

Preface

In the 1990s, according to NGO Affairs Bureau, all NGOs in the country received foreign funds in excess of US\$ 1.6 billion. The number of NGOs currently registered with the NGO Affairs Bureau is 1,404.

Given the fact that annual foreign aid to Bangladesh has been in region of US\$ 2 billion per year in the 1990s, the amount of money channelled through the NGOs does not seem huge. Moreover, it is estimated that the 10 largest NGOs account for 60-70 percent of total foreign assistance. Agriculture, education and health have been the major areas of focus of the NGOs, along with disaster relief and, more recently, protection and promotion of environment and afforestation.

Law and human rights related activities for the NGO sector is a relatively recent one. This, as it were, 'recentness' can be understood in terms of the broader political situation in the country, i.e., return to democratic rule after more than one and a half decade of military rule, though sometimes in civilian guise.

Bangladesh Legal Aid and Services Trust (BLAST) started its activities in the mid-1990s and, hence, is a relatively new NGO. Also, the focus of the organisation is on law and human rights related activities –again an arena in which the available organisational experience and expertise are of much more contemporary vintage than, for example, in the family planning sector. However, first, by involving the leadership of the local Bar Associations at the district level and leaders of the legal community at the national level and, secondly, through decentralisation of management through the Unit Management Committees, BLAST has been able to pool together a wide gamut of interest, experience, expertise and commitment to put in place a national network of legal aid within a comparatively short period of time.

It is the participation of the legal community, reflected in the fact that more than 1,500 lawyers have already provided legal aid to the poor and disadvantaged clients of BLAST. This involvement of the legal community is the bedrock of the success of BLAST. More recently, 'development' NGOs, increasing number of international organisations, local bodies and associations have extended their help and co-operation to BLAST. This network of support will ensure a more fruitful and increasingly more transparent and accountable organisation are also successful.

Expression of gratitude is not best served by neat lists of persons and organisations. Moreover, the support and help we receive are often intangible but immensely valuable. It could hardly be otherwise as justice, the ultimate focus of all our activities, is a concept and not a 'thing' which can be measured in monetary or other such terms.

As with our previous Annual Reports, this one is also an outcome of the combined efforts of the 'legal aid and services' section at the Head Office, headed by our Senior Assistant Director Ms. Farida Yeasmin, and ably supported by staff lawyers Ms. Shahnaz Babli, Ms. Sarawat Binte Islam and Mr. Pankaj Kumar Kundu and Documentation Officer Mr. Sekandar Ali Khan. They have collated the monthly reports sent by Unit Offices and selected the case studies for the report and prepared the tables of data. As most of the cases are filed and conducted by the Unit Offices, it is the Co-ordinators and addresses of the Unit Offices who have been responsible for preparation of the monthly reports on which this Annual Report is based. The names the Unit Co-ordinators and addresses of the Unit Offices are provided in the BLAST Directory, as an annexure to this Report. The financial statement has been prepared at the behest of our Assistant Director for Accounts Ms. Humayra Sultana. The section on the personnel of different projects and offices have been provided by Ms. Taufiq Rahman and details concerning administrative framework and responsibilities of different sections and accounts, including training and workshops have been provided by

Assistant Director (Administration) Ms. Shahriar Parveen. The short reports on the Projects in the last chapter of the Report have been prepared by the respective Projects.

Dr. Shahdeen Malik, Adviser to the Trust, has finalised this Annual Report based on the inputs mentioned above.

The Board of Trustees has been most rigorous as well as generous – for demands on their time and expertise are enormous and in spite of such demands they have always been available for BLAST – in supervising and overseeing our activities and projects and, occasionally, arguing the difficult and important cases in the courts. They are the team as well.

*Fazlul Huq
Executive Director*

Dhaka, May 2000

Chapter 1

INTRODUCTION

I

Is inequality of available legal resources to the parties in litigation a matter of concern? Alternatively, should the outcome of legal controversies be affected by the amount of differential resources commanded by the parties involved? To put it in another manner, should equalisation of legal resources be important for the rule of law?¹

At least in the Rawlian sense of “Justice as fairness”, it ought to matter.² If the right to fair trial, along with other absolute immunities such as freedom of speech, freedom of occupation, right to vote, etc, are preconditions for justice in Rawlian sense then ‘right to fair trial’, at least now, should also include guarantees of requisites of fair trial from a poor litigant’s stand point. Not the abstract right only, but also the right to realise the right to fair trial, i.e., resources necessary for representation in a court proceeding ought to figure prominently in any discourse about rights.³

Sometimes, legal systems differ in interesting ways. The concept of, for example, *ultra vires*, is so familiar to our constitutional law, yet it is

¹ I am borrowing the expression “Equalization of legal resources” from Alan Wertheimer, “The Equalization of Legal Resources”, 17 (1988) Philosophy and Public Affairs, pp.303-22, though the focus of Wertheimer’s article is somewhat different.

² Needless to say, John Rawls, A Theory of Justice, Harvard, Cambridge, 1971 was not concerned with ‘equalization of legal resources’. However, Rawls has been subject of various understandings and equalization of resources may be encompassed by the notion of ‘fairness’.

Of many commentaries, I had found Alan Ryan, “John Rawls” in Quentin Skinner, The Return of Grand Theory in the Human Sciences, Cambridge, 1985, Canto reprint, 1991, pp. 101-120 particularly useful. Alan Ryan’s observation may provide the justification for yet another (ab) use of Rawls by dragging him into this ‘legal resource’ issue. According to Ryan:

“...since A Theory of Justice appeared in 1971, it has sparked off more arguments among philosophers, and has been more widely cited by sociologists, economists, judges and politicians than any work on philosophy in the past hundred years.”

Id, at p. 103.

For some interesting reformulation of his own positions, see John Rawls, “Justice as Fairness: Political not Metaphysical”, 14 (1985) Philosophy and Public Affairs, PP. 223-51.

³ Resource, welfare and equality have been analyzed in Ronald Dworkin, “What is Equality? Part 1: Equality of Welfare” and “What is Equality? Part 2: Equality of Resources,” 10 (1981) Philosophy and Public Affairs.

understood as a part of administrative law in England.⁴ Now, the right to fair trial, somewhat similarly, can be confined to a narrow literal meaning of articles 27,⁵ 32⁶ and 33(1),⁷ of our Constitution or it can be understood in a broader sense of imposing a positive duty upon the state to provide support and assistance to the accused for being “defended by a legal practitioner of his choice,” as is being increasingly understood by a growing number of legal systems.

It is recognised that ‘equalisation of legal resources’ in an absolute sense, i.e., complete equalisation, is impossible, “because there will always be variations in legal skills that can not be controlled.”⁸ We also do not ignore the fact that, for our state, in the midst of demands for resources for competing needs, legal services are far from being a priority area. However, it can surely be argued, as been for more than two hundred years,⁹ that ultimately more than any other services such as education, health care or agriculture, it is justice which citizens expect the state to ensure most, ‘Justice’ understood in theoretical terms, however, is tantamount to, at least in popular perception, accessible, affordable and reliable outcome of legal controversies. Our state has consistently failed even to recognise that accessible justice is one of the most important criteria of citizen’s loyalty to the state and, by implication, to the legal system. Our general disregard for law may stem from this absence of state’s role in assuring accessible justice to the poor and the marginalized,¹⁰ leading to citizens’ lack of identification with State and its

⁴ Compare, for example, Paul Craig, “Ultra Vires and the Foundations of Judicial Review”, 57 (1998) The Cambridge Law Journal, pp. 63-90 and Clarke D. Forsythe, “The Historical Origins of Board Federal Habeas Review Reconsidered”, 70 (1995) Notre Dae Law Review, pp. 1079-1172 with our position in Mahmudul Islam, Constitutional Law of Bangladesh, Dhaka, 1995 and Naim Ahmed, Pubic Interest Litigation: Constitutional Issues and Remedies, Dhaka, 1999.

⁵ “All citizens are equal before law and are entitled to equal protection of law.”

⁶ “No person shall be deprived of life or personal liberty save in accordance with law.”

⁷ “No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.”

⁸ Wertheimer, supra 1, at p.304.

⁹ M. Farrand(ed), Records of Federal Convention, New haven, 1996.

¹⁰ The perception of state from the standpoint of the poor and the disadvantaged has been convincingly captured recently in Ranabir Samadhar, The Marginal Notion: Transborder Migration from Bangladesh to West Bengal, Dhaka, 1999.

In terms of nationalism and nation state, arguably our scholarship is still too deeply seeped in glorifying the middle-class nationalism and not the critical understandings. The only notes of dissent from an overtly nationalist standpoint, in our discourse of nationalism has been voiced in Richard M. Eaton, The Rise of Islam and the Bengal Frontier, Delhi, 1994 and much earlier, Asim Roy, The Islamic Syncretistic Tradition in Bengal, Princeton, 1983. For ‘critical nationalism’ on the

legal systems. Those in the helm of state often argue that their developmental efforts are not being implemented for the lack of citizens’

II

This is the fourth published Annual Report of Bangladesh Legal Aid and Services Trust (BLAST). This Annual Report, as in the past, focuses on the ‘Legal Aid and Services’ activities of the organisation. Law and legal system related, activities undertaken by BLAST during 1999 in the format of different Projects are briefly described in the last Chapter of this Report. Details of the activities of these Projects are prepared separately. The reasons for separate reports of the Project are, first, that ‘Legal Aid and Services’ constitute the primary activities of the Trust and, hence, these activities are detailed in this Report. Secondly, unlike the ‘Legal Aid and Services’ activities of the organisation, the ‘activity year’ for these Projects begins and ends at different periods of the year, making the task of reporting within a calendar year rather cumbersome and may cause confusion. The ‘activity’ and ‘financial’ year for the ‘Legal Aid and Services’, it may be mentioned, coincides with the calendar year (1 January to 31 December).

Similar to other ‘legal aid and human rights’ organisations, the dimensions of BLAST’s roles and activities are varied and diverse. Nevertheless, as the largest legal aid organisation in the country, the bulk of our work revolves around court litigation, i.e., providing legal aid for litigation in the Supreme and Subordinate Courts of the country.

The context of legal aid in our legal system is significantly different from most other countries. Our legal system still mandates a state responsibility for providing legal aid only in those criminal cases where the accused faces a possible sentence of death, but can not afford a lawyer and legal representation. For a comparative perspective on the issue, it may be mentioned that In neighbouring India an amendment of the Criminal Procedure Court has mandated legal aid for the poor and disadvantaged whose possible sentence, upon conviction, could be five years of imprisonment or more. In civil, labour, administrative and all other cases, there is no state provision for legal aid in Bangladesh, except the exemption from paying ‘court fees’ by the poor – the so called ‘pauper suit’. Even this exemption can only be secured after a legal proceeding!

Our Constitution provides, as a fundamental right, that [Art. 33(1)] “*No person who is arrested ... shall ... be denied the right to consult and be defended by a legal practitioner of his choice.*” Like many rights in the past, this right was construed as a permissive right whereby denial of consultation and legal representation is prohibited. Such a permissive/restrictive understanding of this fundamental right, similar to such perceptions regarding a number of other fundamental rights, can no longer be considered adequate for a society striving to be a society under the rule of law. Adequate facilities for legal aid are *sine qua non* for a society in which human rights and dignity are central concerns of governance and administration.

other side of our state border, see, for example, Prath Chaterjee, The Partha Chaterjee Omnibus: Nationalist Thought and the Colonial World ; The Nation and its Fragments: A Possible India, New Delhi, 1999, putting together three of Partha Chaterjee’s better know books.

Legal aid movements, starting as early the last quarter of the nineteenth century in America and at the beginning of this century in England, were at the heart of making law accessible to the disadvantaged. Subsequent enlargement of the right to legal aid through law and practice paved the way for not only a strong footing for the rule of law but also for liberal and people-friendly evolution of the legal system in these and many other countries.

