



Research Article

Right to Equality and Non-Discrimination against the Persons with Disabilities: A Case Study on Public Transport in Bangladesh

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Abstract

The principle of equality and non-discrimination as a foundation of human rights requires us to treat everyone with dignity and respect in every area of life. This is especially crucial for persons with disabilities (PWD) who, due to obstacles and prejudices, have their full participation in society limited. In public transport, provision of accessibility and inclusivity is essential to secure the mobility rights of PWD. This study analyses the Bangladeshi situation with regards to the right of persons with disabilities to equality and non-discrimination in relation to transport. Based on preliminary data from interviews, surveys and observations with public transit users this study discusses several barriers to full participation and inclusion of PWD in public transportation. Moreover, it discusses the scenario and concerned laws, which are currently in force to protect the rights of PWD regarding public transport system introduced by the government. Second, by examining the effectiveness of such projects, the study identifies some current shortfalls and directions for effort to achieve equal access to transportation for all members of society. Analyzing the comparative study, this study ends with suggestions for policy and practice that could ensure equality and non-discrimination along with an inclusive transport regime for PWD.

Keywords

Equality, Non-Discrimination, Human Rights, Disabilities, Public Transport.

1. Introduction

Equality and non-discrimination are foundational human rights principles. They appear in international treaties, national constitutions and the law of many countries to protect everyone against discrimination and guarantee their rights and freedoms. The concept was never put in such clear terms before Universal Declaration of Human Rights (UDHR, 1948) which is grounded on the principle of equality. It was later incorporated into the International Covenant on Civil and Political Rights (ICCPR, 1966) and the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966). Under these treaties, it is the obligation of states to combat and prevent all forms of discrimination in their countries. The Convention on the Rights of Persons with Disabilities (CRPD, 2006) is a crucial international treaty for Persons with Disabilities (PWD). It reinforces the right to their social recognition and contributes, in all areas of society, toward promoting equality, dignity and inclusion.

Disability is any mental or physical condition that hinders an individual from performing certain tasks, or interacting with the world appropriately (Amanze & Nkomazana, 2020). These situations have a cognitive, developmental, Intellectual, mental, physical sensory or a combination of two or more disabilities may be termed as cognitive disabilities (Goering 2016). Some may be born with disabilities, while others may develop them. PWD are frequently “unnecessarily remitted and excluded from full participation in society.”

Accessibility is a ‘precondition’ to independence and full social participation as provided here in the CRPD that takes a step further by requiring states to ‘eliminate’ barriers which hinder full and equal realization of rights for PWD. In general, accessibility becomes even more crucial for public transportation: banks off access to education, employment, healthcare and social inclusion (Vesanen-Nikitin & Åkermarck 2017).

Public transport has a key role in building an inclusive society and enabling mobility, economic and social inclusion (Silva et al., 2021). Reasonable access to a reliable and non-discriminatory transport system is not just a convenience for PWD, but one of the constitutive rights connected to their autonomy and therefore also with their right to lead a life in dignity. A universal mobility system provides PWD opportunities to travel safely, efficiently, and affordably with no physical or systemic or attitudinal obstacles (Bezyak et al., 2017). Hundreds of jobs remain in the public transportation field, despite an international and national legal movement towards the rights of PWD. The overwhelming majority of the transportation systems aren't provided in a manner that can safely accommodate people who happen to have disabilities, and this leads to systemic exclusion and having their rights violated. Commonly cited issues include nonexistence of ramps, absence of accessible vehicles, no audio/visual support, prejudiced attitudes of transport service providers and poor implementation all through policy notes are some of the examples.

As a signatory to the CRPD and other international instruments of human rights, Bangladesh has made various commitments for PWD in particular ensuring equal rights including access to public transport. Bangladesh has also adopted a [Rights and Protection of Persons with Disabilities Act, 2013](#) to protect and promote rights of persons with disabilities. However, enforcing such regulations is difficult, in particular in the transport sector. All modes of public transport such as buses, trains, rickshaws, etc., continued to remain out of reach for PWD is almost all parts of Bangladesh. Physical obstacles, unready infrastructure and unfriendly social practices that institutionalize exclusion are part of the problem.

PWDs policy needs to be more inclusive, rather than further excluding this marginalized group through shutting off their access to education opportunities; employment options and essential services. This study conducted to measure discrimination faced by PWDs in the public transportation system of Bangladesh. This research will be carried out through fieldwork and will show these challenges; present policy gaps, and determines how comprehensive the current legal framework has been when prescribing accessible transport. It will also highlight potential policy reforms as well as steps towards creating a transport environment that is not discriminatory to, and is accessible for all.

This study seeks to address that gap by equating patterns of mobility inequality with the right to equality and non-discrimination, examining existing legal instrument within practice, and finding what gaps there are. Combining interview and survey data with policy research, this article offers a framework for capturing and responding to transport inaccessibility in Bangladesh from a rights perspective. Going beyond a simple presentation of different theories and general description, the integrated approach provides critical perspectives and practical policy tools that enable the building of public transport systems that are inclusive and respect the dignity and mobility rights of PWD.

Through multi-methods incorporating interviews, questionnaires, observations and other primary data collection, this project aims to present vivid social evidence of the life experiences of PWD. The need for equality and non-discrimination in public transportation for PWDs is not only legal, but moral or social. Eliminating barriers to access and achieving parity in public life enhance the dignity, autonomy, and independence of PWD. The objective of this study is to bridge the gap between policy and practice, thus forging pathways towards an equitable and inclusive transport system for Bangladesh.

2. Literature Review

2.1. Existing Literature on Transport Accessibility for PWD in Bangladesh

The study by [Bhuiya et al. \(2023\)](#) explores mode-functional exclusions endured by movement-challenged persons (MCPs) in Dhaka, curled around intersectional oppressions of gender, age or mobility aids. Surveying 400 MCPs, the authors find that there are significant access barriers for buses/rickshaws/CNG due to absence of ramps; irregular surface and width of footpath; and high fare. The refusal of carriage by transport service providers' just compounds this problem. The study analytically associates infrastructural negligence, disability policy implementation and socioeconomic inequality with these problems. It provides a valuable, evidence-based view for inclusive transport planning in fast-growing urban settings.

