with 27 government universities, there are more than 50 private universities which were permitted first time in the 1990s. The private universities are not subsidized by the government, tuition fees are high and hence these provide education to the children from the richer segment of the population. In order to make university education more accessible, the Bangladesh Open University was established in 1992 which enrolled 0.27 million students in 2009.

TABLE X
STRUCTURE OF HIGHER EDUCATION, 2007

	Institutions		Teachers		Students		
	Number	Per cent of total	Number	Per cent of total	Number (million)	Per cent of total	Per cent of female
A. Universities							
Public	27	40.7	8,068	49.7	1.4	87.5	37.8
Private	54	59.3	8,168	50.3	0.2	12.5	23.6
Total	81	100.0	16,236	100.0	1.6	100.0	36.3
B. Degree colleges							
Government	262	22.2	10,300	22.7	0.5	41.1	
Non-government	917	77.8	35,001	77.3	0.7	58.9	
Total	1,179	100.0	45,301	100.0	1.2	100.0	
C. Universities and degree colleges							
Government	289	22.9	18,368	29.8	1.9	67.9	
Non-government	971	77.1	43,169	70.2	0.9	32.1	
Total	1,260	100.0	61,537	100.0	2.8	100.0	

Source: BBS (2009a), UGC website.

Status of Vulnerable Groups

The progress in Bangladesh's education sector, as shown above, highlights several features e.g. commitment to primary education and expansion of girls' enrolment rates. Despite the progress achieved so far, significant disparity in basic education remains.

Spatial disparity

Significant disparity exists in literacy rate between urban and rural areas,, between females and males, and among different administrative divisions of the country (Table XI). Similarly, geographical disparity exists in access to and participation in primary education. A survey conducted in 2000 shows relatively low net and gross enrolment and cycle completion rates in Barisal and Sylhet divisions (CAMPE 2002). The survey also indicates wide disparity among different villages in access to primary education. Of the villages surveyed, the net enrolment rate was reported at or below 50 per cent in 4.5 per cent of the villages. This means, in absolute terms, there exist around 3,800 villages where the enrolment rate is very low. As in the case of inequity in child immunization coverage, these low performing villages are often small villages located in ecologically-fragile, disadvantaged and low-lying areas (Chowdhury, Chowdhury and Nath. 2001). Such enrolment differences seem to have persisted in later years (CAMPE 2009).

TABLE XI
DISPARITY IN LITERACY RATE, 2005

Division	Rural		Urban		Total	
	Female	Male	Female	Male	Female	Male
Barisal	56.5	62.6	71.4	80.6	58.7	65.3
Chittagong	42.8	50.5	61.7	68.4	47.6	55.0
Dhaka	40.6	45.2	65.2	74.8	50.0	56.4
Khulna	46.3	55.2	62.9	68.3	49.8	58.0
Rajshahi	42.7	51.7	57.2	67.1	45.0	54.1
Sylhet	31.8	43.3	61.6	75.6	36.2	47.8
National	42.9	50.4	63.2	72.0	48.1	55.8

Source: BBS (2007).

Note: The literacy rate (in per cent) refers to persons 7 years and over and uses the definition of ability to write a letter in any language.

Enrolment disparity by household's poverty status

The children from poor families are less likely to attend schools. Moreover, such disparity has gender and location (rural and urban) dimensions (Table XII). Although the disparity is less at the primary level, the gap is much wider at higher levels. For every two non-poor children, only one poor child is enrolled at the junior secondary level. Similarly, the non-poor to poor ratio is nearly four at the secondary level and close to six at the higher secondary level.

TABLE XII
GROSS ENROLMENT DISPARITY BY POVERTY STATUS, 2005

	Urban			Rural			National		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
Children aged 6-10									
Poor	65.7	74.5	69.9	70.1	75.5	72.7	69.5	75.4	72.4
Non poor	88.1	87.1	87.6	83.3	83.4	83.3	84.5	84.3	84.4
Children aged 11-15									
Poor	53.1	57.5	55.4	47.0	59.8	53.7	48.0	59.5	53.9
Non poor	71.1	76.0	73.6	71.6	79.8	72.5	71.4	78.8	75.0

Source: BBS (2007).

Note: Gross enrolment rates are measured as children enrolled in respective grades as percentage of all children in target ages.

Similarly, a more recent study found that the net enrolment rate of the primary aged children significantly increased with the increase in household food security status. For instance, 78.1 per cent of the children of *always in deficit* households, 84.3 per cent of the children of sometimes in *deficit* households, 87.9 per cent of the children of breakeven households and 91 per cent of the children of *surplus* households were currently enrolled. Similar trends were found when data were separately analysed for the girls and the boys. The same study also found that between 2005 and 2008 the net rates declined for the upper three of the four categories of household food security status while the rate increased for the poorest group (CAMPE 2009).

Children who come from poor families attend schools less frequently, have higher dropout rates, and have lower performance in achievement tests. A comparison of selected internal efficiency indicators during 1998-2000 indicates that the participation of disadvantaged groups remains low with little change in socio-economic composition of net enrolment of the primary students (CAMPE 2009). Moreover, the level of competencies achieved is significantly lower for children from poorer households. Controlling for other factors, the average level of competencies rises monotonically from 17.7 (out of 27) among the “always in deficit” households to 18.1 in “sometimes deficit” households, 18.7 in “breakeven” households and 20 in “surplus” households (CAMPE 2009).

Crucial to improving educational outcomes is the calculation that households make when assessing the returns to education against the costs involved. For the poor families, the cost of educating their children is a significant deterrent. Although the direct costs are low in the early years of education, they increase rapidly with each grade. The composition of direct education costs changes with age and varies between income groups. Tutoring costs—that is, costs for supplementary private teaching outside school hours—become progressively more important at higher grades, and is a cost that poorer families can less frequently afford (either in monetary terms or in terms of children’s time free of household tasks).

More important than direct costs for poor households, however, are the indirect costs. In Bangladesh, child labour is common and begins at an early age. In both rural and urban settings, poor families often rely heavily on their children to help with a variety of tasks (generally household-based) essential to the wellbeing of the family. These forms of child labour include both income-earning or subsistence-oriented productive or trading activities, and household reproductive tasks (caring for younger siblings, cooking, cleaning, carrying water, etc.) much of which is necessitated in order to free up both parents for economic activity.

For many poor children, work and school attendance are largely substitutes for one another, and this trade-off becomes more pronounced as children get older. The

burden of housework and productive work is a particular problem for rural children of poor families, and girls. In particular, from age 12 onwards, household work is significantly more likely to interfere with girls' education than boys. Such children, especially girls, start to fall behind in grade attainment compared with their peers who only attend school. The high proportion of children who both attend school and work suggests that the household need for child labour contributes to outright dropout from school.

Access to education also has important inter-generational, inter-sectoral and societal dimensions. Statistically significant positive relationship between parental education and net enrolment is observed: mothers with secondary or more education are more likely to send their children to school than those with primary and no education. Similar relationship also holds for father's education. Moreover, it is observed that, out of 20 per cent of the eligible children (age 6-10 years) who are not enrolled in schools, nearly 18 per cent did never go to school while the rest had enrolled but dropped out before reaching the age of 10 years.

The socio-economic background of the non-enrolled children shows that most of them (more than 50 per cent) come from food deficit households, nearly 88 per cent live in rural areas, and over three-quarters of the fathers and 85 per cent of the mothers of the non-enrolled children have no schooling. Even in the case of enrolled students, only about 22 per cent of the eligible students are "in the right grade at the right age" and more than 47 per cent are in a class behind their age. The analysis by age shows that less than 45 per cent of the children of age six are enrolled in grade one and, of the children aged 10, only 15 per cent are in grade six.

While the overwhelming majority of the non-enrolled, drop-outs and poor performers of the basic schooling system belong to the poor families, the "rural-urban divide" in the education sector is reflected in significant variations in the type of primary schools that the students attend (Table XIII).⁹ Most of the rural students (around 92 per cent) are enrolled in government and government subsidized schools and *madrasahs* while similar share in urban areas is 76 per cent and relatively more urban students have access to Bangla and English medium private schools (e.g. kindergartens).

⁹ Some evidence suggests that the most disadvantaged in terms of access to education are those in urban slums. Similarly, children of ethnic minorities whose mother tongue is not Bangla and who generally fall in the low socio-economic category are also at a distinct disadvantage in respect of access to primary education. See CAMPE (2002).

TABLE XIII
ENROLMENT BY TYPE OF PRIMARY SCHOOLS, 2000
 (% of children)

Type of school	Rural	Urban	Total
Government	75.3	55.7	70.7
Government subsidized	11.6	19.4	13.4
Private (Bengali medium)	2.1	16.3	5.4
Private (English medium)	0.7	3.6	1.4
NGO-managed	5.1	2.3	4.4
Madrasah	5.0	0.9	4.0
Others	0.2	1.8	0.7
Total	100.0	100.0	100.0

Source: BBS (2001).

Since the quality of education in private schools is usually higher than that in government schools, which also have better qualified teachers and improved facilities in urban areas, urban students tend to get higher quality education than their counterparts in the rural areas. Obviously this quality differential has far-reaching implications on future educational prospects of the children living in rural areas compared with those in urban areas.

In summary, the present review indicates significant progress in the education sector particularly in increasing literacy and enrolment rates in primary education and in closing the gender gaps at primary and secondary levels in Bangladesh. The progress is the outcome of a series of affirmative actions taken by the State, the private sector and the NGOs.¹⁰ It is equally true, however, that the country needs to go a long way in realising the commitments made by the State in the education sector. The overall educational status remains low and is marked by pronounced rich-poor, gender and geographical disparities. Late entry is also pervasive

¹⁰ Several such actions may be noted, such as the enactment of the *Primary Education Act* in 1990 to provide free and compulsory primary education to all children; free education for girls up to grade twelve in rural areas; stipends for girls at the secondary level; food for education (recently substituted by cash for education) programme for children from poorer families; creation of a space along with financial support by the government for the private sector and NGOs to function; and proliferation of NGO-run non-formal schools for the children deprived of formal schooling due to poverty, gender or other reasons. It may be argued, however, that most of these actions contributed to improving the performance in quantitative terms with inadequate efforts towards addressing the quality aspects of education.

especially amongst the children from poor families. Over-age enrolment is a problem primarily because it is an important factor in explaining high dropout. Those students who start school late are highly likely to drop out before they complete primary education. One major factor underlying high dropout and low completion rates is the importance of child labour to poor households. It is much harder to keep children of poor families in primary school beyond initial enrolment, and even harder to keep them attending through into secondary education.

Along with protecting the budget for the primary education, this requires more attention to secondary education where direct and indirect costs for households act as a significant barrier to the continued attendance of children from poor families. For the poor families, pulling children out of school to work solves a short-term problem of income flow at a high long-term cost.

In the interests of both equity and macroeconomic efficiency, there is a strong case for public investments in promoting access to education for poor children. International experience suggests that pre-school or early childhood education merits more significant investment as a way to tackle late entry and the problems that follow. There is also a good case for scholarships for pupils from poor families, especially girls, as a mechanism to compensate poor families for lost income from child labour and so increase the probability that their children will remain in school.