In a narrow sense, legal aid can be seen to be confined to representing the poor and the disadvantaged in court proceedings. However, such an understanding marginalises the primary purpose of legal aid, i.e., ensuring that not only the rich but the poor also enjoys the rights to be protected by law, governed under the rule of law and to have access to the legal system for vindication

¹¹ See for example, the emerging expansive understanding of 'rights to life to include right to livelihood in *Ain O Shalish Kendra* and others vs Bangladesh, 4(1999) BLC 590 in which, BLAST, along with Ask, Odikar and two individuals were petitioners.

¹² For detail see Naim Ahmed, *Public Interest Litigation : Constitutional Issues and Remedies*, Dhaka, 1999.

of rights. Legal aid in this broader sense includes legal literacy, legal awareness, campaign for law reform, availability of legal advice, redress for violation of human rights, alternative dispute resolution as well as representation in legal proceedings in courts. Legal aid in this broader sense have led to the opening up of the judicial system to the poor and the marginalised through intervention of legal aid groups and public interest law movement.

For BLAST, legal aid connotes endeavours to ensure that a person is not denied the right to be ruled by and only under the authority of law and she is afforded equal protection of law, irrespective of her financial resources. Human rights and dignity, we believe, would be meaningless if the poor and the disadvantaged ? the most frequent victims of violations of human rights ? are not offered any opportunity to defend their rights and uphold it against violators of rights.

III

The year 1999, the temporal focus of this Annual Report, was an eventful one for BLAST. During this year BLAST continued, after a gap on one year for self-assessment and evaluation, to expand its activities in new districts and substantially enhance the quantitative indicators of legal aid provided to its clients. Secondly, BLAST was the petitioner in a number of very important public interest litigation which drew nation-wide and, sometimes, international attention. Thirdly, our co-operation and association with the civil society were notably expanded, particularly through a series of discussion meetings and regular contacts with other organisations at local and national levels. Fourthly, a one-year training programme on public interest litigation for young lawyers was an important development in terms of training activities for the organisation. Fifthly, towards the end of the year, a number of books on various aspects of law, particularly the first substantive treatment of public interest litigation, was published and well received by the concerned groups and communities, including lawyers. Sixthly, new ties were forged

with a number of reputed international organisations such as Penal Reform International and INTERIGHTS through joint activities and new partners such as The British Council came to support BLAST during this year. Seventhly, we have undertaken substantial 'affirmative action' to significantly increase the number of female personnel engaged in legal aid activities, traditionally an arena dominated by men as indicated by the simple fact that less than 10% of the judges of the subordinate courts are female while not a single woman has become a judge of the Supreme Court of Bangladesh, even after (almost) three decades of independence. Lastly, of the many seminars, workshops and conferences organised by BLAST during the year, we would like to mention the celebration of the 27th anniversary of the day in which the nation, through the Constituent Assembly adopted, enacted and gave "to ourselves" the Constitution as the "Constitution Day" with the participation of many of the members of the 34 Member Constitution Drafting Committee. The celebration of the "Constitution Day" was held at the Osmany Auditorium on the 4th November, 1999.

A number of consultations, both formal and informal, with leading legal experts from various countries, including representatives of various international and development organisation, were another important and emerging dimension of the activities of the organisation. Increasing referral to BLAST on legal matters by continuously diverse groups of organisations was an additional indicator of our emerging national leadership in matters pertaining to legal aid.

The leading role of the Trustees of BLAST at the national level and the Members of the Management Committees at district levels not only in matters related to law and legal system but also on issues of governance and development continued to be one of the strongest aspect of BLAST. Their voluntary participation in various activities of BLAST throughout the year constitutes a very important contribution to the legal aid movement which can hardly be monetised and would surely run into hundreds of thousands of takas if one did venture for such monetaristic exercises. The important support of the legal community, reflected in the fact that much more than 1,000 lawyers have offered legal aid to the poor and the disadvantaged at the behest of BLAST, remains another fundamental source of strength of this organisation.

During the year, we have maintained our strong links and liaison with the government on specific issues and activities, particularly, as mentioned, in the first ever celebration of the founding day of our Constitution with participation of a large number of the framers of the Constitution. At the same time, BLAST has continued to be critical of the steps and measures of the government which we deemed to be in derogation of the fundamental rights of the citizens and their human rights and we have continued to exert pressure on the government on these scores, including the successful filing of the celebrated case against the mass eviction of slum dwellers of Dhaka in the first week of August, 1999.

IV

In the absence of any meaningful 'official' scheme for legal aid, BLAST, compared to all other similar institutions and organisations in the country, has provided legal aid in the largest number of cases. As Chapters two, five and six below indicate in detail, BLAST handled more than 6,000 court cases, both old and new, during the year.

A perennial question faced by BLAST is the issue of sustainability. It needs to be iterated that unlike many other 'development' activities, particularly providing credit and income generating support by the 'development' NGOs, legal aid is primarily a public welfare service which can not be converted into an income generating one. When parties in litigation are unequal in terms of resources they command, the notion of equal treatment of law is reduced to an idealist proclamation of the Constitution rather than an actual one for the resource-constrained. This one-sidedness of legal proceedings is certainly more acute in criminal cases where the State is the prosecutor, with command over vast state-recourses. In civil matters, particularly in family ones, our clients are most frequently poor women who have been maltreated by their husbands, driven out of the marital homes or tortured and pressurised to procure dower. Without any source of income and burdened with the onerous task of caring for minor children, aid and support for such clientele can hardly be equated or translated into monetary returns for BLAST, nor is it feasible to 'charge' fees these victims of violations of law for upholding their rights. This can not be done, for the simple reason that they can not afford to pay. If they could, they would have hired a lawyer and paid the lawyer's fee for conducting the case.

To provide legal aid to the poor and the needy is one of the primary responsibilities of the state and this responsibility is undertaken in all countries by support from state budget. Our state has initiated a legal aid scheme and the scheme is scheduled to be enacted as a law. However, the draft of the legal aid law, as it stands towards the end of the year, does not invoke confidence regarding its implementation.¹¹

Legal aid schemes are invariably depended on financial and other support from various sources. Traditionally, in developed countries, the state provides this support and foots the bill for legal aid. Our state, we believe, will take up this role gradually, as indicated by the legal aid scheme initiated by the government. However, until the state does take upon itself the responsibility of ensuring justice to the poor, organisations such as ours will have to shoulder this onerous task of ensuring, as best as we can, that the poor and the marginalised are not condemned to live a life beyond law and without the benefit of a functioning legal system where access to justice is not measured only in terms of financial resources commanded by parties involved in litigation.

Our experience of more than five years of providing legal aid in more than 8,000 cases now emboldens us to assert that the poor and the marginalised do not approach us for frivolous or fictitious litigation. It has been our experience that only when all other avenues for redress have been attempted and exhausted without

¹³The scheme, despite our opposition and criticism, was enacted as a Law in February, 2000. As the scheme, now in the form of an enactment, does not differ in meaningful ways from the scheme in operation since 1994, we do not expect the official legal aid to offer significant support and services to the needy.

It may not worth mentioning that expert opinion on this legal aid scheme, before enactment, was sought by the Legislative Committee of the Parliament. This was the second occasion since the election of the current parliament when expert opinion was sought before an enactment. Most of the persons invited by the Legislative Committee ? leaders of legal aid movements, members of Law Commission, Presidents of several district Bar Associations, a teacher of the Law Department of Dhaka University ? were connected with the activities of BLAST and this was surely a vindication of the leading role of BLAST in legal aid. The suggestions of these experts, however, do not seem to have been incorporated into the law.

success that our clients contact our Unit Offices for legal aid. This has tremendously encouraged us about the inherent fairness of the poor and the disadvantaged who are not willing to take recourse to services which are free and without any cost to them. Even after the most publicised 'slum eviction' case, we have been approached by slum dwellers only after their actions and resistance proved inadequate to prevent their impending eviction and recourse to the legal system was the last option available.

The commitment to the rule of law and human is the ultimate rationale for our legal aid and related services that we offer, albeit on a limited scale and that also in only one-fourth of the total districts of the country. Without access to the judicial system, we believe that legal aid in the broader dimension, as indicated above, would be meaningless for those who are aware and conscious about their rights but can not afford vindication of those rights. After all, preventive medicine is mostly meaningless if facilities for curative treatment are totally absent.

V

The format for past Annual Reports has been retained for this one as well, as far as possible, to facilitate better understanding of our progress. Chapter Two of this Report provides an overview of the activities of legal aid and services of BLAST in quantitative format and Chapter Three encapsulates our objectives. The Fourth Chapter provides the financial statement of the income and expenditure of the Trust during 1999 for its legal aid and related services. We are proud to mention that our first published Annual Report in 1995 used this tool of transparency to provide a summary of our audit report in a published form and recently a number of other NGOs have also begun to publish their financial statements, though the number of such NGOs is still relatively small. A caveat, however, regarding this year's financial statement is in order. Unlike previous years when we published the respective Annual Report towards the middle of the year, we have decided to publish this report in April to facilitate a timely reflection of our activities to a wider audience. This means, in terms of financial statement, that the audit report of our external auditor is not complete yet. The completed audit report will have to be approved by the Annual General Meeting, in sometime in June, 2000. Therefore, we have decided not to wait for the completion of this external audit report and its acceptance by the Annual General Meeting for inclusion in this published Annual Report. We are, needless to say, confident that the audit report of the external auditor (Quasem and Associates for this financial year) will not be different from the statement prepared by the Accounts Section of BLAST for publication in this Annual Report. The audit report by the external audit firm will be made available after its completion, towards the middle of 2000.

Chapter 5 provides a detail of the institutional structure of BLAST; Chapter 6 offers a consolidated account of our activities during 1999 and the next Chapter (7) contains details of activities of all Unit Offices of the Trust. Chapter 8 Outline the workshops, training, seminars and conferences organised by BLAST during the year and Chapter 9 offers profiles of various Projects. Chapter 10 is the concluding chapter.

Annexes to this Report list the names of the advocates who have worked as our panel lawyers during the year to provide legal aid to the clients and beneficiaries of BLAST. A directory to all BLAST Units and Offices up this Report.

Chapter 2

BLAST AT A GLANCE

This Chapter offers an overview of the organisation and its activities in a tabular form. Details of these activities are offered in Chapters 6 through 9 below. The overview is arranged under several heads, i.e., organisational profile, activities, networking and donor agencies.

2.1. Organisational Profile

Registration as a non-profit Trust	29 th May 1993
Registration with the NGO Affairs Bureau	19 th December 1993 Registration No. 786
Head Office	141/1 Segunbagicha, Dhaka – 1000 Phone: 8317185 and 934 9126 Fax: 9347107 e-mail: blast@bangla.net
Divisional Unit Offices [Six]	Barisal (1994) Chittagong (1994) Dhaka (1994) Khulna (1994) Rajshahi, (1994) and Sylhet (1995)
District Unit Offices [Ten] <i>(in chronological order of establishment of the Unit Offices)</i>	Mymensingh (1995) Noakhali (1995) Jessore ((1996) Rangpur (1996) Comilla (1996) Bogura ((1998) Potuakhali (1998) Pabna (1999) Tangail, (1999) and Kushtia (1999)
Law Clinics [Three]	Gopibag Mohammadpur, both in Dhaka City, Hathazari, Chittagong

PRIMARY ACTIVITIES

Free Legal Aid and Related Services

Projects [Five]

- ? Legal Advocacy and Participation of the Civil Society Project (LAPCS)
- ? Public Interest Litigation Project (PIL)
- ? Training on Public Interest Litigation for Lawyers (TPILL)*
- ? Research on Marriage and Divorce Registration Project (RMDR)
- ? Rural Mediation Project (RM)
- ? Women Worker's Legal Aid and Economic Rights Project (WELR)

Personnel

157

Engaged Lawyers in 1999

803

2.2 Activity Profile

ACTIVITIES

	CLASSIFICATION OF THE PRIMARY ACTIVITY	NUMBER
COMPLAINTS	Received	4526
	Carried over from the previous year	688
	Total	5214
CASES (filed, settled and pending)	In the Supreme Court	236
	In District and Subordinate Courts	2593
	Total Cases Filed in 1999	2829
	Cases Carried over from previous years	
	Total Cases dealt with during the year	3236
	Cases settled during the year	
	In Favour Against Defaulted Compromised	6065 779
Total cases pending at the end of the year	135 265 386 4500	

* The Project, initiated in 1997, has ended in 1999.