The study by [Jahangir et al. \(2024\)](#) investigates older people's transport-related social exclusion in Dhaka, which connects mobility disparity to wider problems of access and aging. Through qualitative analysis of visual surveys and in-depth interviews, the authors show how overcrowded buses, CNGs/cabs charging higher fares for older adults, risky rickshaws and discriminatory attitudes restrict PLWOA's mobility to a great extent. Such barriers discourage SSI participants from taking part in social activities and contribute to isolation and exclusion. The study highlights age, gender and income as mechanisms which manifest themselves in transport accessibility and urges for holistic transport policies in LMIC to support the welfare of older men.

A qualitative enquiry on the daily mobility barriers & challenges encountered by PWDs in Dhaka city is reported in [Sajib \(2022\)](#). Based on focus groups with 34 participants, it describes several interconnected challenges, including negative driver attitudes, poor infrastructure, misplaced priority seats and discriminatory actions from other passengers. The absence of audio assistance for visually impaired people and unsafe pavements make mobility even more challenging. In addition to physical barriers, the research identifies cultural bias and systemic indifference at play. It ends by suggesting proposals for better physical infrastructure, social awareness building, and policies enforcement to promote inclusion.

The paper by [Rahman, Bhuiyan & Khan \(2023\)](#) presents a rigorous analysis of urban public transport inclusiveness in Dhaka and assesses the availability of and access to them for marginalized groups such as the disabled. Through quantitative questionnaires and key informant interviews, the authors underscore that public bus services are perceived as poor based on five primary dimensions: availability, accessibility, accommodation, acceptability and affordability. Poor confidence in the system, poor infrastructure and attitude of service are major barriers to access by underprivileged groups. The research highlights the requirement for purpose-built vehicles, increased resource allocation and sensitivity training to increase accessibility. Its conclusions also offer a solid basis for pro-poor urban mobility changes in Bangladesh.

This new study adds to the body of evidence by drawing on theoretical, empirical and comparative data in order to interrogate the ways that legal conventions guarantee (or exclude) access to the right to equality and non-discrimination for PWDs in public transport. Unlike previous research, it contextualizes mobility obstacles within a human rights framework and assesses the functioning of state mechanisms in order to identify key discrepancies between law and practice. In addition, through the study of policy enforcement and comparative practices it offers targeted suggestions on how to contribute to building a more inclusive and fair transportation regime.

2.2. Right to Equality against the PWD

In Bangladesh, PWD are one of the largest and most excluded groups in which they experience such systematic deprivation and neglect not only from society, the state but also often from their families ([Hussain, 2021](#)). But the invisibility of Bangladeshi disabled people in our society is nothing unfamiliar, as globally, within disability remains without the pale of every conceivable discrimination and exclusion ([Tigere & Moyo 2019](#)). Despite such challenges, PWD are increasingly organized and demanding their rights and challenging exclusion and discrimination through advocacy. The fundamental right of the first one concerning human rights is the right to equality, which declares that all human beings, regardless of their deficiencies and capabilities are equal with regard to value and dignity. This right is protected for in the Constitution of Bangladesh (Article, 27) and does extend to all human rights applies to all citizens and PWDs.

2.3. The Concept of Equality of Human Rights

This equality under human rights is significant because in the absence of such protection, not all life is equal; regardless how capable, what sex, race or socioeconomic situation we are one ([Degener, 2016](#)). CRPD builds upon this idea, which is at the foundation of the UDHR. The CRPD goes further still, in demanding that PWD should enjoy all human rights on an equal basis with others and to achieve these inclusive policies and practices be developed which respect the rights of PWD, remove patterns of discrimination from society as a whole and ensure their full and effective participation (Article,3). Right to equality in Bangladesh is not a relative right provided for in Article 27 and Article 28 of the constitution of Bangladesh. Article 27 provides that all citizens are equal before law and entitled to the equal protection of law, while

Article 28 prohibits discrimination on the basis of sex, religion, race, caste or place of birth. Even if 'disability' has not been specifically mentioned in these articles, the equal and non-discrimination rights available to PWD according to the CRPD have also apparently been enshrined under Rights and Protection of Persons with Disabilities' Act, 2013.

2.4. Non-discrimination against the Person with Disabilities

At the most, discrimination is treating the person differently from another without due regard to their disability, race, sex, or nationality. It refers to mindsets and behaviors that demean, silence, or ostracize people, and they tend to push them outside all that society has to offer. Discrimination can be direct, such as discriminatory laws or policies, or indirect, for example, social attitudes or physical inaccessibility. It prohibits discrimination for any reason, including disability, and obliges states to ensure the elimination of all forms of discrimination. People with disabilities often face intrinsic barriers and social prejudices that impede their full societal inclusion, making this principle crucial (Etieyibo & Omiegbe, 2016).

Discrimination against the PWD has implications for access to education, work, health, and social integration. Similarly, persons with physical disability are limited in accessing education or employment opportunities because of the lack of public transport accessibility forces them to continually remain trapped in the cycle of poverty and marginalization. Discrimination at the workplace can also lead to employment for the disabled or make them fall behind in their careers (Richards & Sang, 2019). The rights to health and rehabilitation enshrined in the CRPD are those that face the greatest risk of discrimination (Ryan, 2020). There are different barriers (like physical barriers, shortages in skilled health personnel, and stigma and discrimination) that contribute to the barriers in delivery of health care services to PWD. When the right to life is violated, their natural right to well-being and health is taken away, and they remain excluded.

2.5. International Legal Framework Concerning PWD

A number of international human rights instruments protect the rights of PWDs under the law as well. These conventions also embody equality and non-discrimination for PWD, the latter being conceived that whatever rights any person has they should have them too. The Convention on the Rights of Persons with Disabilities (CRPD) is perhaps the most significant human rights treaty in this regard. This convention clarifying that all persons with disabilities are entitled to full human rights and fundamental freedoms on an equal basis like everyone else without any discrimination (Hussain, 2020).