IV. APPROACHING THE RIGHT TO EDUCATION IN BANGLADESH

Bangladesh's development strategy considers education more as a precondition for sustained economic growth which leaves little space for its human rights dimension. The existing inadequacy in educational attainments is seen as a manifestation of poverty, resulting in low labour productivity and inadequate living conditions, but it is not explicitly recognised as violation of people's right to education. Nonetheless, the role that the government plays in the education sector has an impact on the fulfilment of this right, even though the government does not adopt an explicitly rights-based approach.

Government policy recognises that inadequacies in educational investments are caused in part by poverty, which in turn contributes to its perpetuation. The poor households, with limited resources, face a difficult trade-off in meeting educational expense of their children which has a future pay-off at the cost of current consumption that is urgently needed for survival. As a result, education, particularly for the poor in Bangladesh, acquires the characteristics of public goods with positive externalities and the government is, therefore, required to spend more on education. This is necessary to ensure that the poor do not become the victims of both market and government failures. In view of such strong arguments, the case for

rapid growth in public expenditure has been generally accepted. The government has also followed active policies for expanding the delivery of educational services along with creating the institutional capacity to reach the poor.

A noteworthy feature of government policy is the pursuit of different approaches to the expansion of primary and secondary education. The strategic thrust for expanding primary education is through public provisioning and expanding the net of non-government schools. Since the 1990s, the approach also covered efforts at expanding the role of community schools organised by NGOs and communities with government support. The advantage of non-government and community schools lies in their lower cost of teacher salaries, higher number of students per class and higher student-teacher ratios, resulting in lower per-pupil costs compared with the government schools. The strategy for expanding secondary education, on the other hand, emphasises more on partnership with private providers. The policy of wider partnership with the private sector contributes to lower per-pupil cost through lower teacher-student ratios and lower teacher salaries (since the government pays 90 per cent of the base teacher salary in non-government secondary schools).¹¹

Public Expenditure Policy

Three sources of educational financing are available in the country: the government, the households, and community financing including NGOs. Survey evidence shows that the household sector is the most important source of education financing in the country. Although the publicly provided primary education is tuition-free, the non-government schools collect fees and contributions (even some government schools are reported to practise the collection of “informal contribution” using some pretexts). Moreover, the households pay for supplementary educational materials, private tutoring, and other education-related expenditures. One survey indicates that the average annual education expenditure by the households is almost similar to government expenditures at the primary and tertiary levels (Table XIV). The level of private expenditure is, however, more than two-and-a-half times that of public expenditure at the secondary level.

Although primary education is “free” in the country, in the sense that tuition fee does not have to be paid, households do need to incur a variety of other expenses. For instance, a survey conducted in 2005 reports that more than 80 per cent of the students of primary classes even in government schools had to pay “other fees”;

¹¹ The unit cost per student is estimated at US\$ 16 in non-government schools compared with US\$ 68 in government secondary schools (including all recurrent costs incurred by the schools irrespective of their financing). See World Bank (2002).

nearly 70 per cent had to pay for school dress and almost 60 per cent had to pay for school bags. Furthermore, over 40 per cent of students paid for private tuition (CAMPE 2007). On an average, households had to pay Tk. 2,359 for a primary level student—Tk. 2,120 for a rural student and Tk. 2,930 for an urban student. By contrast, public expenditure per primary student was only Tk. 1,728 for the country as a whole—Tk. 1,765 for a rural student and Tk. 1,618 for an urban student. Private expenditure per primary student thus exceeded public expenditure. Out of total private expenditure, just over a quarter is accounted for by private tuition; even if this part is left out and only the directly school-related items are considered private expenditure still matches public expenditure.¹² Thus, the so-called “free” education is far from free, with households having to pay more per student than does the government.

TABLE XIV
PUBLIC AND PRIVATE EXPENDITURES IN EDUCATION: 2001

Level	US \$ per student per year	
	Public	Households
Primary	13	13
Secondary	27	73
Tertiary	155	151

Source: World Bank (2002).

The share of private expenditure is even higher for secondary education. The same 2005 survey showed that private expenditure per secondary student was Tk. 11,204 as against public expenditure of Tk. 5,232 (CAMPE 2007). Thus, over two-thirds of expenditure for secondary education is borne by the households themselves. Part of the reason for high private expenditure in secondary education is the relatively high expenditure in urban schooling, where private tuition, in particular, plays a much larger role. But even in rural areas private expenditure far exceeds public expenditure—Tk. 8,464 for private versus Tk. 5,094 for public expenditure per secondary student.

Moreover, there are also significant inequalities in private expenditure in education. In 2005, per student expenditure on primary students of the richest quintile of households was 2.4 times that of the poorest quintile in rural areas; the corresponding figure in urban areas was 3.1. Very similar ratios are observed for secondary education as well (CAMPE 2007). Such differences in expenditure

¹² It should be noted that the average private expenditure was calculated for all households, regardless of whether they had any primary school student or not. If only those who had primary students were considered, the average would be much higher.

among various income groups as well as between rural and urban areas and over different types of schools indicate the differential capacity and access of students to a wide variety of primary schooling that exists in the country. This creates significant quality differentials and polarisation in access to educational opportunities on the basis of household's economic capacity.

Over the years, Bangladesh's public policy has increasingly emphasized the importance of education. Correspondingly, public resources devoted to education have increased in both absolute and relative terms (Table XV). Still, despite devoting around 15 per cent of total government spending to education, the level of government spending is low and constitutes only 2.2 per cent of GDP.¹³ Bangladesh spends less per student in primary education relative to other developing countries with similar per capita income. One important point to note, however, is that the government has been devoting more of its own resources in development expenditure on education (through the annual development programmes) compared with project aid received from external donors. The share of project aid in total education development expenditure was about 63 per cent in the late-1980s which declined to 28 per cent during the late-1990s. Over the same period, the yearly aid-financed development expenditure at constant 1995/96 prices increased from Tk. 1.8 billion to Tk. 3.9 billion, while similar expenditure from the government's own resources increased from Tk. 1.1 billion to more than Tk. 10 billion.

TABLE XV
GOVERNMENT EXPENDITURE ON EDUCATION

	1980	1985	1990	1995	2000	2005	2008
<i>Government Education Expenditure</i>							
% of total government expenditure	6.7	11.7	11.3	16.7	14.8	14.2	14.6
% of education development expenditure in total development expenditure	2.1	2.4	5.2	14.2	13.3	13.8	13.6
% of GDP	0.8	0.9	1.4	2.3	2.2	2.1	2.2
At constant 1995/96 prices							
Total government expenditure in education (billion Tk.)	7.8	10.2	18.1	37.5	42.7	55.1	69.1
Per capita education expenditure (Tk.)	89	105	166	313	325	402	485

Source: Mujeri (2000), GOB (2001, 2005), BBS (2009a).

¹³ During the mid-1990s, the ratio of educational expenditure to GDP was estimated at around 3.7 per cent in India, 3.4 per cent in Sri Lanka, 2.9 per cent in Nepal and between 4 and 6 per cent in East Asian countries.

The distribution of government education expenditure shows that the share of primary education has declined from more than 51 per cent in 1992 to around 40 per cent in 2009, whereas the share of secondary education increased, representing a shift of resources from the primary to the secondary level (Table XVI). Along with the need to accommodate the increasing demand for continuing education for the cohort that completed the primary education, the trend reflects a policy shift towards expanding the provision of secondary education, especially for girls.

TABLE XVI
PUBLIC EXPENDITURE BY LEVEL OF EDUCATION

	Total expenditure (billion Tk. at 1995/96 prices)	% share					Total
		Primary	Secondary	Technical	University	Others	
1992	19.9	51.3	32.0	2.6	8.8	5.3	100.0
1996	35.7	50.3	39.5	1.5	6.0	2.7	100.0
2000	42.7	44.6	43.5	2.6	7.4	1.9	100.0
2009	56.1	40.1	42.0	2.6	6.2	9.1	100.0

Source: GOB (2001), BBS (2009a).

Nevertheless, if we consider primary and secondary education as components of basic education, the share of public resources devoted to basic education shows overall stagnation at just over 80 per cent. A feature of public education expenditure which reflects its unbalanced nature, however, is the very high share of resources that is devoted to teachers' salaries in government schools and salary-related subsidies to non-government institutions. At the primary level, the revenue expenditure is almost entirely devoted to meeting expenses on pay and allowances. It is estimated that nearly 97 per cent of expenditure is accounted for by salary and salary-related expenditures.

At the secondary level, the share of pay and allowances is estimated at around 80 per cent when grants to non-government institutions are added since these are spent on salaries of teachers (Mujeri 2000). As a result, very little resources can be made available to meet other educational needs, such as teaching materials, essential supplies, in-service training and maintenance, and text book related expenditures which contribute towards improving the quality of basic education. In effect, the present expenditure pattern indicates low priority to complementary expenses needed for the delivery of quality education services, indicating an imbalance between labour and non-labour teaching inputs.

Despite these deficiencies, it is important to acknowledge the rising trend in the share of education in government expenditure. The increasing importance attached

to education is part of the overall shift in public spending to social sectors resulting from increasing prominence of social models in development. Public resources devoted to social sectors increased to more than a quarter of the total in recent years compared with around 16 per cent during the first-half of the 1990s. This shows that Bangladesh has met one of the key commitments of the 1995 World Summit for Social Development in Copenhagen.¹⁴

Education Policies and Strategies

The government's education policies and strategies have attempted to bring about reforms in the education sector for expanding enrolment and improving its quality and governance.

Primary education

The government's objectives for the primary sub-sector are to: (i) improve school quality and system efficiency; (ii) establish a sustainable, cost-effective and better-managed education system; and (iii) ensure universal coverage and equitable access to quality primary schooling. The *Primary Education Development Programme* (PEDP), 1998-2003, delineated policies and strategies to improve access, quality and management of the system with specific targets and objectives for the period. These included: (a) increase the net enrolment ratio from 85 per cent to 95 per cent; (b) increase primary school completion rate from 60 per cent to 75 per cent; and (c) raise learning achievements, reduce grade repetition, and improve school management, academic supervision and institutional capabilities in management, planning, implementation, monitoring and information analysis. For this purpose, the strategic thrusts under PEDP aimed to increase the relevance and usefulness of teaching content, improve the quality of learning achievements, and strengthen institutional and management capabilities through decentralisation and increased community ownership of schools. For increasing equitable access, several strategies were adopted, such as:

- (i) Establish new schools in underserved areas;
- (ii) Establish early childhood education programmes targeted to children from the poorest families;
- (iii) Undertake school nutrition programmes;

¹⁴ The 20/20 initiative calls for the allocation of, on average, 20 per cent of the budget in developing countries and 20 per cent of ODA to basic health, education, nutrition and low-cost water and sanitation. It was officially endorsed at the 1995 World Summit for Social Development in Copenhagen.

- (iv) Conduct motivational, awareness and other training programmes for the School Management Committees (SMCs);
- (v) Develop gender sensitive pedagogical techniques relevant to girl's education;
- (vi) Provide safe water and sanitary latrines in schools;
- (vii) Provide free textbooks to all children attending any kind of primary school;
- (viii) Provide additional incentives to the poor families such as free stationery and uniforms.