* This Project, initiated in 1998, has ended in 1999.

MEDIATION (initiated, settled and pending)	At the Head Offices and 16 Unit Offices	
	Mediations Initiated	811
	Disputes Settled	320
	Mediations Pending	491
	Mediations at the three Legal Aid Clinics	
	Mediations Initiated	
	Disputes Settled	399
	Mediations Pending	94
		264
	Mediations in rural areas under the Rural Mediation Project (RM)	
	Mediations Initiated	2140
	Disputes Settled	1418
	Mediations Pending	336
TRAINING	Training Programmes Conducted	
	Number of Courses	12
	Number of Participants	407
SEMINARS	Seminar	
	Number of Seminars	16
	Number of Participants	1103
WORKSHOPS	Training Workshop (on mediation)	
	Number of Workshop	42
	Number of Participants	1927

It needs to be pointed out that training, conference, seminar and workshop were mostly organised by various Projects of the Trust. Hence, this report of the legal aid and services section of the Trust does not reflect the total dimension of these activities.

2.3 Networking Profile

BLAST recognises the importance of working with other organisations. A process of consultation, co-operation and liaison is crucial for carrying out the activities in a more effective and efficient manner. The following is a list of NGOs and other organisations with whom BLAST has participated in joint activities, arranging campaigns, training, seminars and other programmes during 1997:

- ✍ Ain-O-Salish Kendra
- ✍ Association for Land Reform and Development
- ✍ Bangladesh Bar Council
- ✍ Bangladesh Environmental Lawyers Association
- ✍ Bangladesh Institute of Law and International Affairs
- ✍ Bangladesh Jatiya Mohila Ainjibi Samity
- ✍ Bangladesh Mohila Parishad
- ✍ Bangladesh Nari Pragati Sangha
- ✍ Bangladesh Society for Enforcement for Human Rights
- ✍ British Council

- ✘ Commonwealth Human Rights Initiative
- ✘ Consumer Association of Bangladesh
- ✘ Coordinating Council for Human Rights In Bangladesh
- ✘ Department of Law, Chittagong University
- ✘ Department of Law, Dhaka University
- ✘ Department of Women's Affairs, GOB
- ✘ Department of Environment, GOB
- ✘ Disaster Forum
- ✘ District Bar Associations of several districts
- ✘ Institutional Development of Human Rights in Bangladesh
- ✘ Jatiya Ainjibi Parishad
- ✘ Legal Awareness Forum
- ✘ Madaripur Legal Aid Association
- ✘ Ministry of Law, Justice and Parliamentary Affairs
- ✘ National School of Law, University, Bangalore
- ✘ Nova Consultancy
- ✘ NOVIB
- ✘ Odhikar
- ✘ Penal Reform International
- ✘ Refugee and Migratory Movement Research Unit
- ✘ Save The Children (UK)
- ✘ Sommilita Nari Samaj
- ✘ The Asia Foundation

2.4 Donor Agencies

Legal aid, understandably, is not an income generating activity. Our ability to provide legal aid to the poor and the disadvantaged is dependent on the financial support of partner organisations. During the reporting year, we have received funding support for our legal aid and services and various projects from the following organisations:

- ✘ The Ford Foundation
- ✘ The Asia Foundation
- ✘ British Council
- ✘ USAID
- ✘ NOVIB
- ✘ European Human Rights Foundation

It needs to be reiterated that BLAST has emerged as the largest legal aid organisation, with offices in 16 'old' districts and filed as many as 2,829 cases during the reporting year. In addition, another 3,236 cases which were filed in the past and remained pending at the beginning of this reporting year constituted a part of the work load of the Trust. Hence, during the year a total of 6,065 court cases spread over the country were dealt with by BLAST. No less importantly, as many as 1,565 cases were settled during the year. Needless to say, the legal outcome of a case filed is denoted by different technical terms, depending on the legal nature of the case. To avoid confusion and in order not to make this Report cumbersome through use of various legal terms, we have used the word 'settled' to indicate the fact that the legal proceedings in the case have come to an end.

Chapter 6 provides an overview of the complaints and cases dealt with during the year while Chapter 7 provides details of these cases dealt by different Unit Offices of the Trust.

Chapter 3

OBJECTIVES

The Main Objectives of Bangladesh Legal Aid and Services Trust (BLAST) are:

1. To ensure that the operation of the legal system promotes access to justice; to provide, in particular, free legal aid by suitable schemes; to ensure that opportunities for securing justice are not denied to any citizen or person by reasons of economic or other disabilities;
2. To administer a Trust Fund in order to establish and maintain legal aid and services Units, to be supported by the grants from the Trust;
3. To establish legal aid or assistance and human rights protection Units in Bar Associations and in different localities of the country, including rural areas;
4. To conduct special training programmes and courses for lawyers and others; and
5. To co-ordinate work of such Units with other bodies including NGOs working in related fields.

Chapter 4

INCOME AND EXPENDITURE ACCOUNT

With its commitment to accountability and transparency, this Annual Report provides a breakdown of its accounts for the fiscal year 1999, which in our case, coincides with the calendar year.

BLAST is conscious of keeping overheads down in order to be more effective in providing the services it is created to render. The consequences of this are limited workspace, phone lines and office equipment, yet harmonious teams in its different offices enable the different units to operate smoothly.

The financial years of the different Projects, initiated at different periods of the year do not coincide with the accounting year of the legal aid and related services of BLAST. Hence, auditing and accounting of the Projects are undertaken and reported separately. The income and expenditure accounts of the different Projects, therefore, are not included in this Report. It however, needs to be mentioned that the 'legal aid and services' activities of BLAST utilises around three-fourth of our available resources and the share of Projects in terms of resources used is, therefore, comparatively small.

The summarised report of the Accounts Section of BLAST on the legal aid and related services is produced on the next page while audit reports of the different Projects can be inspected at the Head Office.

It needs to be mentioned that the external audit of the accounts of the legal aid and related services is being undertaken by the audit of firm of Quasem and Associates. This audit by the appointed audit firm is expected to be completed by the end of April, 2000. Thereafter, following the standard practice in this regard, the Audit Report will be placed in the Annual General Meeting of the Trust for consideration and subsequent approval. As this process may not be completed before June, 2000, we have decided to make this audit report available separately when it becomes available.

For ease of understanding, we have arranged the heads of expenditure in descending order of the amount involved, in the next page.

Income and Expenditure Account

(1 January to 31 December 1999)

Income	(in Taka)
Grant	
NOVIB	11,902,161.25
Other Income	5,975.00
Local Contribution	180.00
Total	11,908,316.25
Expenditure	
Litigation	6,976,245.00
Salary	4,801,146.62

Staff Benefit	1,244,368.40
Dépréciation	615,798.61
Office Rent	504,355.00
Consultancy	336,782.00
Utility	237,477.03
Trainee Advisor Fee	233,000.00
Travel	197,659.00
Printing	195,250.85
External Evaluation	194,000.00
Seminar	159,841.00
Stationery	148,403.00
Other Operating Expenses	147,685.00
Trainee Travel	138,620.00
Vehicle Operating Cost	95,126.00
Equipment Operating Cost	88,778.00
Staff Training and Development	84,075.00
Postage	81,210.00
Software Development	77,590.00
Support to Client	63,872.00
Publicity	56,200.00
Repair and Maintenance	51,220.00
Audit Fees	35,000.00
Meeting	30,270.00
Contingency	15,741.00
Workshop in unit offices	15,726.00
Papers and Periodicals	11,201.00
Participation in workshop/ Conference	8,500.00
Recruitment Expenses	4,215.00
Legal Opinion	2,000.00
Total Expenses	16,851,356.51
<i>Excess of expenditure over income Transferred to Balance Sheet</i>	<i>(4,943,039.26)</i>

The item 'litigation' in the above table includes, mostly, fees paid to panel lawyers for filing and conducting cases, including various costs for documents, etc., necessary in a legal proceeding.

The second highest item of expenditure is indicated under 'salary'. This item needs clarification as remuneration of as many as 33 lawyers currently employed by BLAST at the Head Office in Dhaka and the 16 Unit Offices for legal aid are included under this item of expenditure. The job description

of these 33 lawyers revolve around offering legal opinions and taking decisions regarding applications for legal aid, filing some court cases, supervision and monitoring of cases filed by Unit Offices and panel lawyers, guidance by the Unit Co-ordinators in court cases where necessary,¹² case management of Units along with participation in legal awareness and literacy related activities, human rights campaign, and networking which are part of the legal aid activities of BLAST. Besides staff lawyers also conduct research on legal issues, presented papers on legal matters in workshops, seminars and conferences, i.e., carried out our 'programme activities' with some of the working time spent for administrative and management issues.

'Office rent' in the expenditure item indicates the outlay for the 21 Offices currently maintained by BLAST (Head Offices, 15 Unit Offices and 2 Offices of Rural Mediation Project and 3 Legal Aid Clinics) most of which, as the BLAST Directory at the end of this Report details, are situated in the court premises of the respective district courts.

It needs to be pointed out that with the increasing demand for the legal aid services provided by BLAST, our resources are being stretched to the limit. Compared to fees earned by a lawyer conducting a case, the fees offered by BLAST is nominal, particularly if the engaged lawyer is a senior or experienced one. As fees for lawyers are not uniform and depend on the expertise of a lawyer concerned, it is our understanding that sometimes the fees paid by BLAST could be as little as 10% of the 'normal' fee charged by the concerned lawyer for a 'private' client.

We, at BLAST, are grateful for the services rendered by our panel lawyers for our nominal fees. We feel that we have been able to channel the spirit of public service by the lawyers to the cases filed by BLAST and this institutionalisation of the *pro bono* spirit of the lawyers has been one of the biggest successes of BLAST. This institutionalisation of the public services by lawyers is also reflected in the fact that most of the Unit Offices are located, as mentioned, in the court premises which would not have been possible without the patronage of the concerned District Bar Associations. The Units are managed, voluntarily, by Unit Management Committees consisting of the elected Presidents and Secretaries of the respective Bar Associations of the last three years, along with 3 to 5 other prominent lawyers of the local Bar; another indication of the institutional support by the Bar to BLAST.

Lastly, as the activities of BLAST are not and can hardly be 'income generating ones', we are dependent on the support of partner organisations. Some efforts are, however, certainly underway for generating our own funds.

¹² One example of the extent of involvement of staff lawyers including Unit Co-ordinators may suffice to indicate the inputs sometimes necessary for conducting even one case. The example we want to record here is that of *Sharon Laily Begum Jalil vs Abdul Jalil and others*, reported in 48 (1996) DLR HCD 460 and *Abdul Jalil vs Sharon Lailey* in 50 (1998) DLA AD 12.

This case involved the issue of custody of four children whose parents professed different religions and whose marriage was contracted in the UK. The custody battle, started in the Family Court (Court of Assistant Judge), went all the way upto the Appellate Division of the Supreme Court on a technical point and then sent back to the trial court (Family Court).

