



Research Monograph

On

Right to Social Security - A Critical Analysis under International and Domestic Law

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LETTER OF APPROVAL

23rd October, 2020

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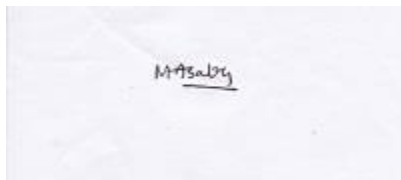
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Subject: Submission of the Term Paper.

Dear Sir,

With due regard, I might want to advise you that, I am Abil, bearing understudy ID: 193-38-347, an understudy of Daffodil International University. It is my incredible delight to educate you that I have the chance to submit research paper on “Right to Social Security - A Critical Analysis under International and Domestic Law”, as a prerequisite for finish of LL.M (Final) Programme. I trust this report considers the contemporary issues on the topic that are being Practiced by associations in our nation.

I accept this authentic and legitimate examination will assist you with having a positive perspective upon me. I will be satisfied to convey you with included clarifications or explanations that you may feel fundamental in such manner. I will be appreciative on the off chance that you compassionately favor this exertion.

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Md. Abu Saleh

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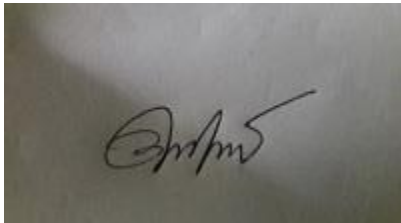
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ACKNOWLEDGMENT

I, must acknowledge with thanks the co-operation of all those who encouraged and assisted me. Constraints of space prevent us from mentioning all by name. Of them, I acknowledge with my gratitude indebt to my honorable teacher Md. Abu Saleh under whose supervision I have completed this work and who has always been very sincere and helpful in making me understand relating to this topic.

I express my special thanks to my friends for the help and support extended to me during the research.

The views and opinions expressed in this thesis paper are absolutely my observations. In this work, there may be shortcomings, factual errors, mistaken opinions and stylistic lapses which all are mine and I am responsible for this.

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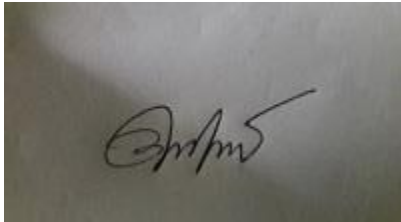
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Declaration

I, Abil, a regular student of Department of Law, Daffodil International University, Bangladesh do hereby solemnly declare that the work present in this Research Paper is the outcome of my hardcore findings performed by me under the supervision of Md. Abu Saleh, Assistant Professor, Depart of Law, Daffodil International University, Bangladesh.

I also declare that this thesis or any part thereof has not been submitted elsewhere for any award of any degree or diploma.

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Abstract

Social security is any sort of aggregate measures or exercises intended to guarantee that citizens of a nation meet their fundamental needs and are protected from the contingencies to empower them keep up a way of life steady with social standards. It is perceived as common freedoms and certain Social Security Act and related laws sets up various projects which objects to give social security. Social security is critical to accommodate the material needs of people and families; to ensure matured and crippled individual and against the costs of illness that may some way or another use up their reserve savings; to keep families together and to allow children to grow up sound and secure. Under certain international conventions state gatherings ought to guarantee that the right to social security is given due consideration in international arrangements and, to that end, ought to think about the advancement of legal instruments. State parties must make moves to the maximum of their accessible assets to guarantee social security. The Constitution of Bangladesh in its article 15(d) clearly expresses that, the right to social security is a protection if there arise an occurrence of any undeserved need by reason of poverty, disease, old age, handicap, joblessness, vagrant and others. The GoB itself denotes social safety nets programs (SSNPs) are commonly given to the poor. The projects recorded as safety nets are at some point subject to additional security as some of them generally poverty reduction oriented and cover both hardcore poor and general poor, and even sometimes simply growth oriented. Those SSNP are for the most part focused to poor people. Accordingly, arrangements must be planned for program assessment and furthermore for comprehension of the effects of projects. Nonetheless, explicit measures are yet to be undertaken. It is hard to deal with this circumstance except if the endeavors are quickened. Thus, the government is imaginative in planning strategies and projects in a viable method to reinforce the social safety net Programmes. or else, providing social security through the usage of those programmes may evade accomplishing the objectives.

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List of Abbreviations

CCT	: Conditional Cash Transfer
CMC	: Community Medical Care
CT	: Cash Transfer
EGPP	: Employment Generation Programme for the Poorest
FAO	: Food and Agriculture Organization
FWP	: Food for Work Programme
FY	: Financial Year
GDP	: Gross Development Product
GED	: General Educational Development
GED	: General Economic Division
GoB	: Government of Bangladesh
ICESCR	: International convention on Economic, Social and Cultural rights
ILO	: International Labour Organization
IMED	: Implementation Monitoring Division
ISSA	: International Social Security Association
LGIs	: Local Government Institutions
M&E	: Monitoring and Evaluation
MHVS	: Maternal Health Voucher Scheme
MOWCA	: Ministry of Women and Children Affairs
NGOs	: Non-Governmental Organization
NSSS	: National Social Security Strategy
NSIS	: National Social Insurance Schemes

OMS	: Open Market Sales
SDF	: Social Development Foundation
SID	: Statistics and Information Division
SS	: Social Security
SSNPs	: Social Safety Net Programme
TF	: Test Relief
UDHR	: Universal Declaration of Human Rights
UN	: United Nations
UNDP	: United Nations Development Programme
UNISEF	: United Nations Children`s Fund
VGD	: Vulnerable Group Development
VWB	: Vulnerable Women Benefits
WHO	: World Health Organization

1st Chapter

Introductory Chapter

1.1 Introduction

Right to Social Security means the right to access the benefits in order to secure the protection without any discrimination from (a). lack of income from work, old age, sickness and death of family member, (b). unable in accessing health care, (c). insufficient support by family, in particular, for children and adult dependents.

Social Security plays a significant role in reducing poverty, prevents social exclusion as well as promotes inclusion. It ensures the guarantee of human dignity to all individuals whenever they are in such a situation that deprives them from the capacity to realize their rights. To protect the aged persons and also the disabled ones against the expenses which may use up their savings and to provide the children a healthy environment social security plays a significant role.

International law expresses the right to social security strongly. The Declaration of Philadelphia (1944) contains this human right to social security which appealed the “extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care”. The Universal Declaration of Human Rights, 1948 also recognizes social security as a human right. Article 22 of it expresses that “Everyone as a member of society, has the right to social security”. This right was subsequently incorporated in different international as well as regional human rights treaties.

The government of Bangladesh’s main tool focuses on Social Safety Net Programmes for the purpose of social security. These programmes mainly based on ad-hock basis in order to cope up with the sudden vulnerabilities. Though the benefits of these programmes are of short term in nature but in real sense these seem to be ineffective from the long term development perspective. The reasonable growth rates can be noticed to led to collapsed the percentage of poor but the number of poor has not collapsed. These safety net programmes are important component of the government’s social protection strategy but the expenditures on this programmes are very low comparatively to the other countries at the same level of development spent on their safety

programmes. The SSNPs facing inverse impact as the real allocation were decreasing over the time, though the nominal allocation were increasing at little rate over time.