Many of the targets, however, remained unfulfilled and the second phase of PEDP (PEDP II) has now been undertaken covering similar strategies and policies with emphasis on increasing quality. In common with many developing countries, Bangladesh does not systematically conduct learning achievement tests that are nationally representative of primary school students. Nevertheless, available data generally point to low levels of learning achievements, poor literacy and numeracy skills acquired during the primary school cycle and a gender gap in test scores in favour of boys (see for example, Asadullah, Chowdhury and Nath. 2006). One effort targeted to the poor is the establishment of the *Ananda* Schools formed under the *Reaching Out-of-School Children* (ROSC) project, which gives disadvantaged children a second chance to continue their education. In 60 of the poorest *upazilas* of Bangladesh, some 500,000 children who had been forced to drop out of formal schooling have now enrolled at these alternative learning centres. These include children from ultra-poor families who cannot afford their education, children who had to drop out of school and start working to support their family and disadvantaged children living in remote areas of the country with limited access to education and opportunities. Through the ROSC Project, *Ananda* Schools provide education stipends to these children and distribute free books, stationeries and school uniforms. Still, the overall benefit incidence of public spending is regressive in nature as the poor are less likely to go to school (World Bank 2008).

Secondary education

The government's *Secondary Education Sector Development Plan* (SESDP) covering the period 2000-2010 sets out the long term vision and framework for the development of secondary education with two major objectives: (i) extension of basic education to eight years; and (ii) restructuring and improving the outcome of secondary education. Along with facilities expansion and quality improvement (e.g. teacher training, curriculum and examination reform, and strengthened supervision), the measures for restructuring and improving the secondary education under the SESDP aim to undertake several interventions like strengthened capacity for policy

and planning, improved monitoring and evaluation, and efforts to reach the underserved populations.

Non-formal education

Non-formal education (also known as mass education) primarily aims at providing literacy and basic functional education for those who have not been able to go to school or have dropped out before completing the primary education. The government-supported measures for non-formal education include:

- (i) centre-based literacy and survival skills programmes implemented by the government and the NGOs;
- (ii) the *Total Literacy Movement* (TLM), a campaign managed by the district-level administration; and
- (iii) distribution of free primers for philanthropic and voluntary organisations implementing non-formal education.

Although the goal of the non-formal education programme is laudable, its design and implementation remain largely ineffective. The effectiveness of the programmes, especially the campaign approach used in the TLM, is weak and has little lasting impact in the absence of effective post-literacy and continuing education programmes and opportunity to re-enter the regular school system (particularly in the case of the youth).¹⁵ While the existing policies highlight the intention of the government to provide quality basic education and extend its coverage to the entire population, it is important to examine these policies from the human rights perspective since their capacity to achieve the desired goals depends on the extent to which the adopted approach conforms to the principles of human rights.

Bangladesh's education outcomes, especially the success in expanding the coverage of primary education and reducing gender disparity, were greatly influenced by government policies and specific actions on both supply and demand

¹⁵ The TLM, launched in 1994, postulated that a six-month campaign would “eradicate” illiteracy in a district. The programme is financed by the government and the NGOs are kept out of it by design. Under the programme, six districts out of 64 districts of the country were declared free of illiteracy by 2000. The authenticity of the claim is, however, under doubt. An “Education Watch” survey, conducted in 2000, covered 15 clusters of the six districts (Magura, Joypurhat, Gazipur, Lalmonirhat, Rajshahi and Chuadanga) which were declared “free from illiteracy” by the government. It is reported that the literacy rate of the population aged 7 and above was 39 per cent in these districts—only 2 percentage points higher than the national average. In the case of adult literacy rate (aged 15 and above), no difference was observed between the so-called “illiteracy-free” districts and the remaining districts (42 per cent in both cases). See CAMPE (2000, 2001, 2002).

sides. In this respect, the strategies to promote education amongst the poor and women through demand side interventions created significant positive results.

Several such interventions may be mentioned. The *Food for Education* (FFE) programme provides food to disadvantaged families for sending their children to primary school.¹⁶ The *Female Secondary Stipends* (FSS) programme provides stipends and tuition waivers to girl students attending grades 6-10 in non-municipal (rural) areas. These programmes account for a significant share of public development expenditure on education (Table XVII). During 2000, nearly 16 per cent was devoted to FSS programme while another 20 per cent was spent on FFE and primary stipend programmes.¹⁷ As a result, although the enrolment rates of boys and girls are quite similar at the primary level, girls' enrolment rate has overtaken that of boys at the junior secondary level in both urban and rural areas.¹⁸

TABLE XVII
PUBLIC EXPENDITURE ON TARGETED EDUCATION PROGRAMMES

Programme	1997	1998	1999	2000	2005
Food for Education (billion Tk.)	3.3	3.7	4.0	3.9	6.5
Female Secondary Stipends (billion Tk.)	2.2	2.6	2.8	3.1	4.3
	As % of public education development expenditure				
Food for Education	22.6	25.2	23.6	19.7	9.1
Female Secondary Stipends	15.0	17.7	16.5	15.7	6.0

Source: GOB (2009).

The primary school stipend programme, however, leaves scope for making it more pro-poor. An analysis of the distribution of stipend resources shows that Rajshahi and Dhaka divisions receive the largest shares (28 per cent and 26 per cent

¹⁶ The programme has been discussed in greater details later in the section.

¹⁷ The government introduced a Primary Education Stipends Programme in 2000 to cover rural poor families in non-Food for Education programme areas providing a cash stipend of Tk. 25 per student per month.

¹⁸ In order to create the maximum impact, the current approach of providing stipends to all girl students at the secondary level may require some adjustments. With the objective of the female secondary stipend programme to achieve gender parity and raise secondary school enrolment, it may require to concentrate on regions where the largest gender gaps exist and where enrolments are lagging. Since gender parity at the present enrolment situation has nearly been achieved, the policy emphasis also needs to design appropriate incentives for both girls and boys from poor families to attend and continue in schools along with more effective targeting mechanisms.

respectively) of total stipend allocation and their corresponding primary enrolment shares are 23.6 per cent and 31.1 per cent (World Bank 2008). The study suggests that targeting the actual stipend amount to the poorest 40 per cent students instead of increasing the size of the programme would be more effective in reaching the poor.

In order to examine how human rights dimensions are being addressed under specific projects, the FFE programme and the *International Programme on the Elimination of Child Labour* (IPEC) are discussed below in greater detail.

Food for education programme

The *Food for Education* (FFE) programme provides in-kind stipend to poor households with children attending primary schools.¹⁹ From a human rights perspective, the significance of FFE is that it combines the right to education and the right to food in an integrated manner. The programme's goals are to increase school enrolment and attendance, reduce dropout rate, and improve the quality of primary education. The programme was introduced in 1993 and, during 2000 nearly 2.3 million students from 2.2 million poor families attending 17,403 primary schools in 1,247 unions of the country were included in the programme.²⁰ During 2001, 141 thousand tons of rice and 160 tons of wheat were distributed.²¹

The FFE programme is funded by the government and is implemented by local officials with the assistance of School Management Committees (SMCs). The targeting is done at two stages. In the first stage, one or two unions that are most economically backward and have low literacy rates are selected within each rural upazila (*thana*). Second, the SMCs draw up the list of participants giving priority to female-headed, landless, and low-income families. Within the selected unions, all government, registered non-government, satellite and low-cost primary schools as

¹⁹ In 2001, the government reformed the FFE programme into a *Cash for Education* (CFE) programme and a poor family now receives Tk. 100 per month with one child attending school and Tk. 125 having more than one, on the condition that the children attend at least 85 per cent of their classes. Earlier the eligible households used to receive 15 kg. of wheat or 12 kg of rice per month for one child (those with more than one used to get 20 kg of wheat or 16 kg of rice).

²⁰ In order to redress disparities, poor students of the remaining 3,208 unions of the country have been covered under a stipend programme. Since April 2000, 40 per cent of the poor students covering a total of 3.2 million students receive a stipend of Tk. 25 per month.

²¹ Along with coverage, the cost of the programme has increased over the years. During initiation in 1993, the programme involved Tk. 689 million which increased to Tk. 3,750 million in 1998 making it the largest domestically financed programme in the country. As a result, the share of FFE in total primary schooling expenditure rose from less than 5 per cent in 1994 to 20 per cent in 1998. In terms of coverage, about 27 per cent of all primary schools are covered under the programme with around 12.5 per cent of the total number of students benefiting from it.

well as one *madrasah* are eligible for inclusion in the programme. In order to provide incentives for improving the quality of primary schooling, the selected schools are required to meet prescribed minimum standards on attendance, examination schedules and success rate of the students.

At the conceptual level, the FFE programme focuses on human capital formation (and, to a certain extent, on ensuring the right to education of the children from extremely poor households) and enhances capability of future generations by providing incentives to release the poor children from household obligations. Moreover, two important concerns from the human rights perspective that the programme addresses may be noted: (i) improving household food security of the extremely poor households in the short run; and (ii) reducing the incidence of child labour.

Evidence from different surveys suggests that the FFE programme is reasonably well-targeted to the poor; with the poorest 20 per cent nearly five times more likely to participate in the programme than the richest 20 per cent in the rural income distribution. The evidence is also strong that it has succeeded in attracting poorer children to primary school (Ravallion and Wodon 2000). The estimates show that the participation in FFE increases the probability of attending school by 20 per cent on an average. Moreover, these gains are sustained (BBS 2001). Several evaluations of the FFE programme indicate that it has favourable impact on efficiency indicators at the primary level e.g. enrolment, attendance and dropout rates.²² These indicators are found significantly higher in FFE schools compared with non-FFE schools.²³ Four important findings from these evaluations can be highlighted:

- (i) *The FFE programme increases enrolment rate in primary schools.* In the FFE schools, enrolment rates increased for both girls and boys. Total enrolment in FFE schools increased by 13-14 per cent after the introduction of the programme compared with less than 6 per cent in non-FFE schools. In particular, female enrolments increased significantly in FFE schools.
- (ii) *The FFE programme increases school attendance rates.* Over a period of one year after the introduction of the programme, the attendance rate in FFE schools increased from 63 per cent to 78 per cent, largely due to higher attendance rate of FFE beneficiary students, compared with no statistically significant increase in the attendance rate in non-FFE schools.

²² For details, see Chowdhury (2000), Mujeri (1999).

²³ It was, however, noted that the attendance rate of non-beneficiary students in FFE schools was significantly higher than that of students in non-FFE schools. Similarly, dropout and repeater rates were found better for FFE schools in grade five and worse for grade one compared with those in non-FFE schools.