In various stages of this case the Chairman of the Board of Trustees of BLAST, Dr. Kamal Hossain alongwith one member of the Board Barrister Amir-ul Islam, Senior Advocate, assisted by, at various stages, the Co-ordinator of Dhaka Unit Office Advocate Khondoker Abdul Mannan, a number of panel lawyers of Dhaka Unit and three staff lawyers of the Head Office as well as the Adviser attended these various courts on as many as 65 occasions over a four year period.

This case was jointly conducted on behalf of Sharon Lailey, the mother who was claiming the custody of her four children with Ain O Shalish Kendra (ASK) which also had to put in considerable resources in terms of engagements of advocates, arranging meetings between the parents and the children at different times and locations according to interim orders of the court, including at the residence of Dr. Kamal Hossain on several occasions.

Chapter 5

ORGANISATIONAL STRUCTURE OF BLAST

5.1. Formation

At the national conference of lawyers held in 1992 under the auspices of the Bangladesh Bar Council, the idea of establishing an organisation for providing legal aid and its proposed structure was mooted. Later, in pursuance of this idea, certain steps were taken for establishing a legal aid organisation as a non-profit Trust under the name of Bangladesh Legal Aid and Services Trust and the same was incorporated on the 29th May, 1993 with the Registrar of Joint Stock Companies of the Government of Bangladesh as a company limited by guarantee. Later, the Trust was registered as an NGO with the NGO Affairs Bureau on 19.12.1993 with registration No. 786.

5.2. Board of Trustees

The Founder Members of the Board of Trustees were:

01. Mr. Sheikh Razzak Ali, M.P.
Senior Advocate, Supreme Court of Bangladesh
Former Speaker of Parliament
02. Mr. Aminul Huq (late)
Former Attorney General of Bangladesh
03. Mr. Syed Ishtiaq Ahmed
Senior Advocate, Supreme Court of Bangladesh
Advisor to the Caretaker Government (1996)
04. Dr. Kamal Hossain
Senior Advocate, Supreme Court of Bangladesh
Former Minister of Law and Foreign Affairs
05. Mr. M. Amir-ul Islam
Senior Advocate, Supreme Court of Bangladesh
Vice Chairman, Bangladesh Bar Council
06. Ms. Salma Sobhan
Executive Director, Ain-O-Shalish Kendra
07. Mr. Abdul Muntaquim Chaudhury,
Advocate, Supreme Court of Bangladesh.

According to the Articles of Association of the Trust, the Chief Justice of Bangladesh nominated two more Trustees:

08. Mr. Justice A. K. M Sadeque (retired)
Supreme Court of Bangladesh
09. Mr. Justice Naimuddin Ahmed (retired)
Member, Law Commission of Bangladesh.

The Board of Trustees in its first meeting co-opted two more Trustees under Article 8 of the Articles of Association of the Trust:

10. Mr. Fazlul Huq
Advocate and Secretary, Madaripur Legal Aid Association

11. Ms. Sigma Huda
Advocate, Supreme Court of Bangladesh, and Secretary General, Bangladesh Society for
Enforcement of Human Rights.

The Trustees unanimously elected Dr. Kamal Hossain and Mr. Justice Naimuddin Ahmed as the Chairperson and Vice-Chairperson of the Trust, respectively. Mr. Fazlul Huq has been the Executive Director of the Trust since 1995.

5.3. Head Office and Unit Offices

In 1994, the national Head Office of the Trust was established in Dhaka followed by five divisional Unit Offices in Dhaka, Chittagong, Khulna, Rajshahi and Barisal. In 1995 BLAST expanded its activities by establishing a divisional Unit Office in Sylhet. Thus, by 1995, BLAST had established Unit Offices in all the six divisional headquarters of the country. Thereafter, it was decided to expand the activities of the Trust by gradually establishing one district unit office in each of the divisions, except Sylhet which was the smallest division and did not contain any of the 'old' districts.

In 1995 the first two district units were established in Mymensingh and Noakhali. Three district Unit Offices in Jessore, Rangpur and Comilla were then established in 1996 to further realise the Trust's nation wide objectives. In 1997 two more Unit Offices were established in Bogra and Potuakhali. In 1999 another 3 Unit Offices were established in Pabna, Tangail and Kushtia as part of the Trust's target of reaching all the 19 'old' districts. In addition to the Head Office, the Trust now has 16 Unit Offices.

The addresses of the Unit Offices of the Trust are given in the BLAST directory at the end of this document.

BLAST endeavours to establish its Unit Offices in the respective district court premises and has succeeded in locating most of the Unit Offices in the Bar Association Buildings of the respective district courts. Such location certainly facilitates better liaison with the engaged lawyers and hence better services for the clients. Besides, it also helps co-ordination between the personnel of the Units and the Management Committees, all of whom are advocates and hence spent most of their working hours in court premises. It needs to be recognised that the local Bar Associations have been instrumental in arranging office spaces for the Trust in court premises. In fact BLAST is the only organisation with offices in the Bar Association buildings within the court premises.

5.4. Management of the Unit Offices

The Unit Offices of the Trust have been functioning under the supervision of respective Management Committees. The Presidents and the Secretaries of the respective Bar Associations of the last three years are ex-officio members of the Management Committees of the Unit Offices. These elected Presidents and Secretaries of the local Bar Association, in turn, select and induct another three to five prominent members of the local bar, including representatives of the minority communities and women lawyers, into the Management Committee. The Management Committees, thus, are comprised of well known, respected and prominent members of the local Bar Associations who are also leaders of the Bar as indicated by the fact they are or were elected Presidents and Secretaries of their respective Bars.

The Management Committee then selects one of its members as the President and another as the Vice President of the Committee. The President and the Vice President, along with the Co-ordinator of the Unit are the joint signatories for all the expenses of the Unit.

The Trust conducts its cases through a panel of lawyers selected by the Unit Management Committees. The fees for the lawyers and other expenses are paid per case, as sanctioned in the budget.

The selection of the panel lawyers are the responsibilities of the Management Committees for the respective Units. Management Committees, comprising of the leaders of the Bar, are best situated to judge the merit and expertise of local lawyers which would be an almost impossible task for the Head Office from Dhaka to perform. The list of panel lawyers, updated periodically, is approved by the Head Office.

5.5. Personnel

At the end of 1999, a total of one hundred and fifty seven (157) persons were working for the Trust. Most of the personnel were engaged full time, though a small number, particularly for the Projects based at the Head Office, were also contacted on part-time arrangements.

The Head Office is responsible for the over all supervision of the activities of the Trust (Unit Offices, Projects and Law Clinics) as well as litigation in the Supreme Court of Bangladesh. Besides, liaison with various NGOs, GoB agencies and institutions, national human rights movements and campaigns, participation in policy forums and other related activities are undertaken by the Head Office. Administrative and accounts personnel are based at the Head Office. The following personnel were based at the Head Office in December, 1999:

Table 1

Legal Aid and Services: Head Office Personnel (Administration, Accounts, Legal Affairs)

<i>Position</i>	Numbers
Executive Director	1
Advisor	1
Sr. Assistant Director (Legal)	1
Assistant Director (Admn & Accounts)	2
Secretary to the Trust	1
Accountant	2
Assistant Accountant	2
Staff Lawyer	3
Junior Evaluation and Monitoring Officer	1
Junior Evaluation and Monitoring Lawyer	1
Junior Administrative Officer	1
Media Officer	1
Paralegal	1
Librarian	1
Computer Operator	2
Documentation Officer	1
Administrative Assistant	1
Office Assistant	1
Store In charge	1
Vehicle Operator	1
Messenger	3

Guard	1
Total	30

The major functions of the Head Office include filing of cases in the Supreme Court of Bangladesh and in those districts where BLAST does not yet have a Unit Offices; supervision and management of the Unit Offices (court cases, personnel and accounts), Projects and Legal Aid Clinics and maintaining the accounts of the Trust. In addition, arranging seminars, workshops and conferences, networking with national and international bodies and institutions and participation in their activities, raising funds for the activities of BLAST, organising training and staff development are the other major functions of the Head Office performed by the above personnel. Recruitment of personnel for the Head Office and the Unit Offices are also done from Dhaka.

Table 2

Unit Office Personnel [Division (6), District (10)]

Position	Number		
	Division (6 Units)	District (9 Units)	Total
Co-ordinator	6	9	15
Staff Lawyer	1	0	1
Junior Staff Lawyer	5	0	5
Para Legal	0	3	3
Accountant	6	0	6
Office Assistant	6	0	6
Accountant-paralegal-Office Assistant	0	9	9
Messenger	6	9	15
Total	30	30	60

Co-ordinator of the Unit Office is the person responsible for the activities of the Unit who works under the supervision of the respective Management Committee. Until the beginning of the 1999, the Divisional Unit Offices had four personnel and the District Unit Office had three. With the increased workload, including the increasing number of pending cases filed in previous years, one staff lawyer was appointed to the Dhaka Unit Office while the personnel of the other Divisional Unit Offices were increased by a junior staff lawyer in each Unit. The para-legal personnel were appointed to the three District Unit Offices with the highest case load. As a result of the 'affirmative action' programme to increase women personnel at the Unit Office, these newly appointed junior staff lawyers and para-legals are all women.

Table 3

Legal Aid Clinics Personnel (3 Clinics)

Position	Numbers
Trainee Advisor (part time)	3
Trainee (part time)	9
Messenger (part time)	3
Total	15

Table 4

Rural Mediation Project (RM) Personnel
(Head Office and 3 Rural Offices)

Position	Numbers
Co-ordinator (Head Office)	1
Office Assistant (Head Office)	1
Messenger (Head Office)	1
Mediation Supervisor (Rural Office)	3
Mediation Worker (Rural Office)	21
Messenger (Rural Office)	2
Total	29

Mediation is undertaken at three types of sites. First, on many occasions, particularly in family disputes, applicants for legal aid at the Unit Offices are asked whether they would like to have their disputes settled through mediation or at least are willing to try mediation as a way to resolve the dispute, before filing a court case. It has been our experience that most of those who approach us for legal aid for court cases do so after exhausting all other avenues for resolving disputes, including mediation. Nevertheless, occasionally disputes are resolved through mediation and, thus, filing of court cases are avoided.

Secondly, the three legal aid clinics (two in Dhaka city and one in Hathazari thana of Chittagong, near to the Chittagong University) attempt to resolve disputes primarily through mediation.

Thirdly, the Rural Mediation Project (RM), in six thanas of the districts of Barisal, Khulna and Sylhet have engaged mediation supervisors and mediation workers to resolve local dispute in these areas. The Rural Mediation Project has extensively trained its mediation supervisors and mediation workers at Madaripur Legal Aid Association (MLAA). BLAST follows the Madaripur Model of Mediation (MMM) for resolving disputes in the Rural Mediation Project Area. Besides, legal literacy, awareness and mediation techniques training are major component of activities of the Rural Mediation Project. (See chapter 9 below)

The activities of the Rural Mediation Project are detailed in a separate Project Report.

Table 5
Public Interest Litigation (PIL) Project Personnel

Position	Numbers
Staff lawyer	2
Research Associate	1
Junior Staff Lawyer	1
Research Assistant (part time)	1
Computer Operator (part time)	1
Total	6

Public Interest Litigation Project, though consisting of only three lawyers and one research associate specialising on environment issues and two part-time support personnel, has been one of the most rewarding of BLAST's Projects. Initiated in 1996, this Project has filed more than twenty Public Interest Litigation (PIL) in the Supreme Court of Bangladesh. The 'basti eviction case', filed with Ain O Shalish Kendra (ASK) and Odhikar and two other individuals as co-petitioners, has been the most celebrated of the recent PILs. This case was filed on the 11th August, 1999, two days after the initiation of the mass eviction by the government of the slum dwellers of Dhaka city. The case, like a few other PIL cases of BLAST, was argued by the Chairman of the Board of Trustees, Dr. Kamal Hossain who was assisted by a host our panel lawyers of the Supreme Court and the Staff Lawyers of this Project. After hearing for a number of days, the Court disposed the petition on the 23rd August, directing the government to undertake rehabilitation schemes before evicting slum dwellers.