One of the instruments mentioned is the CRPD (2006), which covers various rights, such as equality, accessibility, independent living, and freedom from violence, education, health, and employment. At the international level, the UN Committee on the Rights of Persons with Disabilities is mandated to monitor the implementation of the CRPD. Article 9(1) (a) of the CRPD explicitly sets out the right to accessibility, such as access to roads and transport systems for persons with disabilities. Another front-line document of the international human rights law, the Universal Declaration of Human Rights (UDHR) plays a special role after the World War II. The UDHR states that the purpose of the declaration is to ensure respect for fundamental human rights, including those regardless of race, sex, language or religion. Both, nationally and internationally, these principles of the UDHR are repeatedly referred to in courtrooms as minimum standards or thresholds of human rights. Dozens of human rights conventions have followed the Universal Declaration as a model.

The International Covenant on Civil and Political Rights (ICCPR, 1966) ensures the right to life, security of person, freedom of movement, privacy, and freedom of religion and belief. Likewise, the International Covenant on Economic, Social, and Cultural Rights (ICESCR, 1966) highlights collective rights like the right to a standard of living adequate for health and well-being, rights to physical and mental health, the enjoyment of the highest attainable standard of physical and mental health, education, and the right to form and join trade unions. The International Convention for the Elimination of All Forms of Racial Discrimination (ICERD, 1965) dates back to some of the earliest human rights conventions to seek to address oppression and discrimination. It requires the immediate eradication of racial discrimination in every form.

The only international treaty to focus on women's human rights is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979). It mandates equal access, including access for women with disabilities, to political and public life on equal terms. In addition, the Convention Against Torture (CAT, 1984) forbids torture and protects against member states sending individuals to countries in which they may be tortured. The Convention on the Rights of the Child (CRC, 1989) continues to uphold these rights for children, ensuring child access to healthcare, nutrition, and protection against violence and exploitation. This treaty further ensures the inclusion of protections for chil-

dren with disabilities. These instruments together form a robust framework for the protection of persons with disabilities in many respects, including on questions of equal rights, accessibility, and non-discrimination.

2.6. National Legal Framework Concerning PWDs

The Bangladeshi government historically has passed and enforced some laws pertaining to the rights of PWD. Legal and policy frameworks, for example, by government and non-government organizations, show a commitment to promoting rights for PWD. The Constitution of Bangladesh ensures all citizens equal treatment before the law and equal legal protection. This founding document also forbids discrimination based on religion, caste, gender, birthplace, or other attributes. Following national and international commitments, Bangladesh's 1995 National Policy recognized disability as a development concern (Hussain, 2020). The 2001 Disability Welfare Act codified this, providing the nation's first disability definitions and classifications. To actualize the policy and law, the intricate 2006 National Action Plan engaged forty-six government divisions in specific disability-focused duties. Each division nominated a focal person to facilitate services. Bangladesh also ratified the 2007 UN Convention on the Rights of PWD and its 2008 optional protocol.

Bangladesh enacted comprehensive legislation to safeguard the rights of persons with disabilities. *The Rights and Protection of Persons with Disabilities' Act, 2013* guarantees inclusive education, reserved seats on public transportation, accessibility in all public spaces, equal job opportunities, and protection of inherited property (Hasan, 2018). Registering with authorities allows tracking of enrollment in schools and access to employment. That same year, Parliament passed the *Neuro-Developmental Disability Protection Trust Act, 2013*, to provide care, security, and rehabilitation for individuals with autism. *Bangladesh's National Child Policy (2011)* recognizes every child's equal rights, including children with disabilities. It demands dignified treatment for such children and their inclusion in all facets of society, particularly education. When mainstream schools prove inaccessible, special education must be made available. The National Foundation for the Development of the Disabled promotes integration and empowerment, allowing leadership roles.

According to the *Road Transport Act (2018)*, 30 percent of the seats in the local public transport in Bangladesh must be reserved for women, children, and persons with disabilities. In a 27-seater bus, six seats must be reserved, and in a 44-seater bus, nine seats must be reserved. As per Section 92(2) of the Road Transport Act, 2018, if any other passenger sits in the reserved seat, then they will be punished with 1 month of imprisonment or a fine of Tk 5000. *The National Disability Development Foundation Act, 2023*, has been enacted to establish an effective framework for the development of PWD, ensuring their seamless integration into mainstream society with equal rights and opportunities. By enforcing this law, the welfare, rehabilitation, and self-reliance of PWD will be ensured, contributing to the creation of an inclusive and equitable society.

The Bangladeshi government enacted Building Codes that afford certain accommodations for disabled citizens. *The Dhaka Metropolitan Building Construction Rules of 2008* mandate universal access provisions such as handicap parking with direct routes to elevators in all structures over a hundred square meters, like hotels, clinics, schools, businesses, and event spaces. Each floor must have at least one wheelchair-accessible toilet, or five percent of the total bathrooms must be accessible, whichever number is greater. Public and private venues must install ramps to enable independent mobility, allowing disabled people to directly enter without obstacles. Bangladesh operates a complex social safety net; including cash benefits Scholarship are available for financially destitute disabled individuals, injured freedom fighters, and students with special needs. In summary, we can deduce that international human rights treaties are binding for signatory states that have ratified the accords. Certain universal principles, such as the UDHR, have evolved into global customary law considered applicable to all countries regardless of affirming any treaty codifying customary norms.

2.7. Comparative Analysis and Discussion on Transport Facilities for PWDs

The availability of accessible transportation infrastructure to PWDs is an important indicator of a nation's commitment to inclusivity and equity (Silva et al., 2023). Subsequent to the United Nations Resolution of Rights for PWD, several countries including Bangladesh, India, Pakistan and Sri Lanka established national laws in the 1980s' and 90's which was felt that would enable to give equal opportunities and access for persons with disabilities. These laws were designed to ensure mobility, safety and access to public life. But the way these policies are implemented and their effectiveness differ greatly from one country to another. This study provides a critical comparison between Bangladesh's

current landscape and that of India and Pakistan, as well as it considers global trends, best international practices to identify gaps, challenges and ways forward.