1.2 Literature Review

This research paper is composed basically by taking both primary and secondary sources. The sources incorporate pertinent legal arrangement, looking into literal works concentrated on right to social security issues (e.g. books, articles, journals) and looking through the web and guidance from the university teachers, instructors and experts (e.g. Family Law rehearsing Legal advisors, Lawyer). Explicit references of the materials utilized are given in the commentary of the concerned section. while conducting the research paper to ensure it informative, i have collected information from book e.g. Micro economic Implication of Social Security in Bangladesh, Human Rights Law: National and International Perspective, Social Security and its Discontents: Presevative on Choice etc. and journals such as, International Human Rights Law: an introduction, 'Ensuring Equality in Education: How Australian laws are leaving students with print disabilities behind', 'Social Safety Net in Bangladesh' etc.

Social security is any sort of aggregate measures or exercises intended to guarantee that citizens of a nation meet their fundamental needs and are protected from the contingencies to empower them keep up a way of life steady with social standards. Lot of people lives under the poverty line here in Bangladesh. The government of Bangladesh has been trying to develop the life of poor and vulnerable people by providing some safety net programs. And since 2010 The World Bank is helping the GoB to maximize the target. Though with the help of the government's safety net programme people are having a smoother life style to live with dignity but still day by day the number of poor vulnerable people also increasing and discriminations in between them are happening. Poor kids getting dropped out and also can't even enroll themselves in many cases as a result of poverty, while the constitution of Bangladesh, article 15(d) expresses that, the right to social security is a protection if there arise an occurrence of any undeserved need by reason of poverty, disease, old age, handicap, joblessness, vagrant and others. Jobless people are suffering in need of money; poor vulnerable people are deprived from getting health services as well. The implementation methods of the safety net programmes to ensure social security are insufficient and the targeted people of such programmes are having help in a few amount. This generally occurring because of the improper implementation mechanism. For such improper mechanism it

is often seen that safety net programmes provides health services, foods, cash transferring are being barricaded and some other groups rather than the targeted people of such programmed are robbing such assistance.

1.3 Objectives of the Research

As this research is neither a manual which tells how to solve legal issues nor it is an exhausted account of all law and policy on various rights. It aims to be catalyzing which will help to inspire creative action clamming advance social security.

The objectives of the research are as follows....

- a. To find out the meaning of social security;
- b. To find out the enforceability of the social security which is guaranteed by the Constitution of Bangladesh;
- c. To find out as much as possible obstruction, goals and drawbacks relating to Laws and Practices which exists in Bangladesh;
- d. To try to prescribe some recommendation to properly enforce the social security rights in perspective of Bangladesh.

1.4 Significance of the research

This study holds a significant importance for poor and vulnerable individuals in Bangladesh. Because this will help them to gather knowledge about their rights to social security under national and international perspectives. Poor and vulnerable people are being deprived from living with dignity and receiving medical care, schooling, lack of income from work and other social benefits. This study will help the authorities of the safety net programmes to ensure social security to reach a development regarding the implementation process of such social security strategy and reach a maximize targeted people of such programmes.

1.5 Research Questions

While conducting this research paper, I will focus on these mentioned issues...

- i. What International Instrument says about the Right to Social Security?
- ii. What Initiatives are taken to realize the Right to Social Security in the domestic level?

- iii. What are the lacking in the Implementation Mechanism of such Initiatives?
- iv. How to Develop Implementation Method of such Programmess?

1.6 Research Methodology

Without following any research method, it is quite difficult to complete the research paper and the outcome of the paper depends largely on the method chosen for the paper. While completing this research I followed imperial and analytical methods of research by

- a. Planning the whole research paper;
- b. Review the existing literature on the subject matter of social security rights;
- c. Concentrated study through many books, journals, national and international publication of different institution;
- d. Web site materials;
- e. Review to various international instruments relating to social security;
- f. And also took help from my teachers.

1.7 Limitation of the Research

Some limitation has been faced in completing this research paper. And naturally these limitations reduced the scope of this research. Among the limitations time binding work is one of the main limitation which is not adequate to complete the paper properly.

Creating a good research paper requires enhance book facility in institutions library but our library facility is not enough sufficient.

I couldn't found studies done properly before on this topic that's why I have faced barriers in gathering information to smoothly conduct this research. As there was a huge lacking of information work in this research paper had to face a lot of difficulties, so inadequate information is another important limitation of this study.

2nd Chapter

Social Security and its International Standard

2.1 Meaning of Social Security

Every individual is defenseless against dangers and vulnerabilities as for income as a methods of self-sustenance. To contain these dangers, everybody needs to have some type of social security ensured by the family, surrounding and community altogether. Such financial dangers and vulnerabilities in human life comprises the reason for the need of social security. it has come out from the need for solidarity as no one can alone ensure his or her security.

Generally social security indicates some programmes through which the government provides individuals money as they are unable to earn due to old aged, disabled person and unemployed, and likewise a programme of public provision (as through social protection or help) for the monetary security and social welfare of a person and family.

Social security implies any sort of aggregate measures or exercises intended to guarantee that citizenry meet their fundamental needs and are shielded from the possibilities to empower them keep up a way of life steady with normal practices.

The right to social security is recognized as a human right and establishes the right to social security assistance for those unable to work due to sickness, disability, maternity, employment injury, unemployment or old age. Social security systems provided for by states consist of social insurance programmes, which provide earned benefits for workers and their families by employment contributions, and/or social assistance programmes which provide non-contributory benefits designed to provide minimum levels of social security to persons unable to access social insurance.¹ In simple terms social security means, the assurance by society of individual or community against a fall in their living standard due to temporary misery and assurance by society of those standard of individuals or community that are below minimum accepting level.

¹ Right to social security-wikipedia https://en.wikipedia.org/wiki/Right_to_social_security accessed on 10th June, 2020

2.2 Components of social security:

The social security is one of the biggest government programmes on the planet, paying out several billions of dollars for every year. It incorporates various projects or assurance to give the individuals security, as follows:

- **Social insurance:** In recognition of contributions to an insurance programme people get benefits or services that include provisions for retirement pensions (beyond a prescribed age), disability insurance, survivor benefits.
- **Services:** It includes action programme of agencies engaged by government are responsible for social service provision. The main intension is to promote welfare to the citizens through ensuring access to adequate food and shelter and to promote well-being for vulnerable individuals such as children and old aged
- **Maternity benefit:** The period of paid absence from work and other allowance given to a working women in time of giving birth are considered to be maternity benefit. Under section 46 of Bangladesh Labour Act, 2006, a working women is entitled to maternity benefit for a total of 16 weeks.²

2.3 Social Security Under International Instruments

2.3.1 Social security under UDHR:

The Universal Declaration of Human Rights, an international document which expressed some basic rights and fundamental freedoms to which every individual is entitled. And article 22 of it recognizes social security by stating, “Everyone, as a member of the society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each state, of the economic, social, and cultural rights for his dignity and the free development of his personality.”³ In simplest term, the signatories of the document give their consent that the society where individuals live should assist them to develop and to make the most of all the facilities those are offered to them in that state.

² Section 46, Maternity Benefit, Bangladesh Labour Act, 2006, Act No. 42.

³ Article 22, Right to Social Security, Universal Declaration of Human Rights.

Article 22 of the same also recognizes the same and expresses that motherhood and childhood shall be guaranteed special care and assistance, whether born in or not out of wedlock the child is entitled to social security.

2.3.2 Social security under ICESCR:

Article 9 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes “the right of everyone to social security, including social insurance.”