Other important PIL filed during the year include a petition to restrict police power of arrest under section 54 of the Criminal Procedure Code and another petition for ensuring

proper iodine content in edible salt. These and other PIL cases are reported in detail in the Annual Report of the Project. (See chapter 9 below)

Table 6

Legal Advocacy and Participation of the Civil Society (LAPCS) Project Personnel

Position	Numbers
Senior Research Lawyer	1
Junior Research Lawyer	2
Accountant (part time)	1
Office Assistant	1
Computer Operator	1
Messenger	1
Total	7

This Project was initiated in mid-1997 to interact with the legislative process by infusing participation of the civil society in the law making process. The primary goal of the Project is to scrutinise proposed and current laws, suggest law reform and for these broaden the participation of the various sectors and segments of the civil society in the law making process.

The Project had undertaken a good number of research into laws of public importance such as the proposed Human Rights Commission Bill, amendments of the Ombudsman Act, the proposed Labour Code, Nari O Shishu Nirtanan Ain, laws relating to election, particularly election expenses, the Public Safety Bill and published numerous booklets on these and other issues. The Project has held a good number of workshops and seminars in Dhaka and different districts outside Dhaka in widen public interest and stake in the law making process. The legislative process itself and the right to information were other areas of intervention by the Project. Due to funding constraint, the scale of this Project has been drastically reduced from mid-1999. Again, similar to other Projects, details of the activities and successes of this Project are contained in the Annual and other periodic reports of the Project.

The Rural Mediation Project (RM), Public Interest Litigation Project (PIL) and the Legislative Advocacy and Participation of the Civil Society Project (LAPCS) are all funded by the Democracy Partnership Programme of the USAID through the Asia Foundation.

Table 7

Women Workers Economic and Legal Rights (WELR) Project Personnel

Position	Numbers
Project Lawyer (part time)	1
Junior Staff Lawyer	3
Field Assistant (part time)	1
Accountant (part time)	1
Total	6

This Project, initiated in 1997, primarily provides legal aid in Labour Cases to the female garment workers. It is worth noting that before the intervention of this Project and by Bangladesh Independent Garment Workers Union Federation (BIGUF), there were hardly any case in the Labour courts in which the claimant were a female garment worker. Over the last three years, this Project has filed almost 200 cases in the Labour Courts (this number is not included in the total number of cases reported in this Annual Report since activities of Projects are only summarised and not detailed in this Report). The Project has been arranging regular legal literacy and awareness campaigns on labour rights – both legal and

economic – among garment workers, published and distributed leaflets and posters on relevant rights and laws and held workshops and seminars on various aspects of our labour laws. This Project has also forged meaningful working relations with a number of labour unions and federations.

This Project has also published a book titled “Lacunae in Labour Laws: Towards Timely Disposal of Labour Cases” edited by Dr. Shahdeen Malik.

This Project, in certain ways partakes in the legal aid activities of the Trust as it offers legal aid to a particular group of vulnerable people, i.e., female garment workers. However, as mentioned, in addition to legal aid, the Project has undertaken extensive activities in terms of awareness campaign on labour rights.

This Project is funded by The Asia Foundation.

Table 8

Public Interest Litigation Training for Lawyers Project Personnel

(an one-year project ending in 1999)

Position	Numbers
Project Coordinator	1
Research Assistant	1
Junior Research Assistant	1
Total	3

This one-year Project, supported by the British Council, was initiated in July, 1998 and ended its activities in September, 1999. The goal of the Project was to enhance skill and expertise in Public Interest Litigation among young lawyers working with various NGOs as well as those who are not affiliated directly with any organisation but have evinced interest in Public Interest Litigation. An extensive training course for lawyers was organised in December, 1999 with resource persons from Bangladesh and India, a number of workshop on Public Interest Litigation for lawyers, NGO workers and activists and journalists were organised by this Project. Besides, the Project also published a book titled “*Public Interest Litigation: Constitutional Issues and Remedies*” by Dr. Naim Ahemd. Two young lawyers were sent to India to work with lawyers experienced in PIL matters to gain expertise, under this Project. (See chapter 9 below)

Table 9

Marriage and Divorce Registration Laws Personnel

(a two-year project ending in 1999)

Position	Numbers
Project Coordinator	1
Total	1

This Project was initiated as an one year project in 1997-1998 and continued in a skeleton form until September, 1999. This Project undertook an extensive countrywide survey into the law and practice of marriage registration and formulated suggestions and recommendations on ways and means for greater registration of Muslim marriages. A large number of leaflets and posters on laws of marriage registration was prepared, printed and distributed by the Project. The survey and research of the Project was published as two books, one in Bengali and the other in English (“*Registration of Muslim Marriage and Divorce: A Study on Law and Practice*”) by Dr. Shahnaz Huda, the Co-ordinator of the Project.

Table 10
Consolidated Personnel of all Projects

Name of the project		Total	Gender		Profession	
			Male	Female	Lawyer	Others ¹³
Legal Aid and Services	Head Office	30	18	12	7	23
	Unit Offices	60	53	7	23	37
	Legal Aid Clinics	15	9	6	3	12
Public Interest Litigation Project (PIL)		6	3	3	3	3
Legislative Advocacy Project (LAPCS)		7	5	2	3	4
Women Workers Right Project (WELR)		6	4	2	4	2
Marriage and Divorce Registration Project		1		1	0	1
Public Interest Litigation Training		3	1	2	2	1
Rural Mediation Project	Head Office	3	2	1	0	3
	Unit Office	26	22	4	0	26
Total		157	117	40	45	112

It is recognised that the male: female ratio of personnel at BLAST is skewed towards a preponderance of male workers. This is largely due to the fact that the legal profession is still predominately a 'male profession'. Also, the location of our Unit Offices in court premises acts as a disincentive for female personnel as the number of female lawyers in district courts are also negligible. This paucity of women lawyers is also reflected in the fact that only around 10% of all the judges of the District Courts are women and our Supreme Court is yet to have it's first woman Judge. The Supreme Court has around 40 Judges, all of whom are men.

Towards the middle of this reporting year we launched a vigorous campaign to induct women personnel in the Trust. As a result, 5 Junior Lawyers and 3 para legals, all of whom are women, have been recruited for Unit Offices.

At the Head Office, the Women Workers Economic and Legal Rights Project (WELR) has been changed from all male personnel to 2 female and 3 male personnel. Similarly, the two most recent recruits for the Public Interest Litigation Project (PIL) have also been women.

At the management level at the Head Office, except the Executive Director, the other four who constitute the upper echelon of management of the Trust (Senior Assistant Director for Legal Affairs, Assistant Director for Administration, Assistant Director for Accounts and the Secretary to the Trust—the Trust does not have a Director yet) are women.

More importantly, for panel lawyers we have reduced the threshold requirement of practising experience of 5 years to 3 years for women lawyers to facilitate participation of women lawyers of District Courts to take up our legal aid cases and the response have been encouraging.

Thus, during this reporting year, the Trust has taken major steps to substantially increase the proportion of women personnel in various offices and projects.

5.6. THE LIBRARY

Considering the need for easy access to legal text, precedents and references both for litigation and research purpose, BLAST has been building up a law library since its inception. By gradually expanding the library facilities it is hoped that not only can the access to law for lawyers be quick but also the training of staff can be done on an in-house basis. Borrowing facilities for other organisations, particularly with whom BLAST has a working relationship, are intended to open up information with greater effectiveness as these institutions, generally speaking, aim to meet common goals.

The BLAST library now subscribes or regularly acquires the following reports:

¹³ These include Accounts, Administration, Management, Technical and Support staff.

Table 11: Case Reports and other Serial Publications

Title	Volume	Year
A.I.R.	57-85	1970-1998
A.I.R. Manual	1 – 40 (Except 37, 38)	
B.L.C.	1-4	1996-1999
B.L.D.	I - 19	1981-1999
B.L.T.	1-6	1993-1998
Bangladesh Code	I to XI	1836-1938
Bangladesh Gazette	I to XXVI	1972-1998
D.L.R.	I-52	1949- February, 2000
M.L.R.	1-3	1996-1998
P.L.D.		1975-1998
P.S.C.	Per Year 2	1983-1998
P.S.C. Cr.	Per Year 2	1992-1998
S.C.C.		1980-1998
Bangladesh Gazette	1-27	1972-1998
Bangladesh Code	1-11	1836-1838
Pakistan Code	1-21	1836-1988
East Pakistan Code	1-8	1870-1965
50 Years Digest		1901-1965
Quinquennial Digest		1966-1980

A number of other Digests and References, Journals, periodicals and newspapers are also subscribed or regularly procured. Over the last five years law, social sciences and other relevant books have been purchased regularly. As a result, as the table below indicates, more than 3795 separate titles have already been purchased or procured for the library.

Table 12: Collected Journals

Title	Volume	Year
Annual Survey of Indian Law	26-31	1990-1995
Bangladesh Journal of Law	1-2	1997-1998
Bangladesh Development Studies	19-20	1991-1992
BIDS Journal		1988-1997 (Except '91, '92)
Delhi Law Review	12-19	1990-1997
Indian Economic & Social History Review	2,10,11,14,21-33	1995, '73,'74,'77,'84-96
Indian Journal of Gender Studies	1-5	1994-1998
Journal of Indian Law Institute	3,5-17,22-26,29, 33-39	1961, '63-75, 80-97 (Except 82, 85, 87-90)
Journal of Asiatic Society of Bangladesh	42-43	1996-1998
Journal of Social Studies	3-19 (Except 14)	1981-1997 (Except 92)
Samaj Nirikhon	51-67	1994-1998
Moor's Indian Apples	1-14	1836-1872
Studies in History	1-14	1985-1998

Table 13: Subject classification of Books at BLAST Library

Subject	Titles
ACT	110
Computer	50
Development, Poverty & Economics	215
Dictionary	50
Environment	130
History	120
Human Rights	180
Law	1360

Library Science	45
Others	135
Politics, Forest & Land Rights	170
Refugees	65
Sociology	70
Statistics	10
Women & Children	120
Total	2830
Table – 12	809
Table – 13	156
Total no of Books in Library	3795

The Unit Offices are also supplied with essential law books and case reports. It needs to be mentioned that a good number of books have been donated to BLAST by the Asia Foundation.

The BLAST Head Office Library has been computerised and all the books, reports, journals, periodicals and other publications are now computer programmed for easy access and search.

It needs to be mentioned that for a rapidly growing organisation such as BLAST, the institutional structure are sometimes fluid as demands for new activities necessitate addition or reorganisation. Also accumulated experience and internal reviews also suggest changes in the institutional frameworks and structure to meet the emerging needs and challenges. In light of the above, guidelines for Unit Management Committees were amended by the Board of Trustees and Service Rules were finalised with the help of our auditors. It is recognised that frequent changes in the institutional structures are detrimental to steady growth. Nevertheless, absence of capacity to respond to changing needs and demands stifles the growth potential of any organisation. These two considerations guided our institutional changes during the reporting year.

Chapter 6

ACTIVITIES OF BLAST - OVERVIEW

This Chapter details the legal aid and services activities of BLAST during the reporting year (1999). We take this opportunity to mention that all the cases that we have dealt with during the year, as in all the past years (1994-1998), are meticulously documented and the figures below indicate the cumulative numerical expressions of this documentation.