2.7.1. Comparative Legal Frameworks

Disability legislation in South Asia was passed quite early. Bangladesh legislated the first law for PWDs in 1993, Pakistan in 1981, India in 1995 and Sri Lanka in 1996. The four countries are all party to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which establishes a global benchmark for accessibility, dignity and equal rights (Chaudhary & Sharma, 2024).

- **Bangladesh:** Ratified the CRPD in 2006 and has legal provisions under the [Dhaka Metropolitan Building Construction Rules \(2008\)](#) for universal access. However, enforcement remains weak.
- **India:** Well-entrenched legislative approach with broader definitions in law and focus-oriented incentives for PWDs which are also transport concessions (Gandhi & Singh, 2021).
- **Pakistan:** Signed CRPD in 2007 with ratification of the convention in 2015 by a series of disability laws enacted between 1981-2015, but minimally direct transport policy for PWDs (Gul, 2020).

While each country has laws in place, many see uneven implementation and lack supporting infrastructure in place to enable PWD's to get access to their rights.

2.7.2. Mode of Transport: Comparison between Bangladesh and India

2.7.2.1. Accessibility of Public Transport

In buses and public trains in Bangladesh, approximately 5% of seats are supposed to be allocated for PWDs, but there is no implementation of this provision. Crowded buses and not getting on first makes it difficult to get too/from work. Those in wheelchairs have little or no support on the streets, obstructed by illegal parkers and unwanted structures.

India offers a table frame. It has made entrenched legal and infrastructural provision for it in line with its disability census and policy obligations. That's everything from concessional fares, access to the travel system and special government read-outs (Chaudhary & Sharma, 2024).

2.7.2.2. Transport Concessions in India

- **Railways:** Disabled passengers to get fare discounts of 75 per cent.
- **Air Travel:** 50% off for people with specific disabilities.
- **Government Assists:** Disability Transport and Conveyance Assistance for Government Employees including Child Care (Chaudhary & Sharma, 2024).

While the former are not perfect, they do show a civil society/privatization-private sector-state government commingling that exceeds anything in Bangladesh, and where such benefits have not translated into policy or action.

2.7.3. Transportation Facilities

Comparing Bangladesh and Pakistan Transport facilities in Bangladesh and Pakistan are not much different.

Pakistan has ratified the CRPD in 2015, and enacted several pieces of legislation such as the Disabled People (Employment & Rehabilitation) Ordinance (1981), and the Special Citizens (Right to Concessions in Movement) Act (2009). And yet, as of now, there is no specifically formulated national transportation plan for the PWDs.

- **Persons with Disabilities Organization (DPO)** in Pakistan's transportation support is limited, fragmented and relies on NGO resourcing, instead of that of the State (Gul, 2020).
- **Discrimination and lack of accessibility** are still common; there is no clear concession policy or public transportation accessible.

Mayanmar, by comparison, has legislative guarantees of universal access in urban development and building construction. But the implementation is far from satisfactory, procedures of monitoring are immature. Existing PWD-friendly transportation infrastructure with both countries is not yet developed to the desired level.

2.7.4. *Lessons for Bangladesh from Global Practices*

On the international stage, much of the world has progressed past laws and towards integrated accessibility planning:

- **United States:** In the US, the Americans with Disabilities Act (1990) compel accessible public transport and urban infrastructure under strict compliance requirements and penalty provisions.
- **U.K.:** National transport policies mandate that all buses and trains be wheelchair accessible. It is mandatory for transport operators to provide assistance.
- **Japan:** Public transportation accessibility is implemented with universal design, and all the cities are barrier-free.

These nations show that strong law implementation, infrastructure investment, and institution responsibility are necessary in making legal commitments a lived reality for PWDs. The comparison, combined with the empirical evidence, suggests that disability transport in Bangladesh is a matter of symbolism rather than reality. Despite enacting laws consistent with CRPD, weak enforcement and lack of investment have resulted in the exclusion of PWDs from mainstream transport carriers. In India, the transportation subsidy is more advanced and broader including recognition of multiple categories of disabilities. But even a country as India is having difficulty to reach total accessibility in its rural and over 2550 geographically congested urban areas. Pakistan falls behind both countries, appearing to rely more on initiatives by non-governmental actors rather than state policy.

When compared with international benchmarks, especially in high income countries, the difference is greater. Bangladesh should now do the following:

- Strengthening enforcement of existing laws.
- Creating accessibility training requirements for all transport providers.
- Establishing monitoring and compliance systems that include penalties.
- Collaborating with DPOs for policy making that leaves no one behind.
- Investing in infrastructure that reflects principles of universal design.

In sum, Bangladesh had started to make some initial efforts to include the rights of PWD into its transport policy but these were slow and uneven. By drawing lessons from India's methodical approach and global best practices, Bangladesh can journey toward a transportation system that is inclusive and accessible. Making transportation universally accessible is not only a matter of law as per CRPD, but also a moral and developmental necessity for inclusive growth equality.

3. Methodology

By utilizing a mixed-method approach that combines qualitative and quantitative analysis, this study evaluates the situation of the human rights of PWD, the right to equality and non-discrimination against the persons with disabilities, and the real-life situation of the PWDs in public transport in Bangladesh. The study involved carrying out a semi-structured questionnaire to obtain the required primary data from the specified target population.

Then between May and June of 2024 A.D., one hundred seventy (170) face-to-face interviews have been conducted with PWD, supervisor and drivers of public transport in Bangladesh. 120 are those interviews the researchers take with PWD and 50 with people who are drivers and helper of the transport. Choosing these districts that were logistically accessible and geographically close might reduce in cost and time required for data collection ensuring that research is feasibly conducted within given period (May to June 2024).

In addition, the study utilized primary sources such as laws and policies from the Bangladesh Government, while secondary sources included journal articles, international conventions, treaties and other online sources. The data sheet, pie chart, or graph does not disclose the disabled person's name and Transport Corporation, which is involved in the case of maintaining safety and privacy matters. Despite the above, there are some limitations of this paper. Statistics, at least on disability, government, or non-government, are very limited in this country. The discussion here does not ad-

dress the numerous facets of the disabled individual's rights, including education, marriage, health, and employment. The researchers are talking here only about the transport facility for the PWD.