Article 10 also recognized this right and states that during prior and post-delivery a mother shall be provided with special protection and during such period working mother shall be granted with paid leave or leave with sufficient social security benefits.⁴

it is a must to the ICESCR’s states parties to strictly respect, protect and fulfill the right to social security. Social Security encompasses, “the right to access and maintain benefits, whether in cash or in kind, from (a) lack of work related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; (b) unaffordable access to health care; (c) insufficient family support, particularly children and adult dependents.”⁵

Social security consisted of the following branches- old age benefits, employment injury insurance, unemployment benefits, adequate health service, family and child support, maternity benefits, disability protection and provision for survivors and orphans. It is the obligation of the ICESCR’s states parties to adopt necessary measures and implement the social security scheme. And they must secure that the social security system is easily accessible and will cover prompt risk.

2.3.3 Social security under ILO:

Framework of social security under ILO is based upon the structure of three-tires, which aims to utilize different funding for provisions to more security to country’s population. It also seeks to identify needs of different community in the society with respect to earnings and degree of vulnerability. The three tires which form the structure are social assistance schemes; mandatory schemes; voluntary or supplementary schemes.

⁴ Article 10, International Covenant on Economic, Social and Cultural Rights.

⁵ F.William, Felice(2010). *The global new deal: economic and social human rights in world politics*. Rowman&littlefield. Pg-122-123

2.3.4 Social Security under Other International Human Rights Instruments:

Equality of Treatment (Social Security) Convention, 1962 (No. 118): This convention identifies the issues of social security of migrant workers in a global manner. The convention covers total nine branch of social security and provides that, any ratifying state accepting each branch under the convention undertakes to provide equal treatment to citizens of other ratifying states with its own citizens along with refugees and stateless individuals if specifically accepted within its territory.⁶

In short this convention focuses on equality of treatment and exportability.

Maintenance of Social Security Rights Convention, 1982 (No. 157): This convention specifically identifies issues of maintenance of social security rights of migrant workers.⁷

Employment Injury Benefit Convention, 1964 (121): The possibility secured by Convention No. 121 incorporate an arrangement of social security because of inadequacy of work, shortcoming or loss of a workforce because of a mechanical accident or an endorsed word related illness, and the loss of help because of the demise of the provider following business injury. It has a place with endorsing states to characterize the idea of 'industrial ate, including the condition under which this thought applies to driving accidents.

Maternity Protection Convention, 2000 (No. 183): Every single employed lady, incorporating those in average structures subordinate work, ought to be secured for pregnancy, labor and their results. Specifically, people secured ought to be qualified for maternity benefits for a base time of about a month (counting a month and a half of obligatory leave after labor) at least two-thirds of their past profit. The health advantages gave to secured people must incorporate pre-birth, labor and post-natal consideration. This convention additionally sets out that, the privilege to works breaks for breastfeeding, just as arrangements identifying with wellbeing insurance, business and non-discrimination.⁸

By taking the above statements of social security into consideration it can be said that, not being a single right it is rather interdependent and interrelated with all other economic, social and cultural rights, specifically the privilege to a satisfactory way of life, including the privilege to food and the privilege to lodging, the option to work and the privilege to insurance of the family.

⁶ F.William, Felice(2010).*The global new deal: economic and social human rights in world politics*. Rowman&littlefield. Pg-122-123

⁷ Maintenance of Social Security Rights Convention (adopted 16 October1981, entered into force 3 January 1982) 151 (MSSRC)

⁸ Article 8, Maternity Protection Convention, 2002, Convention No. 183

3rd Chapter

Social Security and International Guidelines

3.1: Requirements of Enforcement of Social Security: The right to social security is very significant in ensuring every individuals dignity for all individuals when they are confronted with situations that deny them of their capacity to fully enjoy the right to social security and to make sure article 9 of ICESCR expressed a binding provision that, state parties must recognize everyone right to social security. As per this convention state parties must take powerful measures, and occasionally changed them when important, inside their greatest accessible prerequisites, to completely understand the privilege of all people with no separation to social security.⁹ The phrasing of article 9 of the convention demonstrates that the measures that are to be utilized to social security benefits can't be characterized barely and, in any occasion must ensure all people a base happiness regarding this common freedoms and these necessities are incorporate:

- Contributory or protection based plans, for example, social protection, which is explicitly referenced in article 9. These for the most part include mandatory commitments from recipients, businesses and now and then the states related to the installment of advantages and authoritative costs from a typical reserve.
- Non-contributory plans, for example, widespread plans which give the applicable advantages on a basic level to each and every individual who expenses a specific danger of possibility or focused on social help plans which advantages are gotten by those in a circumstance of need. In practically all state parties, non-contributory plans will be required since it is improbable each individual can be satisfactorily secured trough an insurance based system¹⁰

The right to social security has been unequivocally insisted in international law. The basic freedoms measurements were plainly present in the Declaration of Philadelphia 1994 which required the 'augmentation of social security prerequisites to give an essential salary to all needing such assurance and comprehensive clinical consideration¹¹ social security was perceived as a basic freedom in the UDHR 1948, which expresses that 'everybody, as a citizen, has the option to social security and as per article 25 everybody, has similar rights in case of vital moment or other absence of occupation in conditions outside his ability to control. The right was latter on incorporated in various international treaties as well as regional human right treaties. In 2001 the International Labor Conference, made out of delegates of states, businesses and laborers asserted that social security "is an essential human right and a major way to making social union". The board on ESCR is concerned over each low degrees of admittance to social security with a vast dominant part around 80% of the worldwide populace as of now deficient with regards to access of formal social

⁹ Article 9, International Convention on Economic, social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 2200A XXI (ICESCR)

¹⁰ *ibid*

¹¹ Section III (f) Declaration concerning the aims and purposes of the ILO, annex to the constitution of ILO

security. Among these 80%, 20% live in outrageous neediness.¹² During the checking of the usage of the said covenant, the panel has reliably communicated its anxiety over the forswearing of or absence of admittance to satisfactory social security, which has sabotaged the acknowledgment of the government backed retirement, not just during its thought of the reports of state parties yet in addition in its overall remarks and different statements. While the components of the right to social security may shift agreeing various conditions various basic conditions as set out above (in chapter two), in deciphering these viewpoints here some solid prerequisites that, it ought to be conceived at the top of the priority list to all state parties that, social security ought to be treated as a social good, and not essentially as a simple instrument of economic or financial policy. For the authorization of the social security, state gatherings ought to offer social types of assistance for recovery of the harmed and people with incapacities as per article 6 of the agreement, give youngster care and government assistance, guidance and help with family arranging and the arrangements of unique offices for people with disabilities and more established people (article 10), take measures to battle destitution and social rejection and offer supporting social types of assistance (article 11), and embrace measures to forestall infection and improve wellbeing offices, products and ventures (article 12).¹³ State gatherings ought to likewise consider plans that give social security to people having a place with hindered and minimized gatherings, for instance yield or cataclysmic event protection for little ranchers or business insurances for independently employed people in the proper economy. Anyway the appropriation of prerequisites or measures to acknowledge different rights in the pledge won't in itself go about as a substitute for the production of social security schemes.

3.2: Broad Application of the Enforcement of Social Security (By Directing Some Special Topics for the Same Application): The commitment of the state parties to ensure that the privilege to SS are appreciated without segregation and balance among people, infests the entirety of the commitments under part III of the covenant, the covenant accordingly forbids any separation whether in law or indeed, regardless of whether immediate or aberrant on the grounds of race, shading, sex, language, religion, political or other feeling, public or social root, birth, physical or mental inability, wellbeing status (counting HIV/AIDS), sexual direction, and common, political or different status which has the expectation or impact of invalidating or weakening the equivalent satisfaction or exercise of the right to social security.