The process of providing legal aid starts with a complainant or contacting of our Unit Offices, by one seeking legal aid. The clients are also often referred to us by lawyers, other NGOs and, increasingly, local elected officials.

At the first contact, a printed form is filed up, most often by the office assistant, to record personal details of the clients, including her/his monthly income. The known details about the opposite parties, when applicable, is also documented. A summary of the complaint, grievance and the expected remedy as sought by the client are then recorded and papers or other relevant documents in support of the claim or grievance, if any, are collected and scrutinised.

The next step is for the Co-ordinator to assess the 'merit' through personal interview with the client, perusal of documents, reports of the office assistant, opinion of the referring advocate or organisation. And the last step, at this stage, is referral to an advocate for filing of a case.

The Co-ordinators in charge of our Unit Offices are experienced lawyers, many of whom had been elected Secretaries of the local Bar Association, appointed Public or Assistant Public Prosecutors or Government Pleaders and are well known in the local legal community. In terms of referring to advocates, the clients themselves often express their preference and, if not, their cases are referred to one of the penal lawyers already selected by the Management Committees of the Unit Offices. The lawyer who is engaged for a case receives half of the amount of fees, paid according to a well established and known schedule of fees, after filing of the case. The other half is paid after the disposal of the case. All these payments are made by account payee cheques drawn in the name of the engaged lawyer.

Mediation is also attempted but more often than not the client herself had already attempted mediation through local social network or other avenues. Commonly, it is only when all these alternatives have failed that she had approached our Unit Office for legal aid. Another important fact, as the table below (Table 17.i) indicates, is that during 1999 only 18% of the complaints were rejected, i.e., not taken up for further processing. This indicates that we hardly receive 'frivolous' application for legal aid or complaints. Amongst the 18% applications 'rejected', many were due to unavailability of proper documents, witness, or access to the judiciary may have been irrevocably excluded by the applicable rules of limitation, and other requirements of procedural law, rather than any doubt about the validity or legality of claim or complaints. Also, the parties would sometimes resolve the dispute themselves after initial contact with us and before we process their complaints, adding to this list of 'rejection', as these parties would not contact us any further. The list of reasons for such 'rejection' are also recorded. However, such reasons vary considerably from case to case and hence not amenable to a presentations in a tabular form. Nevertheless, it is necessary to re-iterate that our clients often approach us as the last resort and hence, after five years of providing legal aid and services, we can confidently assert that the poor do not attempt to abuse the services provided by us.

6.1. Legal Aid Activities

Article 31 of our Constitution provides that:

To enjoy the protection of the law, and to be treated in accordance with law is the inalienable right of every citizen... and ... no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

And Article 33(1) provides that:

No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.

Under the Constitution and The Bangladesh Legal Practitioners and Bar Council Order and Rules, 1972, it is not the responsibility nor the duty of an advocate to decide whether a person is guilty or not and hence entitled to legal representation or not. BLAST, similar to any advocate, endeavours to offer legal representation for persons who have been accused of a crime, taking into consideration whether such an accused person can afford to pay for the costs or not of such legal representation. As such, allegation of an offence by itself does not preclude one from being defended by BLAST. Rule 9 of Chapter II of Bangladesh Bar Council Cannons of Professional Conduct and Etiquette states that:

It is the right of an Advocate to undertake the defence of a person accused of crime, regardless of his personal opinion as distinguished from knowledge, as to the guilt of the accused; otherwise innocent persons, victim merely of suspicious circumstances, might be denied proper defence. Having undertaken such defence, an Advocate is bound, by all fair and honourable means, to present every defence that the law of the land permits, to the end that no person may be deprived of life or liberty except by due process of law. (Underline added for emphasis)

Our primary criterion for taking up defence of persons accused of crimes is not the crimes he/she may have been accused of but whether the person, because of financial and other constraints, is entitled to legal aid.

This is not an absolute position and like any advocate, Unit Co-ordinators are entitled to exercise certain discretion in refusing to provide legal representation and such instances are scrutinised by the Head Office on a regular basis as well as the cases in which legal aid have been provided.

6.1.i. Complaints Received

During the year 1999, a total of four thousand five hundred and twenty six (4526) complaints were received by the Head Office and Unit Offices of BLAST. Another six hundred and eighty eight (688) complaints were carried over from 1998, totalling five thousand two hundred and fourteen (5214) complaints for the reporting year.

Of the complaints received, the Trust was unable take up eight hundred and fourteen (814) complaints for reasons such as subsequent non-attendance, financial solvency of the clients, engaging of private lawyers by the clients, non-availability of relevant documents, inadequate (legal) merit, and so on. The reasons for not proceeding with particular complaints are documented and preserved.

The rest of the complaints were dealt with in the manner detailed below.

Table 14

Position of the Complaints received during 1999 and those carried over from the pervious year

Head Office and Unit Offices	Carried Over	Received in 1999	Total	Complaints already considered				Total
				Mediation	Cases filed	sent to units	Rejected	
Head Office	54	439	493	13	256	47	94	410
Barisal	17	292	309	8	250	7	23	288
Chittagong	139	524	663	29	245	22	162	458
Dhaka	42	447	489	15	307	2	73	397
Khulna	4	232	236	12	185	3	19	219
Rajshahi	104	507	611	103	245	8	112	468
Sylhet Unit	8	138	146	2	114	5	9	130
Mymensingh	127	418	545	52	268	6	60	386
Noakhali	2	147	149	4	127	1	5	137

Jessore	19	330	349	28	166	83	35	312
Comilla	28	182	210	10	112	1	1	124
Rangpur	88	204	292	5	131	4	81	221
Bogura	46	402	448	12	274	7	85	378
Pabna		86	86	16	37	4	12	69
Potuakhali	10	178	188	11	112	0	43	166
Total	688	4526	5214	320	2829	200	814	4163

Table 15

Complaints received, already considered and pending by the different Units

Head Office and Unit Offices	Complaints dealt with in 1999	Complaints already processed	Complaints pending for processing			
			Mediation	Cases to be filed	Waiting for documents etc.	Total
Head Office	493	410	21	42	20	83
Barisal	309	288	8	11	2	21
Chittagong	663	458	94	109	2	205
Dhaka	489	397	38	54	0	92
Khulna	236	219	8	9	0	17
Rajshahi	611	468	113	24	6	143
Sylhet	146	130	2	10	4	16
Mymensingh	545	386	78	78	3	159
Noakhali	149	137	0	6	6	12
Jessore	349	312	11	18	8	37
Comilla	210	124	36	24	26	86
Rangpur	292	221	30	20	21	71
Bogura	448	378	28	22	20	70
Pabna	86	69	15	2	0	17
Potuakhali	188	166	9	6	7	22
Total	5214	4163	491	435	125	1051

The Trust hasn't been able to enquire in detail into the causes of wide variation among its Unit Offices in terms of the number of complaints received. As the table above indicates, Chittagong Unit received the highest number of complaints while Sylhet received the lowest. The substantial difference in the numbers of complaints received between, for example, Chittagong and Sylhet, may be attributed to the fact that the Chittagong Unit started its operation in 1994 and hence is better known in the district than Sylhet Unit which was opened in 1995. Further, the respective sizes in terms of populations of the districts would also be an important factor for the number of people seeking the services offered by the Trust. Except Sylhet, the divisional units received more complaints than the district units (Mymensingh district unit received the 4th highest number of complaints among all units) which probably can also be explained, at least partially, in terms of the comparative size and population of divisional and district towns. Moreover, the units are being opened at the rate of two/three per year and the duration of operation of the unit offices is certainly an important variable in terms of the number of people seeking services offered by the Trust.

Most of the clients of the Trust are women. As the next table indicates, there are some variations, though not significant, among the Units in terms of men: women proportion of the clients.

The Head Office is the only Unit where more complaints were received from men than women. This is a reflection of the fact that the complainants of all the 162 'detention' cases received by the Head Office were men.

It needs to be pointed out that BLAST is the only organisation which routinely files cases challenging the legality of preventive detention under the Special Powers Act, 1974. All the detainees under the Special Powers Act, 1974 had been men. These cases can only be filed in the High Court Division of the Supreme Court and the lawyers engaged by BLAST for these, primarily *habeus corpus* writs, have been uniformly successful in getting the detentions declared illegal by the Court. Increasingly, the Head Office is receiving applications for such *habeus corpus* writs from all over the country.

It also needs to be mentioned that the fees offered by BLAST to panel lawyers for conducting these *habeus corpus* writs, compared to fees charged privately by advocates engaged in such or

similar cases, is nominal. This surely indicates the commitment of our panel lawyers for public service. This, however, must not be construed to mean that other panel lawyers engaged in other types of cases in other courts have lesser commitment to public service. As already indicated, the Management Committees of the Units, consisting of the most senior and respected lawyers of the districts, perform their functions voluntarily, without any financial benefit what so ever.

Table 16

Men: Women proportion of complaints received and cases filed

Offices/ Unit A	Complaints received				Total [B+D] F	Cases filed				Total [G+I] K
	Man B	% C	Woman D	% E		Man G	% H	Woman I	% J	
Head Office	274	62	165	38	439	194	76	62	24	256
Barisal	13	4	279	96	292	8	3	242	97	250
Khulna	11	5	221	95	232	10	5	175	95	185
Rajshahi	37	7	470	93	507	24	10	221	90	245
Chittagong	90	17	434	83	524	20	8	225	92	245
Sylhet	32	23	106	77	138	24	21	90	79	114
Comilla	12	7	170	93	182	6	5	106	95	112
Jessore	131	40	199	60	330	33	20	133	80	166
Rangpur	22	11	182	89	204	12	9	119	91	131
Noakhali	25	17	122	83	147	22	17	105	83	127
Dhaka	108	24	339	76	447	95	31	212	69	307
Mymensing	18	4	400	96	418	15	6	253	94	268
Bogura	104	26	298	74	402	52	19	222	81	274
Potua khali	24	13	154	87	178	14	12	98	88	112
Pabna	12	14	74	86	86	5	14	32	86	37
Total	913	20	3613	80	4526	534	19	2295	81	2829

During the reporting year two hundred (200) complaints were sent to the Head Office by the Unit Offices for filing cases in the High Court Division of the Supreme Court of Bangladesh.

6.1.ii. Cases filed

During 1999, two thousand eight hundred and twenty nine (2829) cases were filed in different courts of the country including the Supreme Court of Bangladesh. Another three thousand two hundred and thirty six (3236) cases were carried over from the previous years, totalling six thousand and sixty five (6065) court cases dealt with during this reporting year.

It needs to iterated that the increase in the volume of cases handed during the year (a total of 6,065) surely indicates not only a growing demand for the legal aid for litigation but increasing confidence in the services provided by BLAST. However, regular and constant monitoring of such a large number of cases, particularly in view of the fact, first, that a single case may involve upto ten, if not more, 'dates', i.e., times it is taken up by the court for various proceedings and, second, due to their poverty and other disadvantaged position many of the clients often do not have a permanent residence, is putting tremendous pressure on the workload of the staff lawyers and other supervising personnel of the Trust. Also, as these cases are being dealt with by literally hundreds of advocates all over the country, maintaining constant liaison with them to ensure that the clients are receiving the best possible service is a constant challenge.

