



Legal and equitable rights of the prisoners in Bangladesh: An analytical study

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Abstract

A significant number of convicts are unaware of their rights. They are not even cognizant of the laws that exist in the country for them. The families of the detainees are neither concerned nor aware of these rights. No one is available to apprise them of their human rights. These are the primary causes behind the multitude of challenges they encounter. This study will endeavor to elucidate the various legal rights of inmates. The condition of prisoners and the current state of incarceration in Bangladesh constitute a multifaceted and urgent concern. Notwithstanding attempts to enhance the living circumstances and rights of inmates, overcrowding, insufficient healthcare, and limited access to legal representation persist as significant obstacles. This study will endeavor to outline the fundamental rights of prisoners. The future of the prisoner population in Bangladesh will ultimately hinge on the sustained endeavors of policymakers, NGOs, and other stakeholders to confront these difficulties and strive for a more just and equitable system. This study will also examine the prevalent international framework for inmates.

Keywords: Prisoner, legal right, fundamental right, international standard and legal framework & remedy

Introduction

Every individual, including those who are imprisoned, possesses specific rights. The entitlement to be treated with compassion and respect for their dignity is among the several human rights and freedoms that hold particular significance for inmates. To be exempt from punishment or treatment that is harsh, inhumane, or degrading. Incarcerated individuals are also citizens of the nation. The nation and its legal framework encompass rights for them. They possess the entitlement to access the same opportunities as other citizens of the nation.

Objectives of the Study

The objectives of this study are to know about the Human Rights of Prisoners in Bangladesh. However, the objectives of this study are given below:

- To know the laws of prisoners in Bangladesh.
- To know the international laws regarding the Human Rights of Prisoners.
- To know the present position of prisoners in Bangladesh.
- To know about the present conditions and Human Rights situations of Prisoners in Bangladesh.
- To highlight the international standard for prisoners in the context of Bangladesh.

Significance of Study

Every individual possesses inherent human rights by virtue of birth and citizenship within a nation. A prisoner is a human person and a citizen of the nation. Similar to the general populace, they possess fundamental human rights such as sustenance, apparel, healthcare, education, and housing. They obtain these via the existing laws of the nation. This study will significantly contribute to identifying the limitations, obstacles, and issues regarding the Human

Rights of Prisoners in Bangladesh. This study will propose strategies for addressing the issues through critical examination.

Research Methodology

Research methodology is a systematic approach to problem-solving. This study encompasses non-doctrinal research, incorporating fieldwork and analytical methods. This research employed a descriptive research design. This study primarily focuses on the legal, equitable, international, and human rights of prisoners. The area was selected for examination due to the indifference of numerous inmates towards their human rights. Additionally, pertinent material is gathered from secondary sources such as books, journal articles, media, and the internet, and analysed in a descriptive manner.

Literature Review

A multitude of studies have been conducted about prisoners' human rights, and numerous books, articles, journals, and papers have been identified. Md. Sakhawat Alam Faisal, in his work 'Prisoners' Rights in Bangladesh: A Legal Observation with Recommendations,' delineates the current legislation aimed at safeguarding the human rights of prisoners in Bangladesh. The significant insights from Tanjila Tamanna's article, titled 'Rights of Prisoners in Bangladesh: A Legal Analysis,' elucidate the legal status of prisoners in Bangladesh, encompassing rights litigation and subsequent issues, along with recommendations and ethical reflections aimed at fostering new opportunities for prisoners' rights. Sunjida Islam, in her journal 'The Prison System: An Exploration for the Rights of Prisoners (Prison System in Bangladesh),' delineates the current state of prisons in Bangladesh and the obligations of Jail Authorities

towards prisoners. M Abdul Hamid and Hosneara Begum, in their work 'Education, Training, and Human Rights of Prisoners in Bangladesh,' discuss the educational rights and other entitlements of prisoners. The legal frameworks governing prisoners' rights include: The Constitution of the People's Republic of Bangladesh, The Prisons Act of 1894, The United Nations Standard Minimum Rules for the Treatment of Prisoners, and The Bengal Jail Code of 1864, among others.