- (iii) *The FFE programme reduces drop-out rate among the participants.* Despite similar initial annual drop-out rates between FFE and non-FFE schools, within the FFE schools the rate was much lower for FFE beneficiary students than the non-FFE students. As a result, within a year of the programme, the average yearly dropout rates in FFE schools declined from 19 per cent to 11 per cent, while the non-FFE schools did not experience any significant decline in the drop-out rate.
- (iv) *A programme like the FFE can be made reasonably well-targeted to the poor.* It has been observed that nearly 88 per cent of the students under the programme belonged to the poor households. Similarly, the poorer groups were proportionately more represented in the FFE programme than in the overall distribution of school-going children in terms of expenditure groups. In terms of quintiles of the population, the estimates suggested that the poorest fifth was nearly five times as likely to participate as the richest-fifth of the population. Three major factors are identified that underlie the pro-poor distribution of the programme. *First*, the targeting criteria adopted under the programme significantly narrow down the eligible households such that the majority of the target households belong to the poorest groups of the population. *Second*, the targeting criteria are further fine-tuned to identify the poorest among the eligible households depending upon the efficiency of the local programme administrators. *Third*, the poor households have, on average, more children of primary school-going age than the non-poor households. As a result, the share of agricultural casual labourers, functionally landless households and other disadvantaged households is found higher in the FFE programme than similar share for the non-FFE students.²⁴

²⁴ An analysis based on 1995/96 Household Expenditure Survey (HES) data shows that the FFE programme is well targeted to the poor. The survey data showed that, among all villages, 12 per cent of the poor families received transfers from FFE compared with 8 per cent of the non-poor. The targeting differential was calculated at 0.04 for all villages and 0.13 for the participating villages. It may be mentioned here that the value of the targeting differential lies between minus one (when the programme is perfectly targeted to the non-poor) and plus one (when it is perfectly targeted to the poor). A value of zero indicates that the poor and the non-poor are equally likely to receive assistance from the programme. However, the maximum targeting differential (that is, if all resources were to go to the poor) was estimated at 20 per cent. So, the actual targeting differential (4 per cent) achieved one-fifth of the maximum, given that the scale of the programme was insufficient to cover all the poor even without leakage to the non-poor. Similarly, the decomposition of the aggregate targeting differential into intra-village and inter-village components showed that most of the pro-poor targeting performance of the programme was due to pro-poor targeting within the villages. This indicates the importance of improved geographic targeting and decentralizing the beneficiary selection process at the local level for reaching the poor households. For further details, see Galasso and Ravallion (2005).

The FFE programme is cost-effective and well-targeted although its efficiency and targeting can be improved further. It has been able to achieve its immediate objectives like increasing enrolment and attendance rates of primary school age children from the poor families and reducing dropout rates. The programme can be made more effective by reducing the leakages, linking it with capacity building in schools, and implementing quality enhancing measures. However, the programme would contribute little to equity in the overall education system unless policies and institutional measures are adopted for reducing the quality gap among different educational streams that contributes to widening the “education divide” between the rich and the poor. The need is to ensure that the poor children who are induced to enter and remain in schools through the FFE intervention are able to receive quality education and build up their human capability commensurate with others in society.

Education and child labour

Child labour is an issue of growing concern in Bangladesh. According to the 1999/2000 Labour Force Survey, child workers constituted 9 to 13 per cent of the total labour force of the country.²⁵ This shows the existence of child labour ranging between 5 million and around 8 million (depending on alternative definitions of the labour force). In other words, more than 21 per cent of the total child population (5-14 years) is economically active. Another major concern is that around 6 per cent of the children aged 5-9 are working which represents about 1.1 million children.²⁶ More than 82 per cent of child workers live in the rural areas, working mostly in agriculture and service sectors. Of the total child workers, only about 3 per cent in the age group 5-9 years and 13 per cent in the age group 10-14 years are engaged in the manufacturing sector.

There exists a direct link between education and child labour in the country. In addition to the children who are out-of-school and are involved in child labour, nearly 50 per cent of the primary school students drop out before completing grade five and join the rank of child labourers. While more than 80 per cent of all children under 10 years attend school in the country, only 20 per cent of child workers of the same age group could go to school. Low quality of primary education, inadequate awareness on the value of education, and the cost of education are some of the factors that contribute to high drop-out rates at the primary level. As noted in section III, although the primary education in government schools is free in terms of tuition fee and textbooks, many indirect costs (e.g. transport, uniform, and other

²⁵ The adopted definition considers child labour as those children in the age group of 5-14 years who were working during the survey reference period (12 months preceding the day of survey).

²⁶ The number of child workers aged 10-14 is around 6.8 million of whom around 40 per cent are females. Similar share for the 5-9 age group is 42 per cent.

school materials) often become too high to bear by the poor families. Moreover, the level of awareness on the issue of child labour is low in the country.

The government has taken several measures to combat the acute and pervasive problem of child labour through providing access to education. Along with the *Compulsory Primary Education Act 1990* and interventions like the FFE and stipend programmes, the flexibility and child-centred nature of non-formal education is now accepted as a complementary approach to formal education, especially for the underprivileged, drop-outs, and out-of school children of the poor families. A special programme was launched in 2000 for the working children in urban areas to provide them with two years basic literacy courses in six divisional headquarters including Dhaka. It needs to be emphasised, however, that evidence from other countries shows that, even when compulsory schooling laws cannot be fully enforced, the mere availability of “good schools” and quality education can succeed in diverting children to schools from the long hours at work place (Basu 1999).

Bangladesh, by ratifying the ILO-Convention No. 182 on the *Worst Forms of Child Labour*, has committed itself to the goal of a child labour-free country. Despite significant efforts to combat child labour, the country still faces the daunting challenge of addressing the problem of a large number of working children and younger siblings at risk.²⁷ The *International Programme on the Elimination of Child Labour* (IPEC), sponsored by the ILO, is an innovative programme that integrates the right to education with other dimensions of human rights.

The IPEC-Bangladesh was designed as a three-stage process. The first stage (1995-1999) involved the building up of a strong knowledge base and a network of partners, consisting of ILO’s traditional tripartite partners and the NGOs, through small and pilot-based innovative interventions. The overall objective of the programme in this stage was to identify appropriate strategies and workable models to combat child labour and build capacity of the stakeholders (the government, employers, trade union organisations, NGOs and other social partners) to deal with the problems of child labour and its gradual elimination. Within the programme, 75 action programmes were implemented through government departments, NGOs, employers and trade unions. It is estimated that about 50,000 children benefited, directly or indirectly, from these programmes. The sectoral approach was tested in

²⁷ Bangladesh has promulgated several Acts for the welfare and protection of children ranging from prohibition of forced labour to the welfare of the child. Some of the relevant ones are: the *Children (Pleading of Labour) Act 1933*, the *Employment of Children Act 1938*, the *Minimum Wages Ordinance 1961*, the *Shops and Establishment Act 1965* and the *Factories Act 1965*. The *Employment of Children Rules 1965* of ILO is also applicable in Bangladesh. These laws, however, do not cover the informal sector, of which domestic work is a part.

the readymade garments (RMG) industry which was successful in creating awareness against the use of children in hazardous occupations. The efforts also generated moral pressure on the employers for removing and subsequently adopting welfare measures for the children in the RMG industry.

In the second stage (2000-2005), the focus was broadened from small scale pilot interventions to larger projects covering an entire sector, a particular geographical region, or a combination of several sectors in a region. A new country programme with 15 action programmes and three large projects were launched in 2000 with more focused action in addressing the worst forms of child labour in various hazardous sectors. The activities in this stage concentrated on (i) designing best practices into all IPEC programmes in an integrated manner; and (ii) initiating a *Time Bound Programme* (TBP) that would provide an overall framework and policy commitments. This involved the broadening of focus from small scale interventions to larger projects that would concentrate on removing children from work as appropriate or on changing the conditions of work for the better so that they would not be involved in the worst forms of child labour. The activities also aimed to integrate child labour action into all major ministries and partner programmes. The third stage (2006-2010) concentrates on phasing out of IPEC and supporting the strategies of the government and other partners to create a child labour-free Bangladesh.

Although the government prepared a *National Plan of Action for Children* covering 1997-2002, a national policy on child labour has not yet been formulated.²⁸ In order to be effective, such a policy should reflect both a consensus and a commitment of all stakeholders to combat child labour. Similarly, consistent with the broader framework of ILO Convention 182, a strategic national plan of action should be devised to specify the criteria for hazardous work for children in major sectors of the economy.

Since the overwhelming majority (more than 82 per cent) of the child labour is concentrated in rural areas, the focus of attention on the urban areas and the formal (e.g. manufacturing) sector needs to be extended to cover agriculture and rural activities. The dropout children from schools in rural areas require coverage under vocational education/training and further schooling, if necessary. Moreover, IPEC action against child labour needs to be linked with poverty reduction and efforts to provide quality education if sustainable impact is to be generated.

²⁸ The government developed a *National Plan of Action on Child Labour* in 1997 but without endorsing it into a formal document. A specific policy on child labour is needed that should ideally be the framework on which an action plan could be based.

National Action Plan II

As a follow-up of the Dakar Conference 2000, Bangladesh is now implementing the *National Action Plan II* (NPA II), 2003-2015. The Primary and Mass Education Division (PMED), as the lead agency, is entrusted with the responsibility of addressing the specific goals of the Dakar Framework. A major concern of the Framework is the issue of quality of education. The Framework maintains that ensuring equity of access through addressing socio-cultural, financial and structural impediments to the children's full and equal participation is not enough. If the overall system of education suffers from poor quality, even equitable access will contribute little to the process of empowerment, a vital ingredient of the right to education.

Following the Dakar Framework, NPA II identifies five major operational goals to be reached by the year 2015:

- (i) Expanded and improved early childhood care and education for survival, growth, learning and development;
- (ii) Universal and free access to basic education for all children with special emphasis on excluded groups;
- (iii) Universal access to basic learning opportunities and skills programmes for all young people and adults;
- (iv) Achievement by all learners of nationally defined objectively measured levels in literacy, numeracy and life skills; and
- (v) Elimination of gender disparity in primary and lower level by 2005 and full and equal access to and effective participation in basic education of women and girls.

In addition, NPA II has set several strategic objectives in support of the goals, such as increased educational investments and coordinated support from private, local and international spheres; ensuring enlarged space for civil society in planning, implementation and monitoring of basic education; integrating basic education with broader social development and anti-poverty programmes; harnessing the new technologies into basic education services in an equitable manner; and developing rights-based, learner-friendly, and inclusive educational environment.

From the human rights perspective, the NPA II goals are laudable but their successful achievement would be contingent on addressing several critical issues in the education sector, especially relating to quality and equity in the access to education. The present review highlighted several such issues.

Moreover, the process of formulating NPA II itself lacks a vital requirement that relates to the participation of all sections of civil society which is essential to arrive at a social consensus on educational goals. The NPA II also falls short in specifying a series of detailed implementation dates for each stage of its progressive implementation. This is important since the existing inadequate and ad hoc mechanism for measuring progress makes the system unsuitable for monitoring, policy making, and resource allocation.

Furthermore, the principle of non-discrimination needs to be adhered to in NPA II. In this respect, two observations are relevant. *First*, the programme components proposed under NPA II would promote segregation and discrimination of the poor and disadvantaged children from the beginning since these groups would be targeted through the non-formal channels of ECCE programmes while the formal channels would cater to the needs of the relatively better-off children. *Second*, the formal primary education system does not allow for flexibility and diversity. As a result, the system will have the capacity to retain only “standard” children who have the ability to “fit” and “survive” within the largely inflexible system while the rest would be placed under the segregated non-formal system.