While everybody has a privilege to social security, state gatherings should concentrate on those people and gatherings who customarily face challenges in practicing this privilege specifically the ladies, jobless, laborers insufficiently ensured by social security, people working in the conventional economy, debilitated or harmed laborers, individuals with handicaps, old people,

¹² Michael Cichon and Krzysztof Hagemeyer, "Social Security for All: Investing in Global and Economic Development. A consultation", *Issue in Social Protection Series, Discussion Paper 16, ILO Social Security Department, Geneva, 2006*

¹³ Social Security Principles. *Social Security series no 1, ILO 1998, page. 14 and general comment no. 19 on article 9 of ICESCR*

youngsters and grown-up wards, domestic of homemaker¹⁴, minority gatherings, outcasts, shelter searchers, Internally Displaced Person (IDP), returnees, non-public people, detainees and prisoners.

Workers inadequately protected by social security (part-time, causal, self-employed and homemaker): Steps must be taken by state gatherings to the limit of their accessible assets to guarantee that the social security frameworks spread laborers insufficiently ensured by social security, including low maintenance laborers, causal specialists, the independently employed and homemakers. Where SS plans for such laborers depend on word related movement, they ought to be adjusted so they appreciate conditions identical to those of tantamount all day laborers. Aside from on account of business injury, these conditions could be resolved with respect to long periods of work, commitments of income, or through other proper technique. Where such occupation based plans don't give satisfactory inclusion to those laborers, a state gathering should adjust reciprocal measures.

Informal economy: The casual economy has characterized by International Labor Conference as "all financial exercises by laborers and monetary units that are-not secured or inadequately secured by formal arrangement." This obligation is especially significant where social security frameworks depend on a conventional work relationship, business join together or enrolled home. Measures could include: eliminating snags that keep such people from getting to casual federal retirement aide plans, for example, network based protection; (b) guaranteeing a base degree of inclusion of dangers and possibilities with reformist extension after some time; (c) regarding and supporting social security plans created inside the casual economy, for example, miniature protection and other microcredit related plans. The panel note that in a number state parties with a huge casual economy, projects, for example, universal pension and medical services conspires that spread the sum total of what people have been received.

3.3: International Guidelines to State Parties to Enforce Social Security

3.3.1: General Legal Guidelines

The acknowledgment of the right to social security conveys critical budgetary ramifications for states parties, however the basic significance of social security for human dignity and the legitimate acknowledgment of this privilege by the state parties imply that the privilege ought to be given fitting need in law and strategy. State parties ought to build up a public methodology for the full execution of the privilege to social security, and ought to designate sufficient monetary and different assets at the public level. On the off chance that essential, they should profit themselves of worldwide participation and specialized help with line with article 2, passage 1, of the Covenant.

¹⁴ Homemakers are those who work from home for remuneration for an employer or similar for similar business enterprise or activities. ILO Convention No 17, (1996) on home work

There is a solid assumption that retrogressive taken corresponding to one side to social security are precluded under the Covenant. In the event that any purposely retrogressive measures are taken, the State party has the weight of demonstrating that they have been presented after the most cautious thought, everything being equal, and that they are appropriately supported by reference to the entirety of the rights accommodated in the Covenant with regards to the full utilization of the State gathering's greatest accessible assets.

3.3.2 Specific Legal Guidelines:

The right to social security, like any human right, imposes three types of obligations on States parties: obligations to respect, obligations to protect and obligations to fulfill.

(a) Obligations to respect

The obligations to respect necessitates that States parties cease from meddling legitimately or by implication with the pleasure in the right to social security. The commitment incorporates, inter alia, forgoing participating in any training or movement that, for instance, denies or restricts equivalent admittance to satisfactory social rights; subjectively or nonsensically meddles with self-improvement or standard or customary arrangement for social security; discretionarily or irrationally meddles with institutions that have been set up by people or corporate bodies to give social security.

(b) Obligations to protect

The obligation to protect necessitates that State parties keep outsiders from meddling in any capacity with the happiness regarding the privilege to social security. Outsiders incorporate people, gatherings, partnerships and different substances just as specialists acting under their position. The commitment incorporates, inter alia, receiving the vital and viable administrative and different measures to, for instance, control outsiders from denying equivalent admittance to social security schemes worked by them or by others and forcing absurd qualification conditions; subjectively or nonsensically meddling with self-improvement.

(c) Obligations to fulfill

The obligation to fulfill necessitates that States parties to adopt the essential measures, including the execution of a social security plan, coordinated towards the full acknowledgment of the right to social security. The commitment to satisfy can be sub-partitioned into the commitments to encourage, advance and provide.

The commitment to encourage requires States parties to take positive measures to help people and groups to appreciate the privilege to social security. The commitment incorporates, inter alia, concurring adequate acknowledgment of this privilege inside the public political and overall sets

of laws, ideally by method of authoritative usage; embracing a national social security strategy and scheme to understand this right; guaranteeing the social security framework will be satisfactory, open for everybody and will cover the social dangers and possibilities.

3.3.3 Guidelines of Actors Other Than States:

There are some of rules which are by the general people as per their state or government, since, in such case that the individual when all is said in one of a state have no stand to ensure their security and without their convenience a state as single one can't guarantee social security to the whole society. Hence the United Nations particular agencies and other global organizations concern about social security, for example, ILO, WHO, FAO, UNICEF, UN-Habitat, UNDP, the International Social Security Association (ISSA), just as international organizations worried about trade, for example, the World Trade Organization (WTO), ought to coordinate adequately with States parties, expanding on their individual mastery, corresponding to the execution of the right to social security. The worldwide money related establishments, eminently the International Monetary Fund and the World Bank, should consider the right to social security in their loaning strategies, credit arrangements, auxiliary modification programmes and comparable activities, with the goal that the delight in the right to social security, especially by burdened and minimized people and gatherings, is advanced and not bargained.

3.3.4 Some Additional International Guidelines to Enforce Social Security:

States parties should extra-territorially ensure the right to social security by forestalling their own residents and public elements from abusing this right in different nations. Where States gatherings can find a way to impact outsiders (non-State actors) inside their ward to regard the right, through legitimate or political methods, such advances ought to be taken as per the Charter of the United Nations and pertinent international law.

States parties ought to guarantee that the right to social security is given due consideration in peaceful accords and, to that end, ought to think about the advancement of additional legitimate instruments. The Committee takes note of the significance of building up corresponding two-sided and multilateral peaceful accords or other instruments for planning or fitting contributory social security plans for migrant workers.¹⁵

3.4 Implementation at the National Level to Fulfill the International Guidelines

In the execution of their Covenant commitments, and as per article 2, paragraph 1 of the Covenant, States parties are needed to use "every appropriate mean, including especially the selection of legislative measures." Every State party has an edge of caution in surveying which measures are generally reasonable to meet its particular conditions. The Covenant, notwithstanding,

¹⁵ Cf. Article 27, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families 1990.

unmistakably forces an obligation on each State gathering to make whatever strides are important to guarantee that everybody appreciates the right to social security, as quickly as possible.¹⁶

A. Legislation, strategies and policies

States parties are obliged to take every appropriate measure, (for example, legislation, strategies, policies and programmes) to guarantee that the particular commitments concerning the right to social security will be actualized. Social security frameworks ought to likewise routinely be monitored to guarantee their supportability.

B. Decentralization and the right to social security

Where duty regarding the usage of the right to social security has been appointed to provincial authority or is under the constitutional authority of a government body, the State party holds the commitment to consent to the Covenant, and hence ought to guarantee that these territorial or nearby specialists successfully monitor the vital social security administrations and facilities.