Meaning of Prisoners

A prisoner is an individual confined in a correctional facility as a consequence of an offence committed. The term 'prisoner' refers to any individual currently confined as a result of a judicial mandate or other legal obligation necessitating their detention.^[1]

A prisoner is an individual who is deprived of liberty and confined in a jail or alternative custody as a consequence of a crime, while awaiting trial, or for other reasons. A person restricted by numerous constraints; we are all captives of time. The phrase "take no prisoners" informally denotes being uncompromising and resolute in one's conduct. Prisoners are those incarcerated in a correctional facility following a criminal conviction.

The term "Prisoners" originates from Middle English "prisoner" and Old French "prisonier." The figurative meaning of "one who is deprived of liberty or kept in restraint" dates back to the late 14th century. Individuals captured during warfare have been referred to as prisoners since the late 14th century, whereas the term prisoner of war originated in the 1670s. The children's game known as prisoner's base is documented as such from the 1590s (prison base); the logical conundrum referred to as the prisoner's dilemma has been recognized by that term since 1957. The origin of the term "Prisoners" is both acceptable and suitable in Bangladesh.

Present Position of Prisoners in Bangladesh

A multitude of offenders undergo high-risk treatment despite its potentially unnecessary nature, resulting in a squander of important time and resources. Approximately 72% of jailed convicts in Bangladesh remain legally untested in their innocence.

Typically, they are low-income individuals lacking awareness of their legal rights and without legal representation. The Bangladesh Jail supervises 55 district jails and 13 central jails. The Department of Prisons operates 68 correctional facilities and seven divisional prisons. The Bangladesh Jail operates as a division of the Department of Prisons within the Ministry of Home Affairs. These jails possess sufficient accommodations for 50,000 convicts. Nonetheless, over a thousand convicts currently inhabit prison cells. All prisoners are innocent. However, the overwhelming majority are undergoing trial. In addition to prisons, our nation possesses several correctional centers, where women and children are often relocated. A report from 1998 reveals the transfer of 34 juveniles to Dhaka Central Jail. None of the thirty-four was found culpable. Twenty-four individuals on the list were acquitted. The remaining 10 were retained under the guise of secure custody. Conversely, among the innocent, 24 were born in a jail cell to their incarcerated mothers, while the remaining 20 were still living.^[2]

Types of Prisoners

A prisoner can signify various concepts. It may refer to an individual who is lawfully incarcerated in a prison or jail. He is either awaiting trial for alleged crimes or serving a sentence for offences of which he has been convicted. This type of prisoner is subject to various levels of confinement. It may also refer to someone who has been apprehended and detained by an adversary. These may encompass prisoners of war, hostages, detainees, and internees. Individuals may be incarcerated for several reasons, including offences they have perpetrated, convictions they maintain, or services they provide to others. We have assembled a compilation of the 20 prevalent categories of convicts. They are as follows:

Minimum-security inmates, low-security inmates, medium-security inmates, high-security inmates, supermax inmates, juvenile offenders, jail inmates, state prisoners, federal prisoners, private correctional facility inmates, prisoners of war, civilian internees, immigration detainees, hostages, political prisoners, enslaved individuals, prisoners of conscience, military detainees, psychiatric facility inmates, and house arrest detainees.

Impact on the Society of Prisoners in Bangladesh

The social repercussions occur both during the prisoner's incarceration and following their reintegration into society. Prisonization occurs among all inmates. Upon their reintegration into the community, individuals possess a diminished social status. The consequence is often a life characterized by solitude and helplessness for the former offender. Self-loathing, remorse, and ennui are the primary psychological consequences of jail, resulting in diminished perspective and self-confidence. Upon release, convicts often isolate themselves from others. Furthermore, individuals endure chronic anxiety and animosity towards society and the criminal justice system. Moreover, jail exacerbates their already critical financial difficulties. Ex-offenders are unable to receive assistance from the community or government for their challenges. Incarcerated individuals sometimes receive vocational training, but they never secure employment in the same field.^[3]

Constitutional foundation and Human Rights of Prisoners in Bangladesh

Just as human beings possess Human Rights, prisoners are entitled to their own rights as well. Under Bangladeshi law, prisoners possess certain rights that are upheld by the country's correctional facilities. No individual shall face double jeopardy for any offence for which they have already been convicted and penalized.^[4]