3.1. Ethical Considerations

Ethical issues are at the core of studies on human populations, particularly for vulnerable categories such as PWDs. In the present study a high value was placed on informed consent, participant confidentiality and respect for autonomy. Prior to each interview, study purposes and the voluntary nature of study participation were made explicitly clear by investigators. Participants were also informed that they could withdraw from the study at any time without penalty. This procedure guaranteed that the consent was informed and voluntary.

Confidences were managed throughout in a confidential matter. The names, job titles and institutions were not collected from the participants and they were provided with numerical codes. Personal information was kept confidential and only available to the researchers. As such, detailed findings were reported in aggregate to preserve privacy of both persons and transport providers.

As PWDs were the focus of the study a vulnerable group every effort was made to interview them in places that were accessible, easy and with respect. Members were afforded adequate opportunity to answer and comment. Data collected were for academic and policy purposes only, in accordance with the national and international ethical standards. Through this application region privacy were provided, to eliminate the possibility of **reidentification** in the finding which strengthened both the validity and reliability of the study findings.

3.2. Limitation of the Study

Each research has the limitations, which decide the generalizability and external validity. This study on the transportation access of PWDs in Bangladesh is one such example. A major limitation of our study would be sample size and geographic domain; It was framed mainly in urban backdrop such Dhaka, Cumilla and Chandpur reducing the generalizability to rural context where challenges of access may vary. The availability and reliability of data was another limitation given that the official information related to disability-friendly transport is fragmented, outdated, or not consistent. Another significant limitation is that no deep institutional analysis was done to investigate how legal and policy frameworks have been operationalized on the ground. This limits our ability to connect policy about with results. Likewise, the comparison with India and Pakistan was conducted through secondary data sources which only allows for restricted international comparisons. Notwithstanding those caveats, the study provides valuable evidence on current failures of access to transport. Appreciating these limitations offers a starting point for further research using larger samples, better quality data sources and greater policy analysis, in order to build disability-inclusive transport systems. This openness has the potential to lend credibility and influence to the study results.

4. Results and Discussion

Although the findings discovered major gaps with regard to equality and non-discrimination of persons with disabilities in Bangladesh, especially in relation to public transportation, the situation is not entirely hopeless. Though systemic obstacles, imperfect implementation of prevailing regulations, and societal perspectives synergistically obstruct the inclusive and active participation of PWD in communal life, progress remains possible. Let us delve deeper into the findings, focusing on crucial territories like access to education, the accessibility of government buildings.

4.1. In Which Sectors are Disabled People in Bangladesh Denied their Human Rights to Equality and Non-Discrimination?

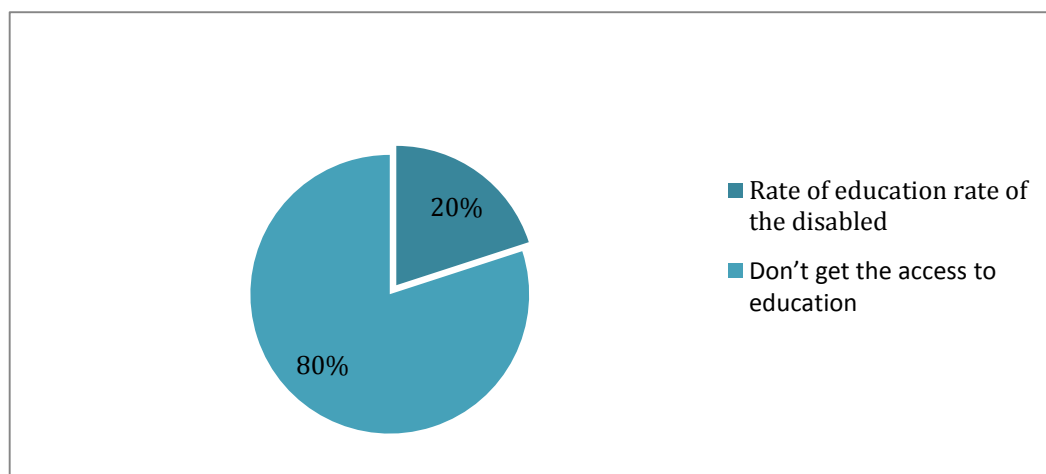
While numerous national and global instruments safeguard the educational rights, quality of life, equitable treatment, medical care, and other protections for the disabled, the real-world situation presents a different picture (Hasan, 2018). Though such disabilities are addressed in principle through forward-thinking policy, the disabled nonetheless encounter impediments to their schooling opportunities and building access in practice. Based on our direct observations, we aim to convey the true state of affairs confronting those with disabilities in their efforts to obtain an education within inclusively designed spaces. Though legal frameworks and humanitarian ideals recognize the basic human dignity of all persons equally under the law regardless of ability, the implementation remains deficient, leaving many without fair and full inclusion.

4.1.1. Access to Education of the Disabled

Education has long been recognized as an essential right for every person, as proclaimed universally in 1948. Access to learning is considered a basic necessity, helping to secure other fundamental rights for humanity. Both national constitutions and international laws have ensured this privilege for all. In Bangladesh, the guiding document of the land specifically mandates that instruction be freely and obligatorily provided to every citizen. This uniform national system aims for mass education, with support from the state. Such compulsory schooling, built upon a universal framework, was established by the Bangladeshi government in 2000. Separately, the seminal Universal Declaration of Human Rights also guarantees each individual's entitlement to education. Ratified at the global level in 1948, this landmark statement reinforced the importance of learning opportunities for people everywhere, without bias or discrimination. Therefore, from the Bangladeshi Constitution domestically to international covenants universally, the inalienable right to education has been firmly established. Both recognize education as compulsory and tuition-free for all people equally under the law. Together, these legal instruments have helped secure this basic necessity and pathway to other fundamental privileges for every member of society.