C. Remedies and accountability

In the satisfaction of the commitments of the state parties there are additionally arrangements for cures and accountabilities. Here any individual or communities who have encountered infringement of their right to social security ought to approach viable legal or other suitable remedies at both national and international levels.

It is significant that social security plans spread impeded and underestimated communities, even where there is restricted ability to fund social security. Ease and elective plans could be created to cover promptly those without access to social security, despite the fact that the point ought to be coordinate them into standard social plans. politics and legislative framework could be received for the reformist incorporation of those in the informal economy or who are in any case deprived from attaining to social security.

¹⁶ Dr. Muhammad Faiz-ud-din, Human Rights Law: National and International Perspective, 1st Edition, Shams Publications, 2008, pg-142

4th Chapter

Domestic Implementation of Social Security in Bangladesh

4.1 Implementation Under International Instruments

In order to become a welfare state, Bangladesh has been trying to put the whole population under the shelter of social security and safety net within 2021. For this purpose, Bangladesh has ratified a number of international instrument connected with social security and maintained a process to a least standard of social security by complying the obligations of such international instruments and covenant.

As indicated in general comment 19 on article 9 of ICESCR, the government of Bangladesh is bound to adopt a national strategy and prepare a plan to make the right to social security enjoyable by every individual.¹⁷ The technique and the activity plan ought to be sensibly imagined in the conditions that; consider the equivalent rights of people and the rights of the most distraught and minimized groups; spread all parts of the right to social security. Consequently, to actualize the social security under worldwide commitment and prerequisites of general remark 19 Bangladesh has been embrace a procedure as National Social Security Strategy (NSSS). This system has seen as a center component of different approaches and projects with two points or dreams:

- i. Long haul vision to assemble a comprehensive social security framework for all meriting Bangladeshis that viably handles and forestalls neediness and disparity and adds to more extensive human turn of events and financial development
- ii. Objectives for the following five years to change the national social security framework by guaranteeing more proficient and compelling utilization of assets, reinforced conveyance frameworks and progress towards a more comprehensive type of social security that viably handles lifecycle hazards, organizing the least fortunate and weakest citizenry

Government ensure that national social security framework is non-discriminatory and for weak individuals who fulfill the salary standards and other choice rules identifying with life-cycle or

¹⁷ General Comments No.19, pg-18

incapacity, regardless of religion, nationality, calling and area. To guarantee social security government has a few activities under this framework following-

4.1.1 Initiatives for Children

Here a child award for child of poor and weak family up to age 4. The child award is restricted to a limit of two kids for each family.

A school allowance for all essential and optional school going kids having a place with poor people and weak families. In the time of 2019-20 government has made a spending plan of 1858.36 crore for the execution of the activities made for kid security.

The children are likewise having the handicap advantage, the school meal venture, the vagrants venture and the legitimate arrangement to guarantee that deserted children get the monetary help from the mindful parent.

Inclusion to little youngsters by social security in Bangladesh is insignificant, in spite of the difficulties they face, specifically with respect to under-nourishment. The Ministry of Women and Children Affairs (MoWCA) offers a little child award known as the Maternal Allowance Programme for poor Lactating Mothers-that arrives at 100,000 families.

4.1.2 Initiatives for the Working Age (Including Young People)

There are 10 explicit social security plans for individuals of working age and the Government implementing upwards of 8 workfare plans of which the two biggest projects are the Food for Work Programme (FWP) and the Employment Generation Programme for the Poorest (EGPP). The point of these programme is to help make work in country territories during horticultural leeway period to make occupations for the individuals who may require them, uncommonly ladies. The work normally includes uphold for building country framework. These projects go through

significant assets, TK 45 billion in FY13(14 percent of total spending on social security)¹⁸ and a few concerns have risen about the adequacy of the utilization of these asset.

¹⁸ Chapter 2, para 2.5.4. National Social Security Strategy, 2016

Actualizing a programme of monetary help to weak ladies, for example, widows, separated, desperate, single parent and jobless single ladies including juvenile young ladies and encourage them partake in the work market. The methodology advocates united salary move under a changed Vulnerable Women's Benefit (VWB) programme. The Vulnerable Group Development (VGD) plans give move 30 kg of grains for every month, which has an estimation of families that is identical to TK 900 every month.¹⁹

4.1.3 Comprehensive Pension System for Elderly

The mature age remittance for senior residents who are matured 60 years or more and have a place poor people and weak populace. Investigate potential outcomes to set up a National Social Insurance Schemes (NSIS) in view of the standards of managers and representatives together commitment. Private Voluntary Pension (PVP), which are available to all residents independent or formality of women.

4.1.4 Initiatives for People with Disabilities

Government with aim to ensure the rights and pride of people with inabilities has endorsed the Convention on the Rights of Persons with Disabilities. Under this convention Government is dependable to advance, secure and guarantee the full pleasure in basic freedoms by people with handicaps and guarantee that they appreciate full correspondence under the law. Convention is just the UN basic liberties instrument with an unequivocal economic improvement measurement. It is the main common liberties settlement of the third thousand years.²⁰ Bangladesh has played out some extraordinary exercises to bring issues to light all through the general public, including at the family level, with respect to people with incapacities, and to cultivate regard for the rights and nobility of people with handicap.

The legislature has made financial plan of Tk. 840 crore in the time of 2018-19 and in 2019-20 Tk. 1390 crore to improve the situation of debilitated people and to guarantee their social security.

¹⁹ The benefit is calculated by assume that the 30 kgs of grains delivered would cost beneficiaries tk 30 per kilo to purchase in the market. The actual cost to the Government could be lower

²⁰ Paul Harpur, 'Ensuring Equality in Education: How Australian laws are leaving students with print disabilities behind', *Media and Arts Law*, Volume V, 2010, pg-58

4.1.5 Initiatives for the Old Age

The most elevated level of social security spending in Bangladesh on programmes that address the dangers related with mature age. As far as spending plans, the Government administration benefits is the biggest social security plans in Bangladesh. The mature age stipend has filled lately and now contacts 2.5 million individuals. What's more the stipend for ruined political dissidents is more likely than not for the most part for more seasoned individuals while a significant number of the beneficiaries of widows' remittance are old.

Mature age stipend is the primary annuity plans and 44 percent recipients of the mature age remittance are beneath the time of qualification.

The Ministry of Social Welfare made spending plan to give mature age remittance of Tk. 2400crore in the time of 2018-19 and of Tk. 2640 crore in the time of 2019-20.

4.1.6 Special Initiatives for Maternity Benefit and to Give Widow Allowance

The maternity leave strategy accessible to ladies in Bangladesh is four months with full installment, anyway the Government has as of late announced that it ought to be expanded to a half year. The maternity advantage in Bangladesh is given distinctly to the laborers and unmistakably bar ladies who are working at the administration level.

For the best possible execution of maternity advantage government has made spending plan of Tk. 130.37 in the time of 2017-18.

To secure the widow and such other weak lady government give a financial plan of Tk. 840.00 crore in the year 2018-19 and of Tk. 1020 crore in the year 2019-20.

It is settled that maternity leave benefits increment the odds of ladies to return to their work and assumes a huge part to increment hierarchical devotion, effectiveness and occupation fulfillment. At the point when a lady is occupied with financial exercises implies when a lady is winning at exactly that point it is workable for the whole society to push ahead.²¹

²¹ **Maternity benefits - Right or Privilege? - Shimonti Ahmed published on October 22, 2020, The Daily Star**
<https://www.thedailystar.net/maternity-benefits-right-or-privilege->

4.1.7 Initiatives for Social Security Insurance and Micro-Credit Loan

Social Insurance and miniature credit advance in Bangladesh has been perceived in the GoB strategy as a supplements the GoB run social security programmes. By giving social protection and miniature credit advance the vision of the government is to assemble a comprehensive social security framework for all meriting Bangladeshis that viably handles and forestalls destitution and imbalance and adds to more extensive human turn of events, work and monetary development.