A penalty exceeding or differing from that stipulated in the statute applicable at the time of the offence cannot be imposed on the accused. Individuals charged with any criminal offence shall possess the right to a prompt and equitable trial by a legally constituted authority, namely a court. The court must maintain independence and operate impartially, free from external interference. The court must be formed by statute or by any applicable law. The court will be accessible to those under its jurisdiction. No one shall be subjected to torture or to punishment or treatment that is cruel, inhuman, or degrading. This represents one of the most robust constitutional safeguards afforded to inmates.^[5] Bangladesh's ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ('CAT') in 1998 bolstered this

safeguard.^[6] Additionally, Bangladesh ratified the International Covenant on Civil and Political Rights ('ICCPR') in 2000.^[7] The Torture and Custodial Death (Prevention) Act 2013 is thus a significant legislative manifestation of both constitutional and international obligations.^[8] However, the primary deficiency lies in enforcement. The existence of a constitutional ban does not inherently deter torture. The submitted documents detail accusations of both physical and psychological maltreatment and highlight the issue of impunity. The situation is particularly grave, as torture may occur during the transfer from police detention to incarceration. In this regard, the rights of prisoners cannot be assessed solely upon their official entry into incarceration. The entire sequence of arrest → remand → investigation → trial → incarceration must adhere to constitutional protections. The pivotal ruling in *Bangladesh Legal Aid and Services Trust (BLAST) v Bangladesh* is, therefore, of significant importance. In that case, the High Court Division addressed the misuse of arrest and remand protocols as outlined in sections 54 and 167 of the Code of Criminal Procedure, establishing protections related to arrest, custody, medical evaluation, and access to legal counsel.^[9] The case illustrates the fundamental principle that law enforcement and detention authorities must operate in accordance with Articles 31, 32, and 35.

Article 27 of the Constitution provides that all citizens are equal before the law and accorded equal protection of the law. Despite Article 27's focus on citizens, detained individuals retain their constitutional identity, which is significant in relation to citizens. The principle of equality mandates that inmates should be treated without arbitrary bias. This is particularly relevant in terms of prison categorisation, access to medical care, nutrition, housing, education, religious observance, and disciplinary measures. Classification may be appropriately conducted based on criteria such as gender, age, criminal record, security risk, and health status. However, classification must not be used as a means of arbitrary discrimination. Article 31 is especially important for inmates, as it extends protection to include 'any other person temporarily present in Bangladesh', not just citizens. It stipulates that no actions are detrimental to an individual's life, freedom, physical integrity, reputation, or assets. The law prohibits any actions that could harm an individual's life, freedom, physical integrity, reputation, or assets unless they are legally authorised. Unless authorised by law. This clause is of considerable significance in the management of correctional facilities. A detainee has already experienced a legitimate limitation of freedom through apprehension, detention, or sentencing. Consequently, prison authorities may not impose further limitations solely based on their administrative authority. Any additional infringement on freedom, physical integrity, or dignity must be founded in legality. Thus, Article 31 supports the view that the penalty imposed by a court defines the lawful limits of punishment, constrained only by the requirements necessary for the security and management of prisons. Article 32 asserts that no individual shall be deprived of life or personal freedom except in accordance with legal provisions. The regulation is particularly significant within the prison environment, as the State has an increased obligation towards those whose freedom is entirely controlled by it. This principle is also reflected in the judicial reasoning regarding *Bangladesh v*

Shahjahan Shiraj. The fundamental constitutional principle must be that legitimate incarceration does not allow for unlawful treatment. Article 33 provides significant protections for those who are arrested and detained. An individual who has been apprehended must be notified of the reasons for their arrest and cannot be deprived of the opportunity to seek counsel from a legal representative of their preference. Article 33 provides significant protections for individuals who are arrested or detained. An individual who has been apprehended must be notified of the reasons for their arrest and cannot be deprived of the opportunity to seek counsel from a legal representative of their preference. An apprehended individual shall be presented before the nearest magistrate within 24 hours, adhering to the constitutional stipulation regarding travel duration. Individuals shall not endure torture or any other form of punishment or treatment that is cruel, inhumane, or humiliating.^[10]

To prevent female convicts from observing, communicating with, or engaging in sexual activities with male prisoners, they must be accommodated in distinct buildings or separate sections of the same facilities. Male detainees who are under 21 years of age shall be segregated from other inmates. A cell may only be used for solitary confinement if it is equipped with a means of communication with a prison officer or other authority. If prisoners are kept in solitary confinement for longer than 24 hours, the medical officer or other medical subordinates must visit them at least once per day, whether as a form of punishment or not.