In Figure 1., it has been found that among 120 disabled people, 24 people who get the primary & secondary education are 20% of the total surveyed people. And the rest 80% are not getting access to education. Most of the disabled people are not getting education because there are few numbers of educational institutions, which are specially instituted for the disabled person, having the necessary instruments for the disabled person. Furthermore, their family member is not interested in educating them because of their disability. So, the Figure1. on receiving education by disabled scenario is as follows:

Figure 1: Scenario of the Receiving Education by Disabled



4.1.2. Access to Building of the Disabled

In Bangladesh, the situation of accessibility to the building for disabled people is not satisfactory. Even in Dhaka, the capital of Bangladesh, few buildings have footpaths and ramps for physically challenged people. The National Museum, the Parliament Building, the University of Dhaka, Mirpur National Stadium, Bisswa-Shahitto Kendra and The Daily Star Building can be cited among them. There are no ramps or lifts in some ministry buildings and they are not open to persons with disabilities. Not even all the hospitals have ramps.

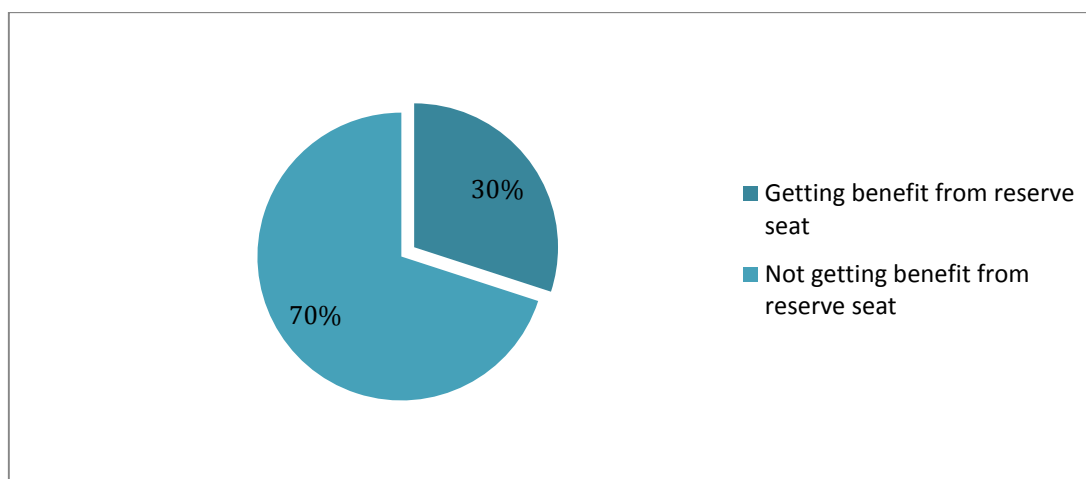
4.2. Are the PWDs Getting their Appropriate Rights in the Movement of Public Transport?

The persons with disabilities have encountered numerous difficulties when utilizing public transportation due to their impairment (Hasan, 2018). Legislation mandates reserving seats for those with disabilities on public buses. Most public buses designate areas for women and disabled people. However, despite their requests, drivers frequently take their reserved seats. Drivers and attendants do not consistently provide assistance. Regrettably, transportation is occasionally denied altogether. No vehicles have ramps to aid wheelchair users. Some nations offer substantial discounts for the disabled on public transit, yet in Bangladesh valid identification receives no comparable considerations or accommodations. Perhaps modifications could enhance accessibility and independence for all.

4.2.1. Benefits from the Public Transport Regarding Reserve Seat

The *Rights and Protection of Persons with Disabilities Act of 2013* stipulates that 5 percent of all public transportation seats must be reserved for PWD under their ownership or authority, according to Section 32. Simultaneously, this act calls for guaranteeing accessibility for PWD. "Accessibility" refers to the equal right of every PWD to obtain equivalent access and treatment across all public amenities, infrastructure, vehicles, communication methods, information, and information technology solutions, as defined in section 13(2). The legislation aims to promote inclusion and independent living for citizens with special needs. However, some argue the law does not go far enough to dismantle systemic barriers or ensure reasonable accommodations across various domains of public life. Additionally, critics note challenges remain in verifying compliance and enforcing provisions at the local level. Nevertheless, the Act helped establish important legal protections and paved the way for an increasingly accommodating society. Among 120 PWDs whom the researcher interviewed, about 36 people (30% of total surveyed people) got the facility of a reserved seat. The remaining 70% are not getting this benefit.

Figure 2: Reserve Seat Facilities

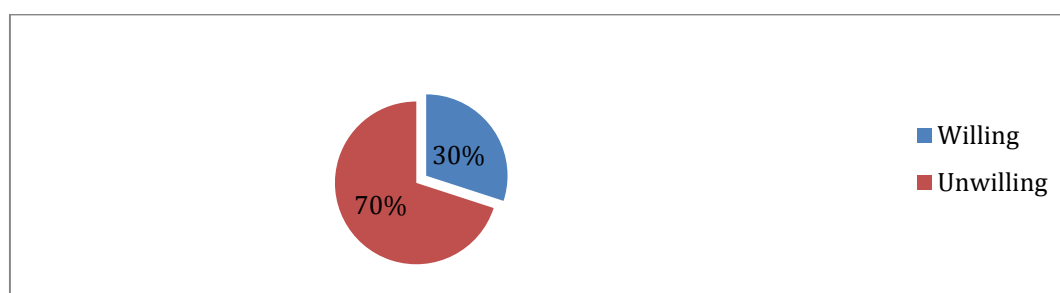


4.2.2. Assistance to PWD by the Transport Driver and Helper

These days, the plight of the disabled in our society remains a pressing concern demanding urgent redress. While the government of Bangladesh has undertaken various initiatives to enhance the quality of life for PWD, practical challenges persist. The rights and protections enshrined in law have yet to fully permeate public consciousness. The disabled continue to encounter discrimination and obstacles in their daily lives. When using public transportation in particular, their experience is often defined by inconvenience and indignity. Drivers and assistants routinely rebuff requests for assistance or outright refuse transport, demonstrating scant regard for the challenges faced by this vulnerable group.