4.2 Administrative Action to Ensure Social Security

The proliferation of programmes, the lack of coordination of agencies and the large number of implementing agencies all suggest the need for a sustainable recognition of the social security programme administration. Along with a much better coordinated implementation of social security programme, institutional arrangement will also be strengthened to improve the planning of social security programme. In an initial consolidation and coordination (2015-2025), the following administrative implementation is proposed;

Clergymen occupied with execution of social security projects can be assembled into five cluster, each with a lead planning Ministry. The Cabinet Division is the affirming authority of social security strategy and changes related with social security. With specialized help from GED, Cabinet Division will be liable for the improvement of the far reaching execution plan of NSSS dependent on the plans put together by the individual and lead services. It gives backstopping specialized, monetary, managerial and calculated help to the CMC.

4.3 Constitutional Provisions of Social Security

Social security is by and large alluded to the general public related projects which give social assurance against the socially weak conditions, for example, neediness, mature age, inability and

[38659#:~:text=It%20is%20true%20that%20public,a%20privilege%2C%20not%20a%20right.&text=The%20Acts%20were%20The%20Maternity,\(Tea%20Estate\)%20Act%201950.](#) Accessed on 22 October, 2020.

joblessness. Social assurance emerges from a lot of advantages that are accessible or might be accessible from the state.

The Constitution of Bangladesh has declared about social security programmes in its **article 15(d)**, which says that-

“...the right to social security that is to say, to publish assistance in case of undeserved want arising from unemployment, illness or disablement, or suffered by widows or orphans or in old age or in other such cases.”

Regardless of protected commitment no previous government had approached to execute this established responsibility. Yet, the current government's political decision manifesto swore that the quantity of needy individuals will be decreased to 22 million of every 2021.

Beside this, some other national laws are also looking toward for the protection of social security by enforcing the constitutional provision, and those are...

Bangladesh Labour Act, 2006

The most wonderful enactment in the nation for directing child work is the Bangladesh Labor Act, 2006, which remembers a part for child work. In this Act a child who has finished 12 years old, might be utilized in such light work as not to imperil his wellbeing or advancement or interfere with his education.²² Given that the long stretches of work of such child, where he is going school, will be masterminded to the point that, they don't meddle with his school participation.

The Employment of Children Act, 1938

This Act applies just to those occupations that identify with transport of travelers, treatment of merchandise and preparing work. A child is characterized in this Act as an individual younger than 15 years and keep them from working in the vehicle of travelers and treatment of merchandise by street, railroad or any ocean port. This Act make concession concerning children as long as 17 years utilizing in the aforementioned exercises yet for this situation one children is that the times

²² Section-44, Bangladesh Labour Act, 2006 (Act No. XLII of 2006)

of works must be fixed in such manner as to permit stretches for rest of in any event 12 continuous hours including at any rate 7 successive hours between 7 pm and 7 am.

Nari o ShiushuNirjaton Damon (amendment) Ain 2000

This Act was acquainted with incredible desire with diminish brutality against ladies and children and accordingly guarantee social security to them. This Act has 29 sections which accommodate violations identifying with murder because of rape, dowry, abduction, mutilation, trafficking etc and also for punishment for its perpetrator.

ManobPachar o Protirodh Damon Ain, 2012

The point of this Act is to lessen dealing of ladies and children through network activation or some other methods. Bangladesh is one of the source and transit state connected strongly ladies and children in labor and sexual exercises. This Act is set up with the item to forestall illegal exploitation and to guarantee rights and social security of the victims of human trafficking.²³

4.4 Pragmatic Action of the Government to Ensure Social Security

4.4.1 Direct Action of the Government:

The Government of Bangladesh points towards all the endeavors of the following social security in the briefest conceivable period where government gives strategy and rules and various NGOs. The aim of social security²⁴ is to watch individuals from a fall in expectations for everyday comforts and a methodology that assumes certain degree of living populaces. To guarantee legitimate social security the Government center around Social Safety Net Programmes (SSNP). This Social Safety Net Programmes are mainly based on ad-hoc basis to cope with sudden vulnerabilities.²⁵

²³ Section 6, ManobPacharProtirodh Damon Ain (adopted on 20 February 2012, comes into force 5 April 2012)

²⁴ International Labour organization (adopted 22 June 1972, entered into force 25 June 1973) 1919 (ILO)

²⁵ Iqbal, Md. Ashiq, khan, Towfiqul Islam and Tahsin, Tanzeen, 'Micro economic Implecation of Social Security in Bangladesh' Anneshan Publications, 1st Edition 2002, pg- 121 Iqbal, Md. Ashiq, khan, Towfiqul Islam and Tahsin, Tanzeen, 'Micro economic Implecation of Social Security in Bangladesh' Anneshan Publications, 1st Edition 2002, pg- 121

The Social Safety Net Programmes that executed on the ground of social security can be grouped into five classifications,²⁶ as follows...

- i. **Cash Support Programmes:** These programmes is set up to help the older poor, however government employees additionally approach formal annuity framework. These programmes are two sorts, one is conditional money transfer programme and other is unconditional money transfer programmes gives families an occasion to building up their aptitudes.
- ii. **Food aid programmes:** Means guaranteeing flexibly of food and hence keeping in cost inside the span of the individuals. Catastrophe the executives and Relief Division actualize different programme with the end goal of guaranteeing food security and social wellbeing nets for poor, for example, Food for Work (FFW) and Test Relief (TF) programmes
- iii. **Special programmes for poverty reduction:** The regions of the spending of this programme is gathered in a manner that is more centered around the advantage of poor people. It is recognized as one of the mainstays of destitution decrease and including guaranteeing microeconomic strength to guarantee supportive of helpless development and improving governance for continuing development.
- iv. **Self-employment programme through micro-credit:** By giving miniature credit advance this programme create employment opportunity for the individuals who experience the ill effects of occasional joblessness because of geographic and ecological concerns. 'Monga' influenced zones in norther Bangladesh have been given extraordinary consideration in such manner.
- v. **Programmes for disabled and vulnerable persons:** An ongoing significant investigation of handicap in Bangladesh shows generally cited calculates that 17% of the populace is crippled weak like widow, destroyed ladies. Government has made a financial plan of tk.1020 crore for widow and destroyed ladies in the time of 2019-2020.²⁷

²⁶ ShahnoorRahman, Social Safety Net in Bangladesh, Daffodil International University Journal, Volume IV, Pg-11

²⁷Annual report 2020, Ministry of Welfare <https://msw.gov.bd/site/page/99075cc7-d653-45ee-8d1d-09c9a4e4630b/%E0%A6%B8%E0%A6%BE%E0%A6%AE%E0%A6%BE%E0%A6%9C%E0%A6%BF%E0%A6%95->

4.4.2 Initiatives of NGOs Under the Authority of the Government:

In contrast with government programmes, number of NGO programmes are more restricted in part, NGOs likewise took an interest in the execution of numerous government programme to guarantee social security, for example...

Vulnerable Group Development for the Ultra Poor (VGDUP): It is an EU funded programme for aimed at graduating destitute women and their dependents out of poverty.