The Superintendent is tasked with supplying suitable clothing and bedding to all civil and criminal inmates who have not been convicted. However, this right is conferred solely upon those who are incapable of providing themselves with adequate clothing and bedding. Should any inmate want medical attention or if an individual presents themselves on behalf of the inmate, the officer responsible for the inmate must promptly inform the jailer of the inmate's name.^[11]

Prison Conditions, Overcrowding and Human Dignity

The most apparent structural issue is congestion. The Prisons Act of 1894 continues to be a fundamental law regulating the correctional system. The official Bangladesh Laws website recognises the Act as the principal legislation; however, the Department of Prisons asserts that the Jail Code comprises the Prisons Act 1894, Prisoners Act 1900, Identification of Prisoners Act 1920, and related regulations. The challenge lies in the fact that a law written in the nineteenth century cannot readily furnish a thorough human-rights basis for a contemporary correctional system.^[12] The legislation has stipulations for medical personnel, entry assessments, prisoner segregation, isolation, sustenance, attire, labour, conduct, and restraint in shackles.

These regulations indicate that the well-being of prisoners was not wholly overlooked by colonial laws. Nonetheless, the legislative ideology is chiefly administrative and protective rather than centred on rights. The inadequacies of the current system are shown by the modern overcrowding figures. In June 2026, there were 77,040 inmates in Bangladesh, despite a capacity of 45,136, as mentioned above. Legally speaking, the issue is whether solitary confinement conditions constitute therapy in violation of Article 35 (5). When things get bad enough, the answer ought to be yes. The State remains constitutionally liable for the circumstances of the first detention, regardless of its legality.

Solitary Confinement, Handcuffing and Disciplinary Powers

Solitary confinement and the use of irons in prison are addressed in the Prisons Act. Solitary imprisonment is governed by Section 29, and irons and fetters are addressed in Sections 56 and 57. Legal analysis that has been uploaded correctly stresses that disciplinary restraints cannot be used as a punishment in excess of what is authorised by law. Additionally, it specifies that handcuffs shall not violate any basic rights and records the relevant sections of the Bengal Jail.

When it's absolutely required to stop an escape, violent act, or major disturbance, then a constraint can be warranted. But when employed for administrative convenience, revenge, or humiliation, it becomes problematic from a legal standpoint. Here is an expression of the principle: The mere fact of incarceration warrants no more restrictions than those that are both lawful and rationally related to acceptable custodial goals. An independent legal basis is required for any further suffering.^[13]

Prisoners' Right of Access to Courts and Judicial Remedies

Inmates' entitlement to judicial remedies and access to courts. Having easy access to justice is a crucial protection. As stated in Article 102, the ability to petition the High Court Division for the purpose of enforcing basic rights is explicitly guaranteed in Article 44. As a result, Article 102 establishes a constitutional process for challenging unjust jail rulings and conditions. Because inmates do not have the freedom to leave the facility in search of legal representation, this is of paramount importance. The legal analysis makes a valid point in arguing that other rights may become virtually useless if inmates are unable to communicate with judges. Thus, public interest litigation and writ jurisdiction have been crucial in the development of prisoners' rights by the courts. In the case of Bangladesh Legal Aid and Services Trust (BLAST) v. Bangladesh, the judiciary clearly stepped in to protect inmates' rights while they were in custody. Constitutional litigation, which they relied upon, does have its limits. The High Court Division may not hear cases involving impoverished, illiterate, geographically isolated, or unrepresented prisoners. Although a victim of incarcerated torture may seek redress by writ jurisdiction, the research that was uploaded does acknowledge that the procedure can be costly. Inmates lack practical access to counsel, information, complaint procedures, and legal assistance, rendering a right to judicial remedy ineffective.^[14]