Such exclusionary and discriminating practices would run contrary to the overarching strategy of inclusive education covering all children—irrespective of their socio-economic background, gender, ability, ethnicity, or other differences—into a compulsory and free mainstream primary education system. In this respect, an important strategy of NPA II should be to address the barriers to formal education system in access and practice, that is, to eliminate the factors that make the mainstream education system inaccessible and inflexible for different groups of learners and factors that lead to irregular attendance, high repetition and drop-out rates, and poor learning achievements. The system must be able to respond to the needs of all children who are diverse and different in their needs and abilities.

Similarly, implementation strategies are crucial to achieving the success of NPA II. The mechanisms for monitoring the implementation process, along with its component programmes, and periodic evaluation of the success and failure are important elements that need to be specified in collaboration and coordination with relevant ministries/agencies, NGOs, and other civil society and international organisations.

The Role of Civil Society

In the human rights context, civil society has important roles in education. In particular, civil society becomes relevant in two distinct ways. *First*, civil society can play a pro-active role in helping to realise the right to education. Such a role can take various forms. For example, civil society (including the NGOs and other

grassroots and community-based organisations) can set up schools, expand the micro credit model to include non-credit components like education and other social development programmes, and undertake targeted and flexible education and schooling programmes for the poor and disadvantaged segments of the population. Such activities of civil society can significantly complement government efforts in realising the right to education. *Second*, civil society's effective participation in the decision-making processes and activities of the government can promote the realisation of the right to education. In this section, we shall concentrate on the first type of role while the participatory role of civil society will be examined in Section V.

As mentioned earlier, the NGOs have emerged as important providers of primary and non-formal education in Bangladesh since the late-1980s and accounted for more than 10 per cent of the total primary school enrolments in 2000. Over the years, the evolution of different models of providing basic education within a flexible framework by different NGOs like BRAC, Proshika and Dhaka Ahsania Mission has made successful contributions to bringing the children, especially from the poor and disadvantaged families, to schools.²⁹ Most of these NGOs provide full primary education. For example, 34,000 schools run by BRAC provide the five-year cycle of primary education in four years. As an illustration of the NGO efforts, we shall mention here some of the education programmes of BRAC, a leading NGO of the country.

The education programme of BRAC consists of two models of primary schooling. The *Non Formal Primary Education* (NFPE) model started as a three-year programme for children of 8-10 years age group who had never enrolled in any school or dropped out from the formal schools. In 1998, the model was expanded to a four-year programme covering the primary school curriculum (grades 1-5) to facilitate the continuation of education of interested students to the secondary level.

The other model, which consists of the *Basic Education for Older Children* (BEOC) schools, runs for three years catering to the basic educational needs of 11-14 years old children. Both NFPE and BEOC schools are provided with books and other materials free of charge. The programmes specifically target girls for enrolments and, as a result, about 70 per cent of the children in these schools are females. Similarly, around 97 per cent of the teachers are women who have at least nine years of schooling. The teachers are provided with a 15-day initial training

²⁹ The education programmes of the NGOs are targeted to the children from poor families who had never enrolled in any school or dropped out from the formal schools due to poverty and other constraints. During 2000, nearly 2 million children were enrolled in NGO-run primary schools, belonging mostly to the poorer families.

which is followed by regular in-service training.³⁰ The curriculum incorporates competencies set out by the government for formal primary schools and the design encourages a learner-centred participatory approach. In addition, BRAC's *Education Support Programme* (ESP) aims to reach out to a larger population by partnering with local NGOs. Similarly, the *Continuing Education Programme* (CEP) focuses on post-literacy activities through establishing Union Libraries and Reading Centres and developing organised network to develop reading habits of both rural and urban people.

Several other initiatives of BRAC in the field of primary education are worth mentioning, such as the establishment of pre-primary class for young learners aged 5-6 years. The students are charged Tk. 10 per month as school fees and Tk. 40 in the beginning of the school year for material costs. The duration of each class is 12 months and the students are provided with specially designed work books on Bangla, Science and Mathematics. During 1999, BRAC opened 11 formal schools to illustrate how the good practice of the non-formal schools can work in a formal school setting and to pursue innovative ideas for supplementary materials and teaching methods. The teaching programme in these schools consists of a six-year schooling cycle ranging from pre-primary to grade five.

A significant development, in this respect, is the increased co-operation between government and BRAC (and other NGOs) in promoting primary and continuing education. Several instances of such cooperation may be cited. The *Hard to Reach* (HTR) programme has been initiated by UNICEF and the government's Directorate of Non-Formal Education in collaboration with the NGOs to set up schools for the disadvantaged urban children aged 8-14 years, particularly those involved in hazardous occupations. Similarly, the *Garments Child Labour* (GCL) schools, set up by the NGOs with the co-operation of the Bangladesh Garments Manufacturers and Exporters Association (BGMEA), UNICEF and ILO, provide basic education to garment child labourers. These children also receive Tk. 300 as monthly stipend for attending school. The NGOs are also involved in the operation of community schools which are low-cost social education institutions set up by the government.

A pilot scheme has also been undertaken in partnership with Helen Keller International (HKI) for inclusion of children with disabilities in the formal schooling system. Similarly, cultural integration of ethnic minority groups is specifically focused in BRAC education programme through efforts to better

³⁰ In general, the NGO-run schools have lower teacher salaries and tend to employ individuals with lower level of formal education and relatively insecure tenure compared with government and non-government formal primary schools.

understand different ethnic cultures and developing effective methods of interacting and socializing with students from different ethnic groups. In addition, the NGOs and other civil society organisations, as we have noted in the previous section, have also been playing important roles in the elimination of child labour through their involvement in IPEC-Bangladesh and other targeted education programmes.

In short, the activities of BRAC and other NGOs involved in the education sector provide complementary support to the government's efforts in its commitment to 'Education for All' and in bringing disadvantaged children into the mainstream education system (Ahmed *et al.* 1993). While these are examples of innovative and commendable efforts, a large majority of the poor and disadvantaged children remain outside the purview of the schooling system in view of the limited outreach of these programmes. Moreover, there seems to exist some hesitation on the part of the government in recognizing the current and the potential role of the NGO-run schooling system.³¹

V. AN ASSESSMENT OF EDUCATIONAL POLICIES IN BANGLADESH FROM THE HUMAN RIGHTS PERSPECTIVE

Along with the Constitutional guarantees, Bangladesh's adoption of the international human rights instruments marks the formal commitment of the State to the right to education. In addition, the role of education is acknowledged as an indispensable means of realising other human rights including civil and political rights as well as economic, social and cultural rights. Education is also emphasised as the primary vehicle for reducing poverty; facilitating empowerment and participation of the poor, women and disadvantaged groups in the society; safeguarding children's exploitation; promoting democratic norms; and protecting the environment.

In assessing the role of the State in ensuring human rights to education, it is important to examine three elements relating to its duty, viz.: (i) respect for the rights to education; (ii) protection of such rights; and (iii) fulfilment (promotion and provision) of these rights. The obligation "to respect" binds the State not to take any action that violates the rights to education of the people. This implies that the State must not deliberately block the participation of any segment of society in

³¹ Although some endorsement of the system as an important strategy to achieve educational goals can be found in government policy documents (e.g. GOB 2001), the contribution of the system remains under-recognised. For example, government documents tend to acknowledge the existence of only a few NGO-run full primary schools, such as only 92 by the Directorate of Primary Education in 2001 (DPE 2001). It is difficult to rationalise such an attitude although these schools often provide 'good quality' education compared with other schools. See Chowdhury *et al.* (2001) and CAMPE (1999).

participating in the education process or accessing education. The obligation “to protect” relates to the duty of the State to take appropriate measures such that the right to education of anyone or any group is not violated or threatened by third parties. The obligation “to fulfil” the right to education is conceived in two parts—“to facilitate” and “to provide.” This obligation requires the State to (i) undertake pro-active actions to strengthen the ability of individuals to attain the right to education; and (ii) ensure adequate resources for the provision of required quantity and quality of education.

Despite the recognition of the right to education, several factors which underlie the educational policies and processes constrain the State of Bangladesh in performing the above-mentioned duties in a satisfactory manner. While the factors are complex and interrelated, we shall examine them by focusing on three central elements of the human rights approach to education, viz., (i) the right to education, (ii) human rights in education, and (iii) human rights education. We shall discuss each of these issues in turn, noting that the first two issues can be broken down further into several components. Thus, the right to education has four components—namely, availability; accessibility; acceptability, and adaptability—the so-called four A’s of the right to education. The second issue comprises three elements of the rights-based approach to educational policy—namely, the process of policy formulation, the content of policies, and monitoring and accountability procedures – as well as specific concerns with equity and gender aspects of education.

The Four A’s of the Right to Education

Availability

Bangladesh is obliged to make schooling available and to sustain such availability to ensure the right to education. Also, appropriate policies are needed to address several specific concerns, viz., (i) undue closure of educational institutions (e.g. *hartals* due to political and other reasons) and academic freedom of staff and students; (ii) general principles for the interpretation and application of human rights law in view of the availability of primary schooling through different streams; (iii) equitable policies for free primary education (conceptualised in terms of access to government schools only) in relation to fee-paying private schools;³² and (iv)

³² Although such co-existence is generally considered reasonable and based on objective criteria, the issue is much deeper since the system results in segregation and education-divide. The system, in practice, is inherently unequal and goes against the basic principles of the right to education. Some innovative policies are needed to at least reduce the degree of inequality. See UNESCO (1998).

adequate education budget to support reasonable teacher salaries and providing for other necessary requisites for ensuring quality of education.³³

Accessibility

Two issues are especially important for accessibility. *First*, the prevalent definition of basic education for all confines schooling to the 6-10 age group. A desirable definition of basic education should prolong it beyond primary to lower secondary level (e.g. up to grade eight) so that the children remain at school till they reach the minimum age of employment. Although this may not be achievable at one shot due to financial and institutional constraints, a time-bound plan should be formulated. *Secondly*, in order to ensure primary education free for all, the State must do more than making it free of charge (tuition-free). The government needs to eliminate financial obstacles that may constrain any children (e.g. from poor families) to complete primary schooling.