SOUHARDO: Fortifying Household Abilities for Responding to Development Opportunities is a USAID supported and CARE Bangladesh actualized programme focused on nutrition, food security and limit working for helpless families. The programme reaches at normal of 74,000 family units for every yearly in food insecure regions of chars and coastal zones.²⁸

Grameen Insurance Programmes: Two recently presented insurance products of Grameen Bank, the 'Loan insurance fund' and the 'Grameen Life Insurance' is one more classification of social wellbeing net assurance from the NGO sector. Under these projects exceptional credit and enthusiasm of expired borrowers are paid off from the asset. Borrowers needs to store Tk. 30% for herself and Tk. 30% for the spouse or Tk. 60/month.

Along these lines, it very well may be say that the distribution of government NGOs in the field of usage of social security is commendable. The social security net programme of the administration are significant tools for neediness easing. The point of those programme isn't just lessening neediness yet in addition guarantee supportive of helpless development by keeping up a steady cost of the item. For instance, through Open Market Sales (OMS), 60% poor can purchase rice at discounted cost (tk. 10 for every kg), when costs are too high in the market.

[%E0%A8%E0%A6BF%E0%A6B0%E0%A6BE%E0%A6AA%E0%A6A4%E0%A78D%E0%A6A4%E0%A6BE-%E0%A6AC%E0%A6BE%E0%A69C%E0%A787%E0%A69F](#) accessed on 30th July, 2020

²⁸ A PPRC-UNDP Research Initiative, Safety Nets in Bangladesh, Volume I, pg-59-60

5th Chapter

Poor Response of Bangladesh Government to Ensure Social Security

5.1 An Analysis of the Implementation of Social Security

The provision of social security is encapsulated in the Constitution of Bangladesh and government has been concerned with the improvement of a National Social Security and Social Safety Net Programme for the execution of social security. The GoB has additionally taken a drawn out arrangement dependent on which the 6th long term plans was arranged and actualized and the 7th long term plan is being readied. Aside from that the legislature has additionally endorsed the National Sustainable Development Strategy 2010-21, which give a guide to quickened development with value and set down wide methodology for destruction of neediness, disparity and human deprivation.²⁹

Throughout the long term the GoB have get ready spending plan for social security and government assistance sectors. Proceeding with this administration has proposed Tk.442,541 cr. for the 2018-19 Fiscal Year for the assurance and strengthening of social security which is 14.55% of the total financial plan and 2.54% of GDP. Social wellbeing net is one of the successful method to decrease neediness and the legislature has started diverse wellbeing net projects for usage of social security to ensure poor people and weak people. Considering money transfer recompenses programmes and different exercises the proposed budgetary designation is Tk. 523,190 cr. which is the proposed spending plan of the FY 2019-20

For the food security programmes (social insurance), the proposed budgetary assignment is Tk. 242.95 cr. in the FY 2019-20 which is higher than the past financial plan and the proposed portion for the miniature credit programmes (social empowerment) is Tk. 1084 cr.

Under the SSNPs the proposed number of recipient is 112.53 lac, which was 97.13 lac in the updated financial plan in the past monetary year. This growth in the quantity of recipient proposed when individuals extraordinarily poor and individuals with fixed or no salary are confronting challenges to adapt to the taking off costs of fundamental products, particularly food costs that has

²⁹ ShahnoorRahman, Social Safety Net in Bangladesh, Daffodil International University Journal, Volume IV, Pg-11

quicken the food swelling and general expansion also. The swelling is on the ascent 10.67% while food expansion alone recorded 14.36%. Subsequently, the high expansion rate will undoubtedly have a breaking down impact on the food and social security circumstance.

The GoB has actualized certain proportions of social security for the socially barred communities and has guarantee that these communities have comparative access as the remainder of the populace to all social security programmes. Guaranteeing social security and tending to human neediness the legislature proposed more social advancement programmes in the 2019-20 financial plan. These consume the getting back projects, miniature credit programmes, One Union One Associate Organization (samridhi), Social Investment Programme Project (SIPP) of Social Development Foundation (SDF), an uncommon programme named New Life, grow One House One Farm Programme and Pension Insurance Scheme.

From the above portrayal it tends to be construed that the budgets were proposed and programmes actualized to decrease social weakness of individuals in the short run invalidating auxiliary advancement that would improve social security of the poor over the long haul. Accordingly, if all the conditions are thought of, the safety net projects are not prone to bring any supported upgrade of social security if viable measures are not attempted to create business openings, keep down the raising data rate, increment public consumption through interest based assignment and so forth.

5.2 Competency of Social Security in Bangladesh

5.2.1 Embodiment of Social Safety Net Programmes

safety Net Programmes in Bangladesh are controlled through various offices including numerous arms of Government, non-Government associations and international bi-lateral and multi-horizontal accomplices. Be that as it may, according to the overall landscape of the destitution and weakness of focused individuals the wellbeing net projects and the yearly financial plans gave by the GoB to social government assistance are not adequate to guarantee social security in Bangladesh.³⁰

³⁰ Social Security Concern-Mustafizur Rahman, the Daily Star, <https://www.thedailystar.net/news-detail-192843> accessed on august 4th, 2020

The principle tool of the Government for the execution of social security is social Safety net projects. These SSNPs are chiefly founded on impromptu premise to adapt to the abrupt weaknesses. As the advantages of these projects are present moment in nature and from since quite a while ago run advancement viewpoints these appear to be to be inadequate. It is seen that sensible development rates have prompted decreases in level of poor however the quantity of poor has not declined and yet uses on security nets have fallen. Despite the fact that the wellbeing net projects are significant parts of the Governments social procedure, consumption on the projects are genuinely low and declining and lower then different nations what they are at comparative degrees of advancement spend on these projects for social security. There is consistently a crisscross between the budgetary distribution and the idea of SSNPs. Despite the fact that the ostensible assignment of SSNPs were expanding at minuscule rate over the time yet genuine portion were decreasing over the time, showing generally reverse effects on SSNPs.

5.2.2 Qualitative Judgments of Social Safety Net Programmes

As Smith and Subbaro recognizes, the issue in very low salary nations is frequently less concluding that what is attractive as far as wellbeing nets, yet rather figuring out what is possible. Three factors that by and large oblige the attainability of wellbeing net projects are the (a) availability of information for identifying potential recipients, (b) administrative capacity to deliver the services and (c) fiscal affordability of the programmes needed. Shockingly for Bangladesh, all the three are obligatory. Because of absence of responsibility, straightforwardness and nepotism of neighborhood Government authority it is hard to appropriately actualize these projects and furthermore to decrease the viability of the projects. Spillages from programmes show a solid connection with the quantity of middle people in the exchange cycle: the most significant issue is overseeing spillages in moving assets to poor people.

The Government has started various safety net projects that have had some gainful effects however with the consistency in Bangladesh's degree of income, these programmes are restricted in scale and inclusion. This together with the failures inside projects, implies that these projects are not satisfactory for tending to neediness or for alleviating weakness to destitution.