In *Figure 3.*, it has been found that 30% of drivers and helpers show their positive attitude towards PWDs. The rest, 70%, ignored them and were unwilling to carry them on transport.

Figure 3: Rate of Assistance to PWD by Transport Driver and Helper



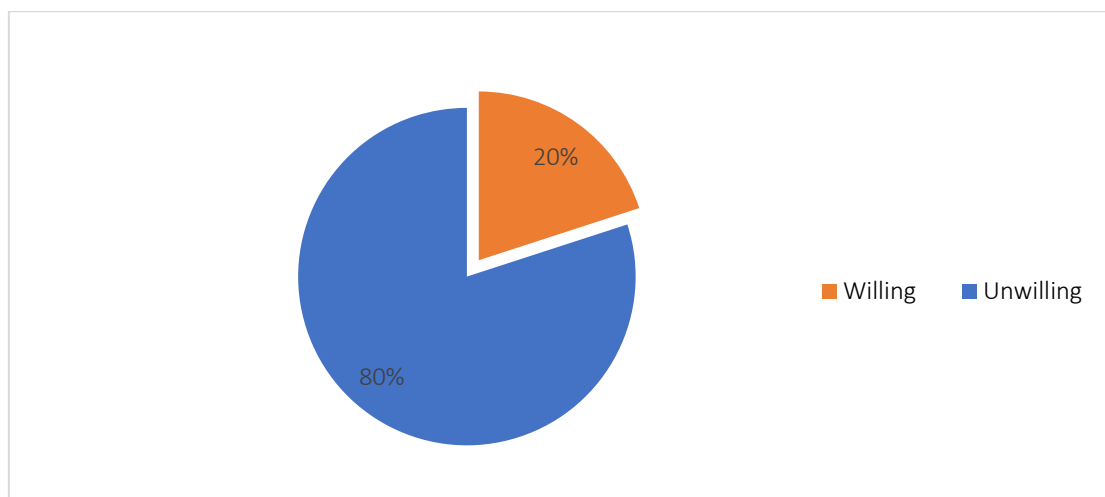
4.2.3. Willingness of Disabled Person to get Public Transport Facilities

The PWD are the most neglected sector in society. The researcher observes that most of them are not aware of their rights. When they travel on public transport, they face many problems. There are no wheelchair facilities in transport.

Usually, they don't get their reserved seat. There is no fare discount for them. That's why they are not always willing to travel on public transport.

In [Figure 4](#), it has been found that among 120 disabled people, 24 people, which are about 20% of the total surveyed people, are willing to travel on public transport. And the rest of the 80% of PWD are unwilling to travel on public transport.

Figure 4: Willingness of Using Public Transport



4.3. How Many PWDs is Taking Legal Action under the Legal Framework for Transport Facilities?

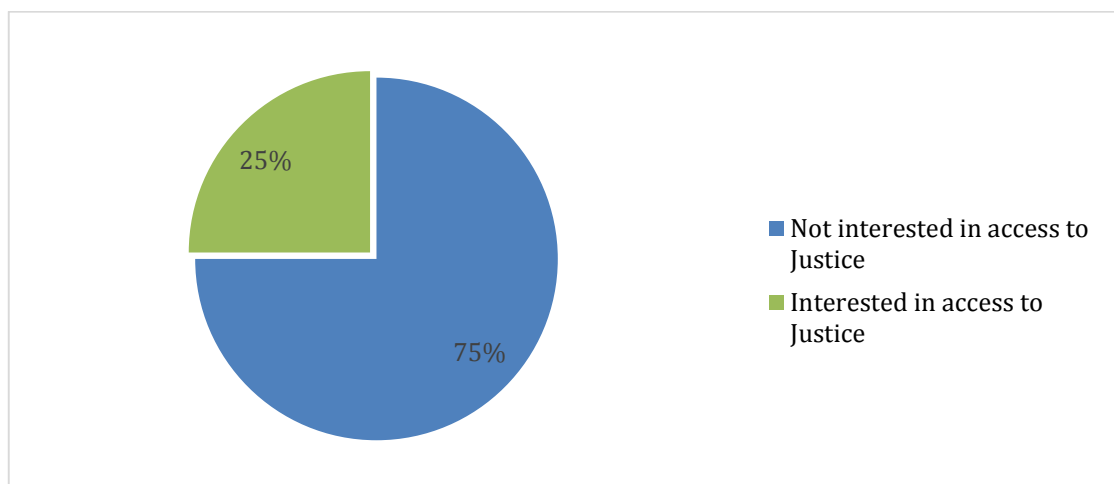
Disabled individuals are the most vulnerable sector in society. The PWDs are facing a lot of hindrance and harassment in public transport, but most of them are not interested in access to justice. Because of the long process of judicial proceedings, they are not interested in taking legal protection. Even some of them have no idea about their rights. Occasionally they have to face threats from the transport authorities when they want to take legal action. Here, the researcher will show the actual scenario of a disabled person taking legal action.

4.3.1. Access to Justice of the PWD

Access to justice, as an element of human rights cut across all the international instruments of human rights. The universal value of equality that underpins access to justice ([Lima & Gomez, 2020](#)). A large number of poor and vulnerable people in Bangladesh do not have an access to the right of justice or legal aid to assert their rights and are bereft from basic legal services, which is a violation of human rights by its own. Articles 9 and 14 of ICCPR, article 6, 10 and 11 of UDHR have recognized 'access to justice' as an inherent human right ([Beqiraj & McNamara, 2014](#)).

Furthermore, Chapter III of the Constitution of the People's Republic of Bangladesh guarantees 'access to justice' recognizing that all persons, irrespective of citizenship status in Bangladesh are entitled to be treated in accordance with law. Under Article 102, article 44 also upholds the way fundamental rights are exercised and that these laws can be brought in court. The disabled are ignorant of the rights they have either in national or international instruments ([Faiba, 2022](#)).