Education, Vocational Training and Rehabilitation

The traditional understanding of incarceration in Bangladesh is deeply rooted in the concepts of confinement and discipline. Moving away from punishment and toward rehabilitation is central to contemporary correctional thought.^[15]

The submitted study focuses heavily on training and education. Education and vocational training, the paper contends, can help ex-offenders find lawful work and successfully reintegrate into society. Both legally and socially, this matters. Education, vocational training, psychiatric therapy, and employment preparation are not only charity programs if the purpose of imprisonment is to reform convicts. For a correctional system to legitimately

achieve its goals, they must be present. The objective of the Department of Prisons includes providing inmates with humane treatment, housing, food, medical care, contact with loved ones and legal representation, and rehabilitative programs. Changing words alone will not lead to rehabilitation. The authorities' plans to rebrand prisons as 'Correction Services Bangladesh' were disclosed in August 2025, along with the submission of a draft Correction Service Act 2025 for approval. Instead of proof that a new Act had superseded the laws of 1894, the accessible government documents suggest that this was merely a reform suggestion. So, rebranding institutions is not the main concern, but genuine legislative reform is.^[16]

International Human Rights Law and Bangladesh

Bangladesh is a signatory to multiple international human rights treaties pertinent to incarcerated individuals, such as the ICCPR and CAT. Article 10(1) of the ICCPR stipulates that all individuals who are incarcerated must be treated with compassion and with regard for the intrinsic dignity of the human being. Article 14 delineates the guarantees for a fair trial, whereas Article 9 safeguards against unlawful detention.^[17]

The submitted research differentiates between binding international law and non-binding norms, highlighting that the rights of prisoners stem from customary international law, treaty commitments, and soft-law frameworks. A considerable constitutional matter emerges in this context. International treaties ratified by Bangladesh do not function as immediately enforceable domestic law akin to incorporated statutes. The submitted legal examination notes that Bangladeshi courts might still employ international treaties as interpretative resources in the interpretation of constitutional rights. This establishes a two-tiered safeguarding framework: Constitutional and statutory regulations offer immediate home legal safeguards; but international agreements establish interpretive benchmarks and global responsibilities. The optimal judicial strategy is to construe Articles 31, 32, and 35 in alignment with Bangladesh's international human rights commitments wherever the constitutional language allows.^[18]

Critical Assessment of the Existing Legal Framework

The Bangladeshi framework is subject to critique in five main categories. Initial: colonial legislative legacy. The primary deficiency lies in the ongoing prominence of the Prisons Act 1894 and its corresponding Jail Code. The Department of Prisons presently characterises the Jail Code as comprising the Acts of 1894 and 1900 along with relevant regulations.

The statute was largely created for guardianship, regulation, and managerial oversight, rather than for a contemporary constitutional understanding of human dignity. The text appears to be incomplete or lacks context. Please provide additional information or a complete sentence for paraphrasing. Constitutional rights without effective enforcement. Bangladesh possesses robust constitutional stipulations; nonetheless, the submitted research consistently indicates that execution is fraught with challenges. The disparity between legal entitlements and the reality of jail conditions is thus the primary issue.^[19] Excessive dependence on judicial intervention. Public interest litigation has led to significant advancements, especially concerning arbitrary imprisonment, remand,

custodial abuse, and extended incarceration. Nevertheless, judicial bodies cannot replace a robust jail oversight and accountability framework. Judicial intervention is inherently responsive. A jail system that honours rights necessitates ongoing preventive supervision. Overcrowding is essentially an issue about the criminal justice system. It would be erroneous to regard overcrowding merely as an issue of jail development. Recent statistics indicate that the inmate count in Bangladesh far exceeds the designated capacity. However, merely increasing the number of prisons would not address the issue if the judiciary persists in producing a significant volume of pre-trial detainees. Could you please provide more information or a complete text for me to paraphrase? Rehabilitation continues to be inadequately developed. The research underscores the need for education and training for successful reintegration. However, congestion and scarce resources hinder repair efforts. A correctional system that solely detains individuals without equipping them for lawful life after release is likely to perpetuate rather than diminish criminal behaviour.