Table 17

Total cases dealt with by the Head Office and different Units during 1999

Office Unit	Cases continued from the past	Cases filed in 1999	Total Cases dealt with in 1999
Head Office	242	256	498
Barisal	302	250	552
Chittagong	641	245	886
Dhaka	432	307	739

Khulna	241	185	426
Rajshahi	247	245	492
Sylhet	124	114	238
Mymensingh	354	268	622
Noakhali	121	127	248
Jessore	123	166	289
Comilla	113	112	225
Rangpur	139	131	270
Bogura	95	274	369
Pabna	0	37	37
Potuahali	62	112	174
Total	3236	2829	6065

Pabna Unit was established towards the middle of 1999 and after renting of office, recruitment of staff, local publicity and other initial activities, it was well into the end of 1999 that the services offered by this Unit became widely known. It has been our experience that after opening of a new Unit Office it takes 3 to 6 months for the prospective clients to become confident of the services rendered by BLAST and begin to contact the office.

As the number of cases which a Unit can handle is limited by a number of factors, including the availability of resources, it is not the policy of BLAST to actively publicise the services rendered by it for the apprehension that too great a number of prospective litigants may strain the resources and may be detrimental to the quality of services offered. Also, particularly for the older Unit Offices, the demand for legal aid is exceeding the resources available to us.

Nasima gets maintenance

Nasima Khatun 's father divorced his mother when Nasima was barely a few months old. Now she is over 18. She was deprived of her father' s affection.

Since almost her birth her father did not provide for her maintenance. Now she is adult and needs financial support for her marriage. Nasima did not know that she was entitled to maintenance from her father. After becoming aware of her legal rights she approached Rajshahi Unit Office of BLAST which sent a notice to her father and arranged for a mediation.

At the mediation, her father agreed to make a gift of a piece of land for her. However, he reneged on his promise. Consequently, the Unit Office filed a case. After hearing, the Court ordered the father to pay her 500.00 taka every month till her marriage and to bear the expenses of her marriage.

During 1999, as many as one thousand five hundred and sixty five (1565) cases were settled. Of these, in seven hundred and seventy nine (779) cases the court verdicts were in favour of our clients while in one hundred and thirty five (135) cases the court verdicts went against our clients.

A total of two hundred and sixty five (265) cases were defaulted either due to repeated non-appearance of the client on court-dates, or the matter having been already settled by the parties after the initiation of court proceedings, or the clients losing interest in litigation and other

similar reasons.

It needs to be mentioned that sometimes our clients, after having settled disputes by themselves, do not inform the engaged lawyer and hence some of these cases are dismissed under section 247 of the Cr.P.C. Therefore, though these cases are recorded as 'dismissed' in our documents, we are confident that the filing of these cases facilitated settlement of the disputes outside the courts. The clients withdrew another three hundred and eighty nine (389) cases as they could arrive at mutually acceptable compromise, outside the courts.

Table 18

The status of the cases filed

Unit	Court verdict			Compromised not pressed	Cases settled in 1999	Pending disposal
	For	Against	Defaulted			
Head Office	161	7	0	3	171	327
Barisal	33	19	43	72	167	385
Chittagong	62	23	62	26	173	713
Dhaka	68	17	27	41	153	586
Khulna	52	10	30	37	129	297
Rajshahi	90	9	12	25	136	356
Sylhet	44	9	5	18	75	163
Mymensingh	89	12	23	39	163	459
Noakhali	42	12	12	30	96	151
Jessore	26	6	21	28	81	208
Comilla	35	3	11	25	74	152
Rangpur	16	4	8	12	40	230
Bogura	33	2	1	3	39	330
Pabna	1	0	0	1	2	35
Potaakhali	27	2	10	27	66	108
Total	779	135	265	386	1565	4500

It is evident that the number of 'defaulted' cases is rather high for Barisal and Chittagong Units. This may be due to a number of reasons including the distance of the residence of our clients from the court premises. Often a case involves a number of attendance by the client in the court which may be too expensive for the client concerned. Also, due to the non-permanent nature of the residence of many of the clients, it is sometimes difficult to locate them prior to a 'court date'. Needless to say, all these factors are taken into consideration before filing a case and the client is offered an explanation of the lengthy nature of court proceedings. Moreover, sometimes we do offer nominal financial assistance to enable the clients to attend court. Nevertheless, these and some other reasons, particularly if after filing of the suit the parties had settled the matter outside the court, as it often happens in 'family disputes', they do not inform the concerned Unit Office and consequently, the case is 'defaulted'.

As a rule, *BLAST* takes up all cases, depending on the merit and the status of the applicant. As a result, the Trust deals with multifarious types of litigation. The types and corresponding numbers of cases dealt with during the year is detailed in the Table below.

Table 19.

The types of cases by category, dealt with in 1999

Types of cases filed	Total cases dealt with in 1999	Cases settled in 1999	Pending at the end of 1999
In the District and Sub-ordinate Court			
Family Court Cases	1873	548	1325
Family Appeal	86	16	68
Criminal cases	2393	577	1862
Criminal Appeal	85	13	29
Bail cases	56	30	26
Criminal Motion & Revision	40	12	28
Session trial cases	157	28	129
Land Cases	368	76	291
Decree execution	320	37	283
Labour Court	12	0	12
Miscellaneous	240	67	173
Sub-Total	5630	1404	4226
In the Supreme Court of Bangladesh			
Detention	176	133	43
Criminal Revision	68	12	56
Criminal Appeal	37	3	33
Other Writs	11	0	11
Writ[Service]	13	1	12
Civil Revision	116	9	107
Civil Appeal	11	2	9
In Administrative Tribunal	3	0	3
Sub-Total	435	161	274
Grand Total	6065	1565	4500

As the Table above indicates, the highest numbers of cases are those filed in the Family Court and in criminal matters.

Table 20

The results of these cases by types

Types of Cases	In Favour	Against	Default	Compromised	Total	Pending
In the District and Sub-ordinate Courts						
Family Cases	352	7	83	106	548	1325
Family Appeal	14	2	0	0	16	68
Criminal Cases	94	68	160	255	577	1862
Criminal Appeal	9	4	0	0	13	29
Bail	26	3	1	0	30	26
Cr. Motion & Rev.	4	7	0	1	12	28
Session Trial	18	8	1	1	28	129
Land Cases	41	23	7	5	76	291
Decree Execution	22	0	4	11	37	283
Labour Court	0	0	0	0	0	12
Miscellaneous	46	8	9	4	67	173
Sub-Total	626	130	265	383	1404	4226
In the Supreme Court of Bangladesh						
Detention	133	0	0	0	133	43
Criminal Revision	8	2	0	23 (not pressed)	12	56
Criminal Appeal	2	1	0	0	4	33
Writ	0	0	0	0	0	11
Writ [Service]	1	0	0	0	1	12
Civil Revision	7	2	0	0	9	107
Civil Appeal	2	0	0	0	2	9
In Administrative Tribunal	0	0	0	0	0	3
Sub-Total	153	5	0	2	161	274
Grand Total	768	134	265	386	1565	4500

It may be noted that in each and every one of the 133 'detention cases' in which BLAST challenged the legality of such detention under the Special Powers Act, 1974, the 'preventive detentions' were declared illegal by the High Court Divisions and the detainees were ordered to be released by the Court.

From the first full calendar year of activities of BALST till the end of 1999, i.e., from 1994 to 1999, a total of eight thousand seven hundred and fifty four (8754) cases have been filed and four thousand two hundred and fifty four (4254) cases have been settled. Of these:

- ? twenty one (21) cases were settled in 1994;
- ? two hundred seventy three (273) cases were settled in 1995;
- ? four hundred forty six (446) cases were settled in 1996;
- ? seven hundred and fifty nine (761) in 1997 ;
- ? one thousand one hundred and eighty six (1188) in 1998 and
- ? one thousand five hundred and sixty five (1565) were settled in 1999.

The above figures clearly indicate an increasing number of cases being settled in each succeeding year. This can be attributed to growing expertise, enhanced skill and commitment of panel lawyers, management committees and, mostly importantly, increasing confidence in the services offered by the Trust.

By the end of 1999, as already indicated, four thousand five hundred (4500) cases remained pending at the Supreme Court of Bangladesh and various District and Subordinate Courts of the country.

Table 20

The position of cases dealt with during the period of 1994 to 1999

Year	Filed	Settled						Pending	
		1994	1995	1996	1997	1998	1999	Total	
1994	459	21	166	69	34	69	20	379	
1995	727	0	107	206	123	102	53	591	136
1996	1037	0	0	171	331	188	75	765	272
1997	1452	0	0	0	273	459	226	958	494
1998	2250	0		0	0	370	716	1086	1164
1999	2829	0		0	0	0	475	475	2354

Total		21	273	446	761	1188	1565	4254	4500
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6.2. Mediation

Three hundred and twenty (320) complaints were mediated during 1999, and another four hundred and ninety one (491) complaints are now pending for mediation. Four hundred and thirty five (435) complaints are pending for filing and another one hundred and twenty five (125) complaints are pending due to the lack of documents.

Mediation by BLAST are undertaken in three, as it were, institutional sites and formats. First, the Unit Offices attempt to mediate disputes of persons who had approached the Unit Office of legal aid. This is done, firstly, in family matters and with the consent of the applicant, before filing a case. Often, as already mentioned, the applicant at our Unit Offices have already exhausted all avenues for settlement of their disputes and hence only a few disputes are mediated. The figures (Table 21) above reflect the mediations at the Unit Office.

Our other mediations are conducted by the Rural Mediation Project in six thanas of Barisal, Khulna and Sylhet. A summary report of these mediations are provided in Chapter 9.

The third site of mediation is the three Legal Aid Clinics, two at Dhaka and one in Chittagong. Mediation by these Legal Aid Clinics are detailed in Chapter 7.

6.3. Lawyers Engaged

As already indicated, the Unit Management Committees select a panel of lawyers for conducting the cases of the Unit. As a rule, only lawyers with practising experience of 5 or more years are eligible to become a panel lawyer of BLAST. Secondly, it is the policy of BLAST not to engage one lawyer for more than five cases per year (with a very few exception due to the particular expertise and unusual dedication and commitment) to ensure that a large number of lawyers are drawn into providing services to the poor and the marginalised. Also, if a client had a prior contact with an advocate and wants to engage a particular advocate, such preferences are accommodated, as far as possible.

However, it needs to be mentioned that we have not been able to engage as many women lawyers as we would have liked to. This is due to the fact that the number of women lawyers in district courts with 5 or more years of experience are still rather limited and we are mindful of the fact that our first obligation is to the client to ensure the highest quality of services rendered to them. Needless to say, to promote empowerment and participation of women lawyers in our activities we have engaged, under our affirmative action policy, women lawyers with less than 5 years of practising experience.

We have engaged as many as eight hundred and three (803) lawyers, as the Table 21 below indicates. The names of Lawyers with the number of court cases dealt by them are provided in Annexure – 1.

It needs to be re-iterated that the 'fees' paid to the engaged lawyers have been upwardly adjusted only once during the last five years (1994-1999). More importantly, in many instances the Co-ordinator assist or supervise complicated cases absolutely free of charge and so is the case with the members of the Management Committees who are excluded from conducting cases as panel lawyers of BLAST. However, there expertise is often drawn upon in difficult cases and they offer their skills and abilities voluntarily for the cause of the poor and the marginalised.

Based on the experience of the last few years and the fact that our Co-ordinators are skilled lawyers, a slight change in the policy of not engaging Co-ordinators as panel lawyers is now being contemplated and in the future they would be permitted to take up a few cases as panel lawyers as well.

In 1999 the Trust engaged eight hundred and three (803) lawyers for conducting the two thousand eight hundred and twenty nine (2829) cases that were filed. Out of the eight hundred and three (803) lawyers, five hundred and ninety four (594) were already engaged in previous years and the rest two hundred and nine (209) lawyers were newly engaged in 1999.