In [Figure 5](#), it has been found that among 120 disabled individuals, 90 people, which are 75% of the total surveyed individuals, are not interested in accessing justice. Even almost all of them have no idea about this. And the remaining 25% are interested in accessing justice. Due to the complexity of the justice procedure, they are not interested in access to justice. But they have no appropriate idea about the legal process required. So, the [Figure 5](#). on the access to justice scenario is as follows:

Figure 5: Access to Justice

4.4. Gender-Based Disparities in Access to Public Transport

For more direct insights, simple cross-tabulations were carried out off the raw data with 170 respondents (120 PWDs and 50 transport service providers). Characteristics such as gender, availability of reserved seating and propensity to use public transport were modeled together to examine variation in experience of accessibility. For example:

- **Gender Differences vs. Availability of Reserved Seats:** Less than two in five men even had access to reserved seating, and female respondents reported slightly more access to the privilege themselves.
- **Education and Public Transport Use:** Subjects with primary/secondary education were more likely to have ever tried public transport than those with no schooling.
- **Driver attitude vs Passenger Willingness:** In cases where the drivers and helpers had a positive attitude, PWDs were more likely to use public transport on regular basis.

4.4.1. Percent Distribution and Visual Display

Percent distribution besides frequency counts was utilized to represent differences. For example, just 30% reported that they had reserved seating and one in five said that for them to use public transportation it would have to be as it is now. These numbers were represented as bar pie charts, making the trends clearer and more interpretable.

4.4.2. Limitations of Statistical Modeling

Although it was not possible to engage in more complex statistical modeling (e.g., logistic regression and multivariate analysis) based on the study's limited sample, inclusion of simple cross-tabulations offers a more empirical basis for the results. It contributes to uncovering the intersectionality of transport accessibility challenges, and the interplay between gender and education, as well as service provider behavior alongside the living conditions of PWDs in Bangladesh.

With the introduction of cross-tabulations and graphical niceties, we are no longer restricted to limited descriptive statements. This improvement has increased the analytical richness of these findings and provides more inferential support for the study's assertions regarding structural and attitudinal impediments to accessible public transportation for PWD.

5. Recommendations

The following recommendations are put forth to ensure the right to equality and non-discrimination of persons with disabilities in public transport in Bangladesh.

- All public transportation, including buses, trains, and water transport, should be wheelchair accessible. Ramps and level boarding should be available on railway platforms for wheelchair users to board train carriages. Furthermore, train carriage doors need to be made larger.
- Provide Braille texts on public transport hubs and vehicles for visually impaired passengers and be able to have sign language with someone with speech and hearing impairments. Buses need to have an audio announcement system to let visually impaired passengers know about routes and destinations.
- All public transport must reserve a specified number of seats for PWD, which should be clearly labeled so that other passengers do not use them
- City corporations should work on making sidewalks and pathways disability-friendly so that PWD can move from one place to another freely and safely.
- Ensure access to all bus stops, railway stations, and transport terminals through the provision of ramps, tactile paving, and waiting areas for PWD.
- There should be strict implementation and enforcement of existing government initiatives on accessible transportation;
- Licenses to import public transport vehicles must be granted only for those that meet the criterion for accessibility if the mobility of PWD is to be effective.
- Provide appropriate services for PWD and their families and coordinate diagnostic, rehabilitative, therapeutic, and educational services.
- Develop and implement awareness campaigns at the national level about the rights of PWD and the need for inclusive transport systems.
- Stigmatizing beliefs and negative attitudes towards persons with disabilities should be challenged by taking all necessary measures to widely disseminate knowledge about disability, including promoting attitudinal change for the full participation of PWD in all aspects of society.

6. Conclusion

The principle of equality and non-discrimination as a fundamental right is essential to persons with disabilities so that they can fully participate in society on an equal basis with others. The study has demonstrated how the exertion, rather than physical and attitudinal barriers, including social stigma have on using public transport in Bangladesh towards constraining mobility and independence of PWD. Despite that there are national and international legal documents pertaining to the rights and demands of this population, their implementation and application have not been enough for inclusive transport systems.

The results show that despite these limited measures by the government, i.e., reserved seating, accessibility fare concession, etc. The measures to improve accessibility are largely insufficient, sporadically enforced, or do not exist in the first place to address the structural roots of equitable access to transport. In addition, factors such as negative social attitude, absence of disability-friendly infrastructure, and lack of sensitization among transport service providers together add to the exclusion of PWD from public transport systems. Addressing these gaps requires both broader policy changes and greater enforcement; the study emphasizes that.

There should be a joint effort by the government, public transport authorities, disability rights organizations, and civil society to make the public transport accessible. This incorporates re-examining framework gauges; actualizing approaches to make transport incapacity amicable; expanding subsidizing to administrations for open transport; and advancing familiarity with incapacity incorporation through adequate exercises and mediation projects. Accessibility and equality in transportation are not merely a matter of compliance with the law but a profound moral and social imperative. Bangladesh, as a signatory to the CRPD, must address the existing shortfalls and ensure that public transportation is more accessible and equitable so that it can abide by the fundamentals of equality and non-discrimination to enable persons with disabilities to live independently with dignity.

Bangladesh has adopted various provisions protecting rights of the PWD, like reserved seating on public transit and handicap-accessible construction. However, insufficient implementation remains a major impediment. The administration must reinforce enforcement mechanisms to guarantee compliance by transport operators and other stakeholders with existing legislation. After all, advocating for disabled peoples' transportation rights demands a concerted initiative involving government, private industry, civic society, and the general public. By applying current laws, improving infrastructure, raising awareness, and empowering the disabled, Bangladesh can foster a more inclusive society where everyone, regardless of abilities, can access transit and essential services. Particularly, females and children with disabilities must take priority to ensure they aren't left behind in the pursuit of equality and justice.

Declarations

Author Contributions

Shakila: Conceptualization of the study, development of the methodology, and drafting the manuscript.

MSA: Overall supervision, refining the manuscript, proofreading, grammatical editing, and the compilation of references. Both authors critically reviewed the content and approved the final version of the manuscript.

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Conflict of Interest

The author declares that there is no conflict of interest for the publication of this paper.

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