Rights of Prisoners under the Prisoners Act 1900

This Act especially emphasizes the rights of mentally ill inmates. Section 30(1) of this Act stipulates that when the government determines that an individual detained or imprisoned under a court order or sentence is mentally ill, it may issue a warrant articulating the rationale for this belief, thereby authorizing the individual's transfer to a mental hospital or another secure facility within Bangladesh, where he will be confined and treated as directed by the government for the duration of his detention or sentence.

Section 30(2) of this Act stipulates that when the government determines that a prisoner has recovered mental capacity, it may issue a warrant to the individual responsible for the prisoner, directing the remand of the prisoner to the original prison from which he was removed, to another prison within Bangladesh, or may authorise his release if continued custody is no longer warranted.

Section 30(3) of this Act stipulates that any individual retained in a mental hospital after completing their mandated detention or imprisonment period shall have the duration of their confinement in the mental hospital counted towards the total time they were ordered or sentenced to serve in detention or prison.

Present Situation of Human Rights of Prisoners in Bangladesh

Incarcerated individuals receive all the amenities to which they are entitled. They receive sufficient sustenance for three daily meals. The location from which food is provided to them is maintained in a clean condition. Incarcerated individuals receive medical services. Supplementary clothing amenities are also available. Their residence is conducive to health. The restrooms are maintained in a sanitary condition for inmate use. They possess mental health safeguarding systems. Sports and exercise have advantages in safeguarding bodily and mental health. They may visit their families after a duration of fifteen days. Individuals without family members may obtain legal aid by submitting an application. They possess a system that alerts them instantaneously in the event of an issue. District officials exhibited forbearance towards them. They are not exposed to any psychological or physical maltreatment. Previously, these rights were inaccessible to most convicts.

However, the current nation, its legal framework, and the inmates themselves recognise this; they are able to use many of the rights established for them, resulting in an improved quality of life compared to the past.

Two issues have been identified: first, the prisons are overcrowded. Consequently, they lead a quasi-inhuman existence. They lack sufficient accommodation for habitation and rest. A multitude of individuals must be confined to a room or ward. A ward designed for 30 individuals accommodates 44 to 45 inmates. There is just one women's prison in the country that exceeds three times the capacity for female inmates. Maintaining their privacy is getting increasingly unfeasible. The jails in Bangladesh are now overcrowded, adversely affecting the inmates. Furthermore, these inmates are ineligible to vote. Voting from within the jail was prohibited. They are offenders yet citizens of our nation. However, they lack the entitlement to articulate their views or participate in the establishment of the nation's governance. They are ineligible to vote, unlike the general populace.

Existing Problems of the Prison System in Bangladesh

The criminal justice system of Bangladesh is currently under significant strain, including its prisons. A multitude of cases are pending, exacerbating the already congested system. Moreover, criminal justice authorities are often afflicted by corruption. Furthermore, there is a clear focus on punitive justice rather than restorative justice, with incarceration predominantly viewed as a means of retribution instead of an opportunity to enhance offenders' perceptions of the law and society.

Prison overcrowding has markedly intensified in recent times. The nation has 80 jails, of which 16 are not yet operational. Despite the stated capacity of the remaining 64 jails being 21,581 inmates, the real number of inmates present is 45,444. Only 13,078 (fewer than one-third) of these individuals are convicted inmates, and the remaining 31,020 are in detention pending trial. The substantial quantity of defendants before trial is the primary factor contributing to jail overcrowding.

Criminal cases are processed slowly due to several factors: (a) a backlog of cases without granted bail; (b) witnesses who do not appear on the scheduled hearing date; (c) unnecessary adjournments; (d) delays in completing investigations; (e) a significant shortage of judges and magistrates; (f) a tendency for attorneys and parties to defer trials; and (g) judges and magistrates who lack vigilance, as acknowledged by esteemed judges, magistrates, and prominent lawyers.

Prisoner diets are categorized into two types. The Institute of Public Health Nutrition considers the daily caloric intake of 2,800–3,000 calories for regular convicts to be adequate. Nevertheless, individuals designated as "classified prisoners" receive a greater quantity of meals. The presence of this privileged jail population enrages the general inmate population. Furthermore, it is unethical for inmates to be compelled to eat their meals while seated on the ground outdoors, regardless of the weather conditions.