The 2000 HIES data on activity status of children show that about 30 per cent of the 10-14 years old children in the poorest income decile neither work nor go to school. This indicates that an extremely high share of the children of the poor families is not attending school even though they are not in the labour force. While understanding the causes of their non-enrolment is an urgent priority, one proximate factor is the high private costs of attending schools. As noted in section III, the average annual education expenditure by the households at the primary level was estimated at US\$ 13 per student per year in 2000, which was equal to the government expenditure at the primary level. This constitutes a significant burden for the poor households. Unless the problem is effectively resolved, compulsory primary education will not become a reality particularly for those children whose parents cannot afford the cost of education. For the extreme poor households, the opportunity cost of children's schooling (e.g. in terms of foregone income or

³³ A concern is often voiced in Bangladesh relating to high proportion of the education budget that is allocated for teacher salaries. It needs, however, to be emphasized that teaching is a labour-intensive profession and, for a country like Bangladesh with a relatively large population, the sheer size of teaching profession would necessarily be large. For example, with about 18 million children belonging to the primary school age, a ratio of one teacher to every 50 children would require nearly 0.4 million teachers at the primary level alone. Moreover, salary levels of teachers are low, and there is a compelling need to raise it. Globally, IFA benchmark recommends that low income countries pay teachers around 3.5 times the average national income (as measured by per capita GDP) in order to ensure quality and equitable education. The salary levels in Bangladesh are far below this standard.

assistance in household activities) is an issue which needs to be taken into account in education planning with human rights in view.³⁴

Acceptability and Adaptability

The acceptability of the school discipline to all (especially girls) and its adaptability in forging links between schooling and working are important issues that need explicit consideration in Bangladesh. At present, the general orientation of education is male-centric, which puts little emphasis on enhancing women's ability to make informed choices (this, for example, is widely reflected in incidence of forcing girls into early marriages, particularly in the rural areas). It is true that such unjust but deep-rooted societal norms are unlikely to change only through ensuring equal rights to education for girls since women have little voice in the existing decision making processes in the society. But these measures, along with complementary support through enactment and enforcement of laws, can make a good beginning in realising women's educational rights.

Three other issues of acceptability and adaptability also need priority attention. *First*, there is a lack of correspondence between the duration of compulsory primary education and the school-leaving age on the one hand and the minimum age of employment on the other.³⁵ Similarly, conceiving child's work as access to employment in the formal sector is not realistic, since most of the child labourers work in the informal sector and live in the rural areas. *Second*, adaptability of the education system is hampered by the present focus of primary education on leading the students to secondary (and to higher) education. The curriculum is inflexible and inadequate with the central aim of preparing the children for the next level of education to which most of the children are unable to proceed. *Third*, practical and

³⁴ The *Food for Education* (FFE) programme introduced in the 1990s (discussed in Section IV) partially compensates the extreme poor families for the opportunity cost of schooling children and partly redresses their inability to dispense with the children's contribution to survival of the family. But not all extreme poor households in the country are covered under the programme.

³⁵ This is related to the issue of elimination of child labour which is an important concern of the human right to education in Bangladesh (see Section IV). The ILO Convention No. 182 reinforced the definition of a child as a person up to the age of 18 and re-emphasized the State's obligation to ensure the access to free basic education for all children and mandated vocational training for children removed from labouring. Earlier, the ILO Convention No. 10 in 1921 set the age at 14 for prohibition of employment to ensure the children's school attendance. The ILO Convention No. 138 strengthened the correspondence between the school-leaving age and the minimum age for employment by raising it to 15 years.

innovative approaches are necessary for the children from poor households to enable them to exercise their right to education.³⁶

Elements of the Rights-based Approach to Education Policy

Process of Policy Formulation

One of the basic requirements of the rights-based approach is that every person has a right to participate in the process of policy making in addition to enjoying the outcomes. The process is as important as the outcomes and the right to participate is an integral part of the right to development. Moreover, in the context of Bangladesh where the human factor is the instrument as well as the ultimate objective of development, the participation in and the ownership of development activities by the people are essential in order to create built-in mechanisms for equitable growth.

Participation of civil society in the policy formulation process in education is necessary not only as an essential component of the human rights approach but also to ensure effective implementation of the education programmes. In contrast, the existing system of education management is highly centralised and the working mechanisms are hierarchical in nature having vertical communication systems. The system's major concern is to implement programmes/projects with little space to accommodate issues like accountability and participation in the implementation process.

As a result, the interventions fall short of providing the social basis for creating sustained impact on education. The existing mode of operation hardly reflects the fact that the efficiency and effectiveness of the education system depend on its capability to cater to the realities and specific conditions governing social and economic relationships. This has added significance in Bangladesh where poverty is a major contributory factor leading to the violation of the right to education. In such situations, although educational needs can be strategically spelled out at the expert

³⁶ In addition to strengthening the existing programmes, other programmes should be devised to suit specific contexts. One approach, for example, could be to design a learn-and-earn methodology (in non-hazardous occupations) for those students of appropriate ages to whom full-time education as a basic right is difficult due to extreme poverty. There should, however, be a mandated reduction of daily working hour to accommodate education for the children (at the expense of the employers). Similarly, other approaches may be considered e.g. ensuring work for an adult member of the family in lieu of the child, or provision of minimum income to the family to compensate for the child's income loss and enable the child to attend school. It is also important to recognise that increasing levels of education improve the likelihood of having paid employment rather than unpaid work. Within the category of paid employment, secondary education significantly increases the probability of getting a waged (rather than self-employed) paid job in a way that primary schooling does not. Schooling also has a significant impact in terms of stability of income, as measured by being in permanent rather than temporary (seasonal or short-term) employment.

level, the process (e.g. detailed design, implementation, monitoring and evaluation) needs to be contextual, for which decentralisation, participation and clear delineation of accountability are essential.

In the existing system, the central ministry performs multiple functions in the education sector including regulation, supervision, and implementation of policies. With a centrally managed education budget, the bias is to adopt “expansion and construction” as a solution to educational problems to the neglect of the “software” dimensions of the education process. This contradicts the fundamental rationale of the role of the State in basic education and brings out the urgent need for effective decentralised management of primary and secondary education.³⁷

Likewise little delegation of authority has so far taken place to the School Management Committees (SMCs) or to the local government institutions. The existing SMCs are dominated by male elites with marginal involvement of parents, females, and concerned community members.³⁸ A survey indicates that, with an average size of 10.7 persons of the SMCs, only 14.3 per cent of the members are females (CAMPE 2002). Similarly, only 15 per cent of the SMCs are active (PSPMP 2001, TIB 2001). In contrast, an important factor in the success of BRAC’s non-formal primary education programme has been the active participation of parents in school affairs (Ahmed *et al.* 1993).

As a result, the system lacks accountability, which is essential for better educational outcomes. In order to shift the locus of management control closer to the communities and adjust available resources to local needs and priorities, it is necessary to introduce changes in the existing methods to (i) transfer the real authority of school management to the SMCs or local school boards; and (ii) ensure that such units are representative of the local communities in a ‘genuine’ sense with real participation of the parents, women, the poor and disadvantaged groups, and other stakeholders.

In the context of the right to education, such participation is also important in view of the availability of limited resources that does not permit the realisation of all educational goals simultaneously. This necessitates an approach that ensures the

³⁷ For example, upazilas/districts which are found to have acquired the required capacity to manage schools effectively can be given the responsibility along with well-managed capacity building efforts at the local level.

³⁸ The process of formation of SMCs needs to be based on clearly established and transparent rules. Any requirement such as seeking the advice of local political leaders and consulting with local Member of Parliament and the Minister in charge of the district leads to institutionalisation of extraneous political influence on management of educational institutions. Such a process cannot promote good management and effective policy implementation.

progressive realisation of rights. The issue of providing primary education of the existing five-year cycle to all children and the need to introduce basic education (with an eight-year cycle) is a case in point. This requires some degree of priority setting in terms of various goals and adoption of the principle of achieving the rights in a phased manner. It may be argued, for instance, that the proposed extension of the duration of primary education from five to eight years is a less urgent objective than improving the quality of the existing five-year cycle of primary education.³⁹

From a human right perspective, these choices should be made in full participation and consultation with the citizens. Moreover, such decisions need to uphold the principle of indivisibility of the right to education, so that decision with respect to one component does not result in reduced provision (in absolute terms) of any other component of education. The progressive realisation of the right also requires that policies and programmes are framed with time-bound targets based on a participatory mechanism of decision making and monitoring. Such a participatory nature of the process is a significant human rights concern since this enables the State to minimize the “moral hazard” problem and embody the best judgments of the citizens in educational decisions.

While the participation of civil society is a pre-requisite for both achieving educational goals and ensuring the rights to education, the process of educational planning is highly bureaucratic in the country which reflects significant class and gender biases. As a result, primary education, in common with other levels of education, is characterised by a lack of opportunity for effective participation of civil society (including the stakeholders who are directly affected by such decisions) in all aspects of planning and administration of the system. In short, monolithic control over knowledge, absence of proper accountability, weak supervision, and ineffective monitoring and assessment remain as formidable stumbling blocks in promoting a democratic and human rights centred primary education system in the country.⁴⁰

The existing nature of planning and policy making in the education sector also does not provide the necessary scope for exercising the right to participate in a

³⁹ There does not seem to exist any debate over the desirability of extending the duration of the present five-year compulsory primary education. The issue is: how quickly this is feasible and how the extended primary education can be made universal and its quality improved. Similarly, whether the present junior secondary stage (up to grade eight) should be managed as a part of primary education or not is an issue of implementation. In many cases, universally recognised pedagogic principles and good management practices are likely to be consistent with human rights principles and laws and rules of existing policies.

⁴⁰ The presence of a strong centralised structure has made ineffective all attempts taken so far at encouraging local participation and decentralisation.

transparent and accountable manner. We mention here two examples which show the marginal involvement of civil society in shaping the education process in the country. The government has formulated the post-Dakar NPA II (2003-2015) and adopted national education policies at various times. The underlying process, however, is dominated by centralised planning and administrative practices. The NPA II was prepared by a technical sub-committee with eighteen members; of whom only five were civil society representatives.⁴¹

Similarly, the national education policies are finalised by small committees with limited participation of others.⁴² Obviously, such ineffective participation of civil society is inconsistent with the basic thrust of the human rights approach and democratic norms. Moreover, the existing system precludes the recognition of the voices and needs of citizens especially of the poor, women and other marginalised groups. Thus although the present system may have the capability to provide access to education to a large majority, it fails to generate a sense of ownership of the education system by the people.

Contents of Policies

The contents of policies are reflected in a wide range of outcomes starting from perceived role of education in society to quality and equity dimensions of the education system. To begin with, the perceived role of education in the development process has significant implications on its human right contents. In Bangladesh, the place of education in development shows wide variations in terms of its potential role e.g., as prime ingredient of human resource development, as a means of social development providing the foundation of a knowledge-based society, as a facilitator of empowering the poor and women, and so on. In addition, the policies often subsume education under the wider umbrella of meeting the basic human needs.

No doubt in a developing country with low human development such as Bangladesh education will have to play diverse roles. However, it is important to explicitly identify the priority of educational objectives and pursue efforts to achieve the desired targets in a phased manner. Since the varied expectations have different implications on the contents of education, a singular emphasis on the human capital approach at the expense of human rights commitments has adverse consequences on the perceived goal itself.

⁴¹ The *Dakar Framework of Action* adopted at the World Education Forum 2000 clearly articulated that the national plan of action should be formulated on the basis of the broadest consultation with all stakeholders.

⁴² These are also not disseminated widely. A study based on interviews with different stakeholders reports that almost 95 per cent of the respondents had no clear idea on these documents. See ASK (2000).