An investigation of Bangladesh Institute of Development Studies (BIDS) saw that 84 percent of recipients and 93 percent of non-recipients don't possess any land. The extent of recipients having

no land changes from 58 percent to 98 percent for Housing Fund and Vulnerable Group Development (VGD) separately.³¹

At a Government level, numerous Ministries are included however there is little coordination among them and various Ministries offices inside them offers safety net projects as an issue of their center business. Nodal Ministries are those of ladies' and children's Affairs and Ministry of Social Welfare. To utilization of little foundation advancements projects, for example, street upkeep, and to give workfare programmes likewise involves organizations whose center business is somewhere else, for example, the neighborhood Government Ministry and the Water Resources Ministry. The effect of normal disaster implies that , the Ministry of food and debacle the board becomes include occasionally, including through his own wellbeing net projects, which is set off by calamities.³²

One of the downsides of network focusing on, when there is deficient regulatory limit, is the powerlessness to confirm appropriately if people meet the determination models. There is proof that projects are caught by world class individuals in the network, restricting the supportive of helpless ability of these mediations. Utilizing the Food for Education Programme for instance, Glasso and Ravallion (2003) find extensive proof of nearby catch they show that advantages are less inclined to arrive at the individuals who originate from female headed, widow or landless families.³³

There is no incorporated national arrangement for creating social wellbeing net projects. These may have brought about projects that are impractical. A significant number of them are financed with benefactor help straightforwardly with singular services. Budgetary arrangements are specially appointed and given as square distribution.

³¹ NailaKabeer, 'Safety Net an Opportunity Leaders: Addressing Vulnerability and Enhancing Productivity in South Asia', Development Policy Review, Vol.2, 2008, pg-593

³² Carlo Del Ninno and Ahmed, A. U, ' The Food For Education Programme in Bangladesh: An Evaluation of its Impacts on Educational Attainment and Food Security' . Food Consumption and Nutrition Discussion Paper No.138

³³ Carlo Del Ninno and Ahmed, A. U, ' The Food For Education Programme in Bangladesh: An Evaluation of its Impacts on Educational Attainment and Food Security' . Food Consumption and Nutrition Discussion Paper No.138

5.2.3 Administration of Safety Net Programmes

To guarantee social security, the fundamental focal point of the Government is on the Social Safety Net Programmes. These projects depend on short run systems and henceforth, to relieve the weakness situation. During the ongoing years organization of the safety net projects in Bangladesh have gone under genuine examination as compelling organization of such projects are viewed as significant for their prosperity. In the applicable writing for their subject, a few issues have been recognized:

- i. Problem arising out of existence of multiplicity of planning and executing agencies,
- ii. Lack of coordination and presence of effective mechanism to ensure accountability,
- iii. The absence of a single policy-making authority for safety net programmes

Presence of a large number of intermediaries involved in the delivery system of the programmes which reduce efficiency and increase opportunity for lack ages,

- iv. The weakness of the local government institutions (UPs) primarily responsible for implementation of programmes has also been identified as a major cause for concern.³⁴

³⁴ Sheikh Shamsuddin Ahmed, Ambar Narayan and Hassan Zaman, 'Are the Poor Protected? Vulnerability and the Role of Safety Nets'. The University Press Limited, Dhaka, 2009. Pg- 284-285

6th Chapter

Concluding chapter

6.1 Findings

By analyzing the information provided in the previous chapters the following finding emerged:

- New approaches to urban safety net are essential because of poor kids get lesser opportunities to enroll in metropolitan areas compared to the rural areas.
- Targeting approaches should be developed as in most of the case same group of poor vulnerable people is being targeted by different programmes. This complicating and creating a barrier in getting the most positive outcome of such programmes.
- Trusting on local government institutions like union parishadh would be a great idea as it shows a lot of promises. As these institutions are engaged in all the programmes ultimately.

6.2 Recommendations

The implementation method of the safety net programmes of GoB to ensure social security is not sufficient enough, that's why some recommendations are hereby made....

One of the most established nearby Government foundations in Bangladesh is the Union Parishad. The Parishad is chosen by the nearby individuals from among the neighborhood individuals. There are around 4,500 Union Parishad all through the nation. Hence, an advancement in the organization of social insurance projects to nearby Government is invited to improve service delivery and social accountability.

The safety net projects of Bangladesh should give more acceleration on urbanization, globalization and structural change. A very much well designed programme for social security should address different gaps including safety nets for metropolitan areas and connection projects to human development.

Safety net projects shall be used to finance investments that lift longer run hindrances to development. Infrastructural backing would be vital for both provincial and metropolitan regions. This includes not only the traditional infrastructures such as road but also electricity, port and other new forms for infrastructures such as access to information and communication technology (ICT), proper urban services for the growing number of the urban chronically poor, risk management system in the ecologically vulnerable areas also under developed requiring critical attention. The SSNPs should be based on long run basis.

In a study on the delivery of social security net projects, BIDS (2003) it is discovered that money transfer programmes had less leakage than food transfer programmes. Such as, children nutrition programmes that reduce long term weakness resulting from exquisite child nutrition.

Some other recommendations may be taken in consideration be like...

Changing accountability relationship: Contingent Cash Transfer Programmes help governments to have a one on one relationship with the targeted population. They encourage co-duty among Government and families by expecting families to accept accountability of tutoring, health and the proper utilization of the money awarded.

Targeting the poor: The targeting mechanism enables that programme to reach the poor. while targeting the persons just above poor and with intelligent mind may create job opportunities for others as well with the help of social safety net programmes.

Providing Cash: Money has numerous focal points over in kind exchange, for example, food stamps, vouchers or the use of generalized subsidies. It gives family unit bearings over how to allot the assistance received, be it on food, medical services, lodging or other required uses. It abstains from making auxiliary business sectors and value distortions that can emerge when goods and services are given.

The government of Bangladesh has taken some measures to ensure the social security but these measures are improper to completely switch the vulnerable condition of an individual, thus insufficient to establish social security. The above mentioned recommendations by taking it into consideration may help the government to properly implement the social security and obtaining the aim of social security by reaching the actual target.

6.3 Conclusion

The reason, for which some programme has been implemented, makes it hard to assess their effect against their expressed targets thoroughly. A few examinations have presumed that social security framework have had a positive part in lightening destitution in Bangladesh. Others addresses whether the projects truly give a technique to neediness and weakness mitigation or just only for consumption and income smoothing. In this manner, it is hard to state whether programme support has only for consumption and income smoothing.

The success of any programme would exclusively rely upon how factors like cost viability and productivity, authoritative limit, market evaluation, and programme objectives are reasonable for the nation where the programme will take place. Effect of these projects exclusively relies upon how well they can be executed with regards to the pertinent nation. Accomplishment of the programme will be estimated by its achievement in reducing destitution.

In this way, the primary tool of social security that is used by the Government of Bangladesh needs some re-adjustment to satisfy its objective in the SSNPs. The key objective for safety net strategies of our nations is building reasonable graduation ladders out of neediness with restricted assets and huge destitution stricken population. Numerous developments have showed up here including CCTs, resource creation, transformation of local economic environments etc. But so forth Yet, it is basic to expand on such developments and seek after viable fixing up technique for programmes with demonstrated outcomes. Nonetheless, few out of every programme can have promotional elements, for example, old age support.

Social safety net in Bangladesh has truly grown up concerning the provincial populace. While the truth of metropolitan destitution is increasingly acknowledged, there is a propensity to address this through the prism of provincial neediness and subsequently the specificities of the metropolitan destitution experience.

It is giving the idea that, similar to some other developing nations financing safety net projects in Bangladesh will stay a significant test for Bangladesh. For the safety net portfolio to be sustainable and effective, an exit strategy and the preparation of such exits are pivotal contemplations. At the point when food security programmes like VGF as response to catastrophic events are proceeded for a really long time a period, this being to have negative repercussions on local labour markets.

Despite the fact that the Government has taken certain measures to guarantee social security however that measures are not appropriate to change the vulnerable condition of an individual and deficient to guarantee his social security. Along these lines, the Government ought to know and mull over the above proposal for the proper implementation of social security in any case, the point of the government to guarantee social security may evade accomplishing the objectives.

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