Convicts endure unsanitary living conditions in prisons. This results from jails being overcrowded with several individuals classified as "under trials." Within prisons, there are two distinct forms of accommodation: cell housing and dormitory or communal wards.^[20]

The United Nations Standard Minimum Rules for the Treatment of Prisoners

No prisoner shall endure torture, and all prisoners shall be protected from such treatment and punishment, as well as from other cruel, inhuman, or degrading treatment or punishment, for which no justification may be provided. It is imperative to ensure the safety and security of prisoners, personnel, service providers, and visitors always. No discrimination shall occur based on national or social origin, race, color, sex, language, religion, political or other beliefs, property, birth, or any other status. In certain areas, inmates possess the same rights as individuals outside of incarceration; these rights are limited by legal stipulations.^[21]

Discrepancies between prison life and community life that undermine prisoners' accountability or the respect for their human dignity should be minimized by the correctional system. Prison administrations must offer all reasonable adjustments and accommodations to guarantee that convicts with physical, mental, or other disabilities have equitable access to all facets of prison life.^[22]

Incarcerated individuals are required to uphold personal hygiene, necessitating access to water and essential items to ensure their health and cleanliness. Provisions for adequate hair and beard maintenance must be established, and males should have the opportunity to shave regularly to maintain an appearance that aligns with their dignity. Each inmate is entitled to receive food from the prison administration at designated times, which must be nutritious, well-prepared, and appropriately distributed. The food must provide a nutritional profile that is sufficient for health and vitality. Every inmate is entitled to receive drinking water as needed. Weather permitting, every prisoner not involved in outdoor labour must partake in a minimum of one hour of sufficient outdoor exercise daily. During the exercise phase, juvenile offenders and individuals of suitable age and physique must do physical and recreational training. To accomplish this, space, infrastructure, and resources must be provided. Each prison must implement a healthcare service tasked with evaluating, promoting, safeguarding, and enhancing the physical and mental well-being of inmates, particularly those with specific healthcare requirements or medical conditions that hinder their rehabilitation efforts. The healthcare service must consist of an interdisciplinary team of adequately competent professionals operating with full clinical autonomy and possessing sufficient expertise in psychology and psychiatry. All inmates are entitled to the services of a skilled dentist. Prison administrations are encouraged to utilize conflict prevention, mediation, or other alternative dispute resolution methods to the fullest extent possible to avert disciplinary offences or address issues. The prison administration must provide necessary measures for segregated convicts to mitigate any potential adverse effects of their incarceration on themselves and their community upon release.^[23]

The use of chains, irons, or any other intrinsically humiliating or agonizing forms of restraint is prohibited. Supplementary types of constraint may only be imposed when explicitly authorized by law and under the subsequent conditions:

(a) If removed before the prisoner's appearance before a legal or administrative authority, they act as a deterrent against escape during transfer; (b) The prison director may authorize the use of force if alternative measures fail to

prevent a prisoner from inflicting harm on themselves or others, or from damaging property; in such instances, the director must promptly inform a physician or qualified medical personnel and report to the superior administrative authority.^[24]

The Prison Act, 1952 in UK

The Prison Act of 1952 in the UK establishes some absolute rights for inmates. Additionally, certain rights of access to the courts and the respect for one's bodily integrity, specifically the right to be free from attack, are fundamental rights. Additional individuals may be acknowledged as the law evolves. A prisoner, regardless of being sentenced to imprisonment, remanded, or awaiting trial, may be lawfully detained in any prison. Prisoners shall be assigned to prisons as directed by the Secretary of State and may be relocated during their incarceration to any facility at the Secretary of State's discretion. A prisoner is considered to be in legal custody while confined in, or being transported to or from, any jail, and while engaged in employment or any other activity outside the prison under the supervision or direction of a prison officer.

A certificate issued for any cell may restrict the duration of a prisoner's separate confinement in that cell and the daily hours during which a prisoner may be engaged therein.