Past experience indicates that if the human rights perspective is not explicitly taken into account even the achievement of “traditional” goals such as universal primary enrolment and ensuring education of adequate quality becomes difficult. Without effective participation of the stakeholders and civil society, even nationalisation of the primary education in the early 1970s could not produce the desired results. Such participation, however, would have been a natural outcome of the rights-based approach. This shows that bringing the human rights dimension explicitly into the policy making process, in addition to meeting the human rights requirements, has significant value-additions since this enables the implementers to pursue the goals in a transparent and accountable manner, thereby significantly increasing the chances of success.

One of the factors which contribute to the persistence of a lack of vision and purpose along with a well-defined role of education is the absence of an education policy to guide the educational goals and outcomes. Even after 35 years of independence, Bangladesh does not have a socially-accepted broad-based education policy to define the goals of education and articulate the processes through which these would be achieved. Since the 1970s, six Education Commissions were formed by successive governments (1972, 1977, 1984, 1987, 1997 and 2003) but either the Commissions failed to submit their reports or the reports were not socially accepted and implemented. In keeping with past traditions, the present Awami League government (voted into power in 2008) has formed an Education Commission which has submitted its report to the government. The Commission has recommended some reforms in the administration of primary, secondary and higher education; however, the basic issues of educational contents and processes have remained largely unaddressed. Moreover, concrete follow up actions are yet to be taken to implement the recommendations to change the prevailing perception that the preparation of a policy is a substitute for action to address the reality.⁴³

In view of the persistence of high illiteracy, a priority obligation of the government is to promote literacy for the entire population. A perplexing conceptual problem affecting the contents of policies in this respect is the changing definition of literacy. Sometimes, it is taken as the ability to read and write in any language while, at other instances, literacy is defined as the ability to write a letter in any language. The resulting confusion has produced multiple criteria of success by

⁴³ The reasons behind the decision to formulate a new education policy are not transparent. It is true that the opaque process followed in preparing the earlier education policy and its contents and priorities have been criticized; along with the lack of direction in respect of implementing the policy. The issue, however, is to embark on implementing the policy within a time bound action plan.

different agencies claiming exaggerated achievement of targets. This is reflected in considerable variations in the available estimates of literacy.⁴⁴ Nevertheless, even the most optimistic estimate of literacy of 64 per cent reported by the Primary and Mass Education Division (PMED), as opposed to the rather conservative estimate of 45 per cent provided by the Household Income and Expenditure Survey (HIES) 2000 data, must be considered modest against suitable international comparisons.

In primary education, while the challenge of bringing all eligible children into the schooling system still persists, the additional problem of low quality of education and learning achievements is also quite serious.⁴⁵ Evidence shows that students' attendance rates are low, teacher absenteeism is high, the curriculum is of limited relevance, and the teacher-student contact time is low (CAMPE 1999, 2009). As a result, the learning achievements remain poor with low passing and completion rates. An in-depth classroom observation under the government's *Primary School Performance Monitoring Project (PSPMP)* identified poor physical facilities, inadequate teaching materials including text books, memory-based teaching style, and lack of remedial measures in the classroom responsible for poor performance of the students (CAMPE 1999, PSPMP 2001).

⁴⁴ The increase in literacy rate to 64 per cent in 2000 has been claimed as a result of the success of the TLM programme. Widespread skepticism, however, exists about participation and management of the programme and literacy skills acquired through TLM since there has been no independent assessment of the programme or the process and methods used in estimating and reporting the literacy rate. A similar programme in India, the *Total Literacy Campaign (TLC)* which has been in operation since 1988, earned limited success and has lost much of its appeal by now. See Mathew (2002). The Sample Vital Registration System of the BBS reports a literacy rate of 53 per cent in 1998. The Bangladesh Demographic and Health Survey 2000 collected data on the proportion of people who never went to school and those who never completed primary education. If these two groups are considered illiterate, then the literacy rate for the population aged six and above is 42.3 per cent. The officially claimed literacy rate is thus more likely to be biased upward. Clearly, definitive studies are required to establish the literacy level of the population based on standardized tests such as those used by the International Adult Literacy Survey. See OECD (1997).

⁴⁵ The level of competency of primary school leavers was found to be depressingly low in a recent survey (CAMPE 2009). Of the 27 competencies under test, the students, on an average, achieved 18.7 competencies with a range zero to 27. In other words, the students who completed primary education in 2008 achieved 69.3 per cent of the competencies under test. The average achievement of the boys was significantly higher than that of the girls (19.3 vs. 18.2), and urban students surpassed their rural counterparts with a significant margin (20.1 vs. 18.4). The gender difference was higher in rural areas than that in urban areas. Overall, the primary school completers achieved 16.1 competencies in 2000, which increased to 18.7 competencies in 2008. This means that over a period of eight years, the amount of improvement was 2.6 competencies—0.33 competency per year. This indicates very slow progress in learning outcomes in terms of competencies attainment.

The government's performance in the education sector is constrained by poor governance and characterised by inefficient and inequitable service provision, financing and management. The poor results and the low levels of educational skills attained by the entrants suggest that the education system provides a poor value. The mismatch between the development needs of society and the contents of the education system is obvious from the large number of the educated people who remain unemployed. The low success rates in the public examination system also indicate a colossal 'system loss' in the education sector.⁴⁶

Since the quality of education depends on several factors, such as the status, morale and professionalism of teachers, physical facilities and supervision mechanism, and management, governance and accountability procedures, any effort to improve the quality must deal with all these issues. For an effective system, the management of basic education needs decentralisation and community participation.⁴⁷ The existence of parallel streams in primary education contributes to quality differences and inequity in a number of ways: (a) the mainstream schools use State approved curriculum while private schools (e.g. kindergartens) follow different curricula; (b) the English-medium primary schools have a different medium of instruction and follow a separate set of textbooks which run contrary to equity and the human rights considerations; and (c) the differences in educational qualification and training of teachers among various educational streams are wide. Most of the teachers in the State-run primary schools hold certificate in education, while in the case of private/NGO schools, the teachers usually receive training of a short duration. These variations, along with socio-economic differences among the parents, fail to inculcate a respect for fundamental human rights, civil liberties, and non-discrimination. The divergent streams contribute to widening social divides and contradict the premise of introducing a uniform system of primary

⁴⁶ The success rate in the combined result of all public examinations held in 2000 was 41.6 per cent (41.1 per cent in SSC, 39.6 per cent in HSC, and 46 per cent at the tertiary level). This gives a system loss of 58 per cent for the education sector as a whole. The real system loss, however, would be higher since the weight of students at the primary level is greater and failure to complete the full cycle and pass the competency test is quite high. In effect, the unsatisfactory performance of primary education vitiates the whole education system and contributes to high system loss.

⁴⁷ It may be mentioned here that the Conference on Universal Primary Education in Bangladesh in 1996 recommended a 'significantly greater devolution of responsibility and authority to levels close to the learners' See Jalaluddin and Chowdhury (1997). Unfortunately, no action along these lines has yet been taken. Similarly, the people who run the primary education sector have little experience on primary schooling as they are mostly drawn from other areas. See Alam and Haque (2001).

education as guaranteed in the country's Constitution and the *Dakar Declaration*.⁴⁸

Monitoring and Accountability Procedure

From the human rights perspective, perhaps the weakest link and the major concern is the lack of any systematic approach to monitoring the educational outcomes and ensuring accountability of the State and other involved stakeholders. The problems of accountability and transparency are widespread due to a lack of effective stakeholder participation and centralised management. This runs contrary to both democratic principles and human rights considerations. Even the NGOs, who are involved in the provision of non-formal and basic education, remain mostly accountable to their donors rather than to the people and the community. The absence of effective mechanisms of interaction, collaboration and coordination among the government, private sector/NGOs, and other stakeholders (e.g. communities) makes the system compartmentalised, inefficient and insensitive to the requirements of the communities and runs contrary to the human rights norms.

Although the NPA II has been adopted, comprehensive monitoring and accountability procedures are yet to be put in place to help the policy makers to monitor progress regularly and adjust actions accordingly. Moreover, mechanisms of regular and effective dissemination do not exist which is essential for fuller participation of civil society in educational processes and decisions. The need for socially-differentiated, sex-disaggregated and regionally-differenced educational indicators for the sake of informed policy and decision-making, resetting priorities, and guiding the implementation of the action plan is yet to be fulfilled. For the people and civil society, such information is also essential to help assess how effective and accountable the government is in promoting the right to education.

The preceding review shows that even though the right to education, as enshrined in various international declarations and treaties, has been recognised by

⁴⁸ The existence of parallel streams and the issues relating to the medium of instruction are closely related to quality of education. If the government can ensure quality education in the mainstream government primary schools, the quality differentials among various streams will be narrowed down. This will significantly reduce the trade-off between the right to accessibility and the right to quality and enhance the complementarities between public and private provisioning of primary education in a more equitable manner. Keeping the human rights perspective in view, the existence of private or even English-medium schools does not necessarily run contrary to accepted norms since the parents have a right to choose specific types of school and education for children based on their preference ordering. The issue, therefore, is to ensure the co-existence of a demand-driven and appropriate mix of schools such that the availability, accessibility and quality of primary schooling can be ensured without discrimination across different streams.

the State of Bangladesh,⁴⁹ the country's education system contains several deficiencies from the human rights perspective. Although the goals and the targets largely conform to the State's commitment, the education process itself remains insensitive to the requirements of the rights-based approach. As a result, the education sector continues to provide services that are inadequate both in quantity and quality.

Equity in Education

The current education system undermines equity in access to quality education.⁵⁰ As noted in section III, despite the fact that primary education is considered free, the parents of a primary school student incurs at least as much as is provided by the government. While the bearing of such a high 'concealed cost' by the poor households is a testimony to the strong desire for children's education, a significant value of the education is eroded due to the poor quality of learning. The inequity is further accentuated in secondary education, where the policy focus is mostly on rationing the access to higher education rather than on developing necessary life skills.

Public spending in education can play a significant role in improving the equity aspect of the education system in Bangladesh as empirical analysis of benefit incidence shows that public spending on education has strong redistribution impact in society. In particular, primary education expenditure has a strong pro-poor impact due to the age composition which more than offsets the lower enrolment rates among the poor.⁵¹

Although the poor account for about half of the total population, 35 per cent of the government subsidies on education accrue to the poor (World Bank 2002). Moreover, significant variations exist for different levels of education. For primary education, 56 per cent of the government subsidies are enjoyed by the poor compared with 24 per cent for secondary education and 17 per cent for tertiary

⁴⁹ There exists no controversy with respect to the right to education in the country unlike some elements of other economic, social and cultural rights.

⁵⁰ For example, the burden of out-of-school tutoring fees which has become almost an essential element of the system acts against the students from poor families and breeds inequity in the education system.

⁵¹ In the methodology, the amount of subsidy accruing to the poor depends on the number of potential users, the rate of use among the users, and the level of per-user subsidy. In the case of primary education, the demographic composition is such that 3 out of 5 children in the 6-10 years age group come from poor households while the remaining 2 from non poor households. As a result, although the enrolment rate is lower among the poor, the overall distribution of primary spending turns out to be pro-poor, given the roughly comparable per-student subsidies across the income groups.

education. This shows that providing priority to primary education, along with measures to improve the pro-poor focus of public education spending at all levels, would contribute to bringing more equity in the education sector of the country.⁵²

Overall, the broad concerns in the education sector suggest that achieving the commitments of the State needs reinforcing measures for improved quality and wider coverage of basic education which, in view of the limited capacity of the government, requires complementary support by the NGOs and the private sector. The desired progress requires a radically improved system of governance which ensures decentralisation and community participation along with appropriate mechanisms for measuring outcomes and impact (e.g. monitoring and evaluation). This would require changes in methods, organisational structure, incentives and attitudes in the sector considering that education is a process as well as a system.