In a correctional facility accommodating both genders, distinct structures or sections must be designated for men and women, respectively, to preclude any visual or communicative interaction between them. The prison medical officer shall not provide any painful tests to a prisoner for the detection of malingering or any other reason without the authorisation of a Prison Commissioner, the visiting committee, or the board of visitors, as applicable.^[25]

The Prisons Act of India, 1894

The Prisons Act of India delineates some rights for convicts concerning their health, clothes, and other essentials that constitute fundamental human rights. A civil prisoner or an unconvinced criminal prisoner shall be allowed to sustain himself and to acquire or receive from private sources, during designated hours, food, clothing, bedding, or other essentials, contingent upon inspection and adherence to regulations sanctioned by the Inspector General. No portion of any food, apparel, bedding, or other essentials belonging to any civil or convicted criminal prisoner shall be transferred, rented, or sold to another prisoner; any prisoner violating this provision shall forfeit the privilege of purchasing or receiving food from private sources for a duration deemed appropriate by the Superintendent. Civil prisoners who procure their own tools, without financial support from the prison, shall retain the entirety of their earnings; however, those provided with tools or supported financially by the prison shall have their earnings subject to a deduction, as determined by the Superintendent, to cover the cost of tools and maintenance.^[26]

Comparison between Bangladesh and Other Countries

Bangladesh and other nations possess diverse laws and regulations aimed at safeguarding the human rights of incarcerated individuals. However, some distinctions were seen between Bangladesh and other nations. In India, when an individual is apprehended by the police without a warrant for a non-bailable offence, they are entitled to be granted bail. In Bangladesh, the bail process is exceedingly sluggish,

resulting in a backlog of cases in which bail is not awarded. In Nepal, prisoners may seek treatment from an alternative physician at their own expense, and such requests will be granted. Conversely, in Bangladesh, prisoners are not permitted to pursue treatment of their own choosing or at their own cost. In the USA, prisoner privacy is upheld effectively, but in Bangladesh, it is inadequately preserved due to substandard accommodations. Canada possesses an adequate number of jails to accommodate inmates in accordance with capacity. However, Bangladesh has a limited number of prisons that exceed their intended capacity.

Findings

Bangladesh is renovating correctional facilities and enhancing security in compliance with its current prison legislation and all other statutes aimed at safeguarding prisoners' rights. Prisons are equipped with essential facilities, including health care, medical services, mental health support, and sufficient nutrition for inmates. All preparations are in place to address any issues they encounter promptly. However, while concluding the investigation, some issues were identified among these elements:

1. The number of jails is fewer than the number of prisoners. II. Prisoners endure inhumane conditions due to inadequate accommodation within the facility.
2. III. Bangladesh lacks an adequate number of prisons for female inmates, with the population of women convicts exceeding capacity by more than threefold.
3. Overcrowding in a solitary correctional facility impedes women prisoners' ability to preserve their solitude.

Recommendations

Considering the problems in safeguarding the rights of prisoners in Bangladesh, the following recommendations are proposed for the creation of prisoners' human rights:

1. The government should increase the number of jails in the country.
2. Prison authorities should augment the number of wards in each facility and ensure equitable lodging of prisoners within each ward. To prevent any accumulation issues.
3. The Department of Prisons must increase the quantity of women's correctional facilities.
4. The Directorate of Prisons and the Government should establish a women's prison in every district.

Conclusion

Incarcerated individuals are fundamentally human. Individuals retain their entitlement to human rights, even while incarcerated to fulfil their sentences for criminal offences. Bangladesh has implemented various measures to uphold the rights of all convicts in compliance with current legislation. The Bangladesh government and prison authorities are ensuring that convicts receive health protection and all essential amenities afforded to the general populace. Prisoners once endured numerous challenges in correctional facilities, but they no longer have to endure such hardships. Previously, there existed numerous negative perceptions of correctional facilities, which are now but a

relic of the past. The jails of Bangladesh have become highly modern and profitable. The convicts encounter no challenges regarding sustenance and housing; yet, it is reasonable to presume that the Bangladeshi government will promptly address the existing issues. The nation is cognizant of the inmates' human rights, and the convicts should possess a comprehensive awareness of these rights. They ought to be cognizant of their rights. If the convicts are cognizant, their human rights in this country will be fortified.

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