Moreover, the existing system has no specific provision for education of children with disabilities.⁵³ Similarly, the issue of access to education for children of tribal and small minority groups and providing instruction in indigenous/minority languages is a concern that needs to be resolved for ensuring an approach consistent with human rights.

Despite increased allocations of public resources over the years, public education expenditure is still low in Bangladesh compared with many low income countries. It appears that the government spends too little on education in relation to the requirements and does not use the resources efficiently. Moreover, there exist imbalances in public education spending over different levels as well as in its nature and composition (Mujeri 2000). With the overriding concern for human resource development as an end in itself and a major avenue of poverty reduction, the government needs to substantially increase its expenditure on education (from the

⁵² As the above figures indicate, the broadly pro-poor pattern of public expenditure on education is due to the fact that it favours primary education in which the poor are most prominently represented. However, as the unit costs per pupil are significantly higher in secondary and post-secondary education (in which the children of rich families are over-represented relative to the children of poor families) and secondary and tertiary education capture a large share of the education budget in absolute terms, the children of the rich receive more, in per pupil terms, than the children of the poor. This shows that there is still room to improve the poverty focus of education policies and financing.

⁵³ Although precise numbers are not available, the overall prevalence of serious disability among children is high. According to one survey, it is 16 per 1,000 among children between two and nine years of age. See ASK (2000).

current level of 2.2 per cent to around 5-6 per cent of GDP within the next decade) along with measures for increasing efficiency and equity.⁵⁴

Gender Issues in Education

The concerns of gender equality in education are deeply rooted in the gender-based discriminatory practices that prevail in Bangladesh in the opportunities, benefits, and responsibilities of citizenship and development. Although Bangladesh, in line with the UN Charter and numerous human rights texts, has reaffirmed its faith ‘*in the equal rights of men and women*’ in all spheres of life, gender issues in education became increasingly prominent in the 1990s when gender equality and equity emerged as a principal policy concern in promoting women’s advancement.⁵⁵

The Constitution of Bangladesh ensures equal rights to all citizens and prohibits discrimination and inequality on the basis of sex and strives to promote social and economic equity. Specifically, with respect to women, Article 28 of the Constitution states that “*women shall have equal rights with men in all spheres of state and public life.*” However, in reality women enjoy fewer rights than men and the gap between women and men persists in almost all spheres resulting in continuous discrimination against women.

In the case of education, as the statistics in Section III suggest, Bangladesh achieved considerable success in removing enrolment disparity between girls and boys at the primary and lower secondary levels. However, significant gender gaps still persist in most other educational indicators including literacy rate and enrolments at higher levels of education.

In particular, several aspects of female education need explicit attention. *First*, the enrolment statistics of girls in post-primary education reflect the persistence of gender inequity. For example, the share of female students in general education is 49 per cent and in *madrasah* education 40 per cent, while in technical and

⁵⁴ It is projected that Bangladesh would experience a declining demographic pressure on primary and secondary education due to significant decline in fertility. The total fertility rate declined from 6.3 in 1975 to 3.3 in 1997-1999 resulting in decline in population growth rate from nearly 3 per cent per year in the mid-1970s to 1.5 per cent in the late 1990s. As a result, the population in the primary schooling age is expected to decline from 16.7 million in 1999 to 14.2 million in 2005 and 13.6 million in 2008. The number of secondary school age children would also decline. However, in order to expand coverage and improve quality, more resources would be required than spent in the past.

⁵⁵ This coincided with the period when a number of international summits and conferences, especially the *Fourth World Conference on Women (FWCW)* in Beijing and the *International Conference on Population and Development (ICPD)* in Cairo, gave Bangladeshi women, along with women from other developing countries, a louder voice. Similarly, the slogan, “women’s rights are human rights” became a rallying point at the *1993 World Conference on Human Rights* in Vienna. See Sen (1996) and Kabeer (1994).

professional education such shares are only 24 per cent and 33 per cent respectively. *Second*, although gender audit has been introduced in primary curriculum and materials and has already started in the NFE sub-system, this requires coordination and standardisation. *Third*, micro credit by MFIs and support (e.g. FFE) programmes no doubt provide incentives to send girl children to schools; but closing the gender gap at all levels of education would require additional efforts to change the perception and mind-set of the people regarding the benefit of female education. *Fourth*, at the macro-level, there is a need to arrive at a societal consensus on progressively larger amount of resources that should be devoted to female education, given the severity of women's deprivations.

The NPA II needs to: (i) maintain gender equity in primary and other basic education and achieve gender equality in all levels by 2015; (ii) ensure access/enrolment and retention of all girls—including the physically, mentally and socially disabled, the ethnic minorities and other disadvantaged—in appropriate institutions; (iii) provide adequate and separate physical facilities for girls in all educational institutions; (iv) improve law and order situation to generate a sense of security among parents/guardians in sending girls to educational institutions; (v) install/continue effective programmes to provide incentives to girls to enroll and attend schools/basic education programmes until successful completion; and (vi) ensure quality and relevance of education and other services to make these socially-relevant and gender-responsive.

Mainstreaming Human Rights in Education

At present, the concerns of human rights do not guide educational strategies and programmes in the country. This is equally true for other human rights as well. At the macro-level, meeting the challenge requires measures aiming at mainstreaming human rights and integrating human rights issues in educational processes. Unless the human rights principles and obligations are reflected in educational strategies and policies, the present approach to education, guided by human capital formation, would emphasize economically relevant knowledge, marketable skills and market-related competence at the expense of human rights values. Such a reductionist approach, which highlights only the economic value of schooling and its rate of return, puts priority to just one of the purposes of education and shall not provide sound basis for human rights-based education in the country.

The thrust of human rights education is to develop the knowledge, skills, and values of human rights. In Bangladesh, along with developing individual's knowledge, values and skills in applying the human rights value system in interpersonal and community relationships, human rights education needs to be linked with economic and community development, minority and women's rights,

and the development of civil society to address widespread human rights and development challenges. For this, human rights education in Bangladesh needs to move beyond simply spreading information about human rights laws and instruments; it should be a vehicle for bringing about rights-based social change and human development.

Within the framework of the United Nations Decade for Human Rights Education (1995-2004), a plan of action was taken up for stimulating and supporting national initiatives for promoting human rights education. It was stipulated under the action plan that, like other national governments, the government of Bangladesh would establish a national focal point and a resource and training centre for human rights education and implement an action oriented national plan in collaboration with the NGOs, private sector and civil society. It was suggested that the focal point could either consist of a specially constituted committee including representatives of relevant government agencies, NGOs, private sector, and civil society or utilise an alternative existing structure.

It was stipulated that the major task of the focal point would be to identify national human rights needs and develop a national plan of action for human rights education. The guidelines emphasised that the action plan should contain specific objectives, strategies and programmes for enhancing human rights education at all levels of schooling and training programmes for public officials along with measures for awareness building of citizens. So far, Bangladesh has made little progress in the above direction which has largely been attributed to institutional inadequacies and resource constraints.

Human rights education is in its infancy in Bangladesh and lacks organised and professional efforts of development. It is important therefore to initiate credible measures for helping to realise a human rights education system that has the capacity to promote human rights cultures with links to overall goals of human development and social change.

For moving towards these goals, Bangladesh needs to (i) develop a national strategy for human rights education that is comprehensive, participatory and effective; (ii) prepare a national plan of action for human rights education as a part of the national development plan; and (iii) integrate the NGOs and civil society (including human rights organisations) into the process. Efforts are also needed to implement programmes aiming at strengthening the national legislation, institutions and infrastructures which uphold human rights education and teaching, and increase popular participation and civil society awareness. A continued dialogue and effective cooperation between the government, NGOs and civil society will go a long way towards increasing human rights education and public awareness.

The National Human Rights Commission should serve as the focal point and the resource and training centre for human rights education. The major task would be to formulate a plan of action focusing on issues, such as democracy and human rights awareness in the education system; incorporation of human rights issues as key principles of education policy and regulations governing the education system; preparation of training and educational materials for teachers and students; conducting in-service courses for teachers, experts on textbooks and curricula on human rights standards; training for the police and other law enforcing agencies, members of the legal profession and other officials; forming national network of human rights educationists; dissemination of human rights documents; and involving institutions to undertake human rights activities. In all these efforts, a broader perspective of linking human rights education with human development and social change strategies needs to be followed to ensure that the system contributes to building human rights cultures in the country.

VI. CONCLUDING REMARKS

With Bangladesh's commitment to the right to development, the State is duty-bound to ensure the normative benchmarks of the right to education in the country. These benchmarks need to spell out in concrete terms what the State aims to achieve in the sphere of education based on a time-bound plan of action, which is formulated and implemented in a transparent and accountable manner. Bangladesh is still far from achieving these benchmarks as reflected in the high incidence of illiteracy and wide gaps that persist in ensuring universal and free primary education of adequate quality. Moreover, the current approach to education provides singular emphasis on achieving the outcomes with little concern about the process, e.g. how the outcomes are realised, which is an integral component of the right to education.

The strategy of implementing the rights-based approach which has well-defined principles, such as participation, accountability, transparency, equality, non-discrimination, universality and indivisibility, can have significant value additions in the education sector in Bangladesh. Such an approach, which clearly delineates the claims that individuals have on the conduct of the State and other agents to secure their capabilities and freedom, will not only lead to better and equitable education outcomes but will also enable the individuals to monitor as to how these outcomes are being realised and whether the State and other duty holders are fulfilling their obligations as specified in the human rights principles.

This would significantly enhance the chances of realising the educational targets since, in so far as the right to education is recognised as a human right, the obligation of the State to deliver the right would be absolute requiring priority in

allocation of financial, material, and institutional resources. Moreover, education as an entitlement could then be legitimately claimed by individuals as the right holders against the State (as the duty holder), leading to the adoption of remedial measures through appropriate adjudicating and monitoring mechanisms.

It is true that systematic obstacles such as poverty, socio-cultural constraints arising out of existing social divides and serious flaws in the educational vision stand in the way of translating the right to education into reality in Bangladesh. However, if poverty has to be reduced and the poor have to be empowered, the capability of the poor must be enhanced through ensuring their access to education. Since human rights is about development and poverty is a major impediment to Bangladesh's development, poverty reduction has positive human rights components and lack of education has a strong negative impact on the ability of the poor to exercise all forms of human rights including the right to education.

The State is, therefore, obliged to realize the right to education as a method of designing and implementing the country's overall development programmes. In this respect, the obligation of international cooperation in enabling the State of Bangladesh to fulfil its right to education is evident for which a development compact should be drawn up on the basis of programmes that specify the obligations of both the State and the international community.

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