Table 21.i: The number of engaged lawyers in 1998 for conducting cases

Unit Offices	Engaged from previous year	Newly engaged in 1999	Total engaged Lawyers
Head Office (In Supreme Courts)	25	9	34
Head Office (In Subordinate Courts)	6	5	11
Dhaka Unit	46	11	57
Barisal Unit	68	37	105
Chittagong Unit	55	5	60
Khulna Unit	39	32	71
Rajshahi Unit	74	8	82
Sylhet Unit	36	8	44
Mymensingh Unit	56	10	66
Noakhali Unit	46	5	51
Rangpur	28	10	38
Comilla	26	11	37
Jessore Unit	41	4	45
Bogura sub-unit	39	13	52
Pabna	0	28	28
Patuakhali	9	13	22
Total	594	209	803

The Trust endeavours to engage as many lawyers in its activities as possible. Needless to say, certain criteria such as commitment to public service, integrity, empathy for the poor and the disadvantaged as well as experience and expertise are taken into account before handing over a case to a lawyer. The Unit Management Committees, consisting of the elected leaders of the respective District Bar Associations, are primarily responsible for the selection of the lawyers.

Table 21.ii : The number of engaged Lawyers in the period of 1994-1999.

Unit Offices	Engaged from previous years	New Engaged in	Total Engaged Lawyers
1994		168	168
1995	132	183	315
1996	182	208	390
1997	298	229	527
1998	416	308	724
1999	594	209	803
Total	1622	1305	2927

The total number of lawyers who appeared in different cases in various stages (2927) is more than the number of lawyers engaged in 1999, i.e., 803, because of the fact that many lawyers who had been previously engaged for cases filed in 1994 through 1997 continued to litigate these cases in 1999 as some of these cases were not yet settled.

It is heartening to note that as many as 1305 lawyers have now been engaged by the Trust to litigate cases for the Trust's clients. Of the 23,000 or so lawyers enrolled with the Bangladesh Bar Council, we estimate that not more than 10,000 have had regular practising experience as lawyers for 5 years or more. Since almost all the lawyers engaged for litigating cases for the Trust have had 5 years or more of practising experience, we estimate that as many as 10% of all such lawyers of the country have been directly involved with the litigating activities of BLAST over the last five years.

As already indicated, the number of women lawyers are awfully inadequate, and more so with practising experience of 5 or more years. Consequently, BLAST has not been able to engage as many women lawyers as it would have liked to. Nevertheless, constant efforts are underway to induct as many women lawyers into the ambit of activities of BLAST as possible and recently the threshold requirement of experience has been reduced to three years from five for women lawyers.

This overview reflects the legal aid and services activities of BLAST during the reporting year. Of the 6,065 cases dealt with during the year, 2,781 cases (45%) were for criminal matters, followed by 1,957 (32%) family cases.

Though the latest exact figures are not readily available, it is our understanding that at any given time there may be as many as 500 to 600 persons in jails of the country who had been detained under the Special Powers Act, 1974. The High Court Division is the only forum for challenging the legality of detentions under the Special Powers Act, 1974. It is an expensive exercise to file a writ petition challenging the detention and more so for detainees from outside Dhaka. BLAST is the only organisation which provides legal aid in a regular manner for ‘detention cases’ and the demand for legal aid in such matters is continuously increasing. The High Court Division routinely declares such detention under the Special Powers Act, 1974 as illegal and orders the release of the detainee. *During the reporting year, unlike in the past, around three-fourth of the ‘detention cases’ had been handled by the staff lawyers of the Head Office.*

As for prisoners in the jail of the country, the figures for 1997 indicate that only 14,205 out of 46,423 were convicted prisoners. The rest, 30,863 were awaiting trial. Thus, convicted prisoners constitute only 30% of the total prison population.¹⁴ Many of the under-trial prisoners may never have been represented by a lawyer.

The under-trial prisoners without legal representations are surely a group whose interest and rights need to be focussed upon. However, given the very high number of such prisoners, any scheme to provide legal aid to these under-trial prisoners would entail certain selectivity, which would be entangled with ethical issues. It has been the principle of BLAST to provide legal aid to those who approach our offices. We do not actively advertise our services for the simple reason that our resources wouldn’t suffice, if the demand is intentionally enhanced through active dissemination. The under-trial prisoners would, however, need to be approached for offering them legal aid, raising the issue of selectivity in choosing the prisoners who would be aided.

These various dimensions of offering legal aid to under-trial prisoners are under active consideration for formulation of a guideline. More importantly, the issue of resource for BLAST for such an undertaking is another important parameter.

This overview is now followed up by details of activities of the Unit Offices of BLAST in Chapter 7.

¹⁴ The figures are from Altaf Parvez, Prison Life, Prison Management and Prison revolt of Bangladesh: Investigation and Review, (in Bangla), Dhaka, 2000, at p. 43. According to the book, another 1,004 were in prison in 1997 under the Special Powers Act, 1974 and 350 under ‘safe custody’.

This book was published by BLAST.

LEGAL AID AND SERVICES RENDERED BY UNIT OFFICES

7.1. The Head Office

The function and responsibilities of the Head Office of the Trust, located at 141/1 Segunbagicha, Dhaka – 1000, are as follows:

- ✍ Administration of all Unit Offices, Legal Aid Clinics and Projects of the Trust;
- ✍ Finance and Accounts all Unit Offices, Legal Aid Clinics and Projects of the Trust;
- ✍ Interaction with GoB organisations, including the NGO Affairs Bureau and the Registrar of Companies;
- ✍ Investigation and Documentation;
- ✍ Liaison with donor agencies and responding to their queries and needs;
- ✍ Library;
- ✍ Litigation in the Labour Courts of Dhaka and Administrative Tribunals;
- ✍ Litigation in the Supreme Court of Bangladesh;
- ✍ Litigation in those districts in which BLAST does not yet have a Unit Office;
- ✍ Mediation of disputes;
- ✍ Meeting of the Board of Trustees, Advisory Board, and the Annual General Meeting;
- ✍ Networking, particularly with other civil society organisations;
- ✍ Personnel Management of the Trust;
- ✍ Policy, Planning and Projects;
- ✍ Purchase and Procurement;
- ✍ Report, Evaluation and Monitoring;
- ✍ Research and Publication;
- ✍ Seminar, Workshop and Conference;
- ✍ Staff Development and Training; and
- ✍ Miscellaneous.

As the above indicates, the functions and responsibilities of the Head Office are multi-dimensional. As already mentioned, this report focuses on the legal aid and services activities of the Trust, though other activities are narrated summarily in Chapter 9 below.

A total of four hundred and ninety three (493) complaints were dealt with during the year by the Head Office. Of these, four hundred and thirty nine (439) complaints were received in this year and another fifty four (54) were carried over from the previous year. Out of these four hundred and thirty nine (439) complaints, 274 (62%) complainants were men and 165 (38%) were women.

Out of the said 493 complaints, one hundred and forty two (142) were related were related matters under the jurisdiction of subordinate courts and the rest, two hundred and ninety seven (297) related to the High Court Division. A total of two hundred and fifty six (256) cases were filed in different courts including the High Court Division of the Supreme Court of Bangladesh by the Head Office during the reporting year.

7.1.i. In the Supreme Court of Bangladesh

Two hundred and ninety seven (297) complaints were received in the year 1999 and twenty three (23) complaints were carried over from previous year, making a total of three hundred and twenty (320) complaints handled during the year for matters relating to the jurisdiction of

the Supreme Court of Bangladesh. Two hundred and thirty six (236) cases were filed by the Head Office in the High Court Division of the Supreme Court of Bangladesh. One hundred and sixty one (161) cases were settled during the year. Of the settled cases, one hundred and fifty four (154) court verdicts were in favour of our clients and ten (10) went against.

BLAST was unable to take up thirty seven (37) complaints due to various reasons, such as subsequent non-attendance, mutual compromise, etc., forty seven (47) complaints were pending for filing cases at the end of the year due to necessary papers not being available and other reasons.

7.1.ii. In the District Judge's Court

One hundred and forty two (142) complaints were received in the year 1999 and thirty one (31) complaints were carried over from previous year, making a total of one hundred and seventy three (173) complaints handled by the Head Office during the year for matters relating to the jurisdiction of the District and Sub-ordinate Courts.

MOZAMMEL HUQ PAYS TAKA 50,000 AS DOWER MONEY

Md. Mozammel Huq is an employee of Power Development Board. He married Mossammat Nasima Begum on 23.01.98 by a registered *Kabinnama*, fixing dower at Tk. 100,000. But within one month of the marriage he began ill-treat torture on Nasima mentally and physically for dowry. He never brought Nasima to his own house from her parent's house for their marital life.

Being victimised by her husband, Nasima came to the Head Office of BLAST on 09.09.1999, complained against her husband and sought intervention of BLAST. On 7.10.99 and 14.10.99 two conciliation meetings was arranged at the Head Office where both of the parties were present. During mediation it, however, transpired that none of the parties was interested to live together as husband and wife. After a long discussion Mozammel Huq agreed to pay a sum of Tk. 50,000.00 to Nasima. According to the comprise reached on 14.10.99 the said amount was paid on 07.12.99 and the parties finalised their divorce by a registered *Talaknama*.

Twenty (20) cases were filed in those District and Subordinate Courts of the country where BLAST does not as yet have a Unit Office. It has been the policy of the Trust to take up cases even for districts where the Trust does not have an office. In such instances the respective Bar Associations of the concerned districts are contacted through the Presidents and/or Secretaries and they are requested to select a lawyer for filing of the case for the client of BLAST. The payment of fees for the engaged lawyer is also made through or with the help of the President and Secretary.

Twenty (20) cases were filed and forty three (43) cases were carried over from previous year, making a total of sixty three (63) cases dealt with during 1999 in District and Subordinates Courts. Of these sixty three cases, ten (10) cases were settled and in eight (08) cases court verdicts were in favour of our clients. Two (02) cases went against our client.

Another thirteen (13) complaints were settled through mediation and twenty one (21) complaints are now pending for mediation,

three (03) complaints are pending for filing as court cases and twelve (12) complaints were pending at the end of the year due to necessary papers not being available, etc. and hence decisions in these complaints are yet to be reached.

Forty seven (47) complaints were sent to Unit Offices of the Trust for filing in cases in the respective District and Subordinate Courts. The Head Office could not take up fifty seven (57) complaints due to non-attendance, non-availability of documents, and so on.

A total of eight hundred and twenty seven (827) cases were filed and five hundred (500) cases were settled by the Head Office of the Trust during the period 1994 to 1999. Out of these settled cases

- ? six (06) cases were settled in 1994;
- ? thirty five (35) in 1995;
- ? eighty one (81) in 1996;
- ? eighty three (83) in 1997;
- ? one hundred and twenty four (124) in 1998; and
- ? one hundred and seventy one (171) cases were settled during the year 1999.

Another three hundred and twenty seven (327) cases remained pending for disposal.

During the same period and of the 827 cases, **a total of 721 cases were filed in the Supreme Court of Bangladesh by BLAST.**

No other organisation deals with such a number of cases in the Supreme Court of Bangladesh. In fact, BLAST is practically the only organisation, which regularly takes up cases of the poor and the disadvantaged for litigation in the highest court of the country. It needs to be recorded that a large number of senior, eminent as well young advocates have unfailingly responded to our requests for taking up our cases. It is their generous support that enabled BLAST to provide legal aid on such a scale in the Supreme Court. BLAST also recognises that the “fee” it provides in such cases are nominal and it is the commitment to public service which is the primary factor for the involvement of these lawyers with the activities of BLAST.

In the period between 1994 to 1999 the Head Office engaged ninety eight (98) panel lawyers for the eight hundred and twenty seven (827) cases.

Table 24

Number of Lawyers engaged by the Head Office for legal aid cases

Year	Total engaged lawyers	Engaged lawyers from previous year	Newly engaged lawyers in the year
1994	20		20
1995	24	13	11
1996	41	12	29
1997	40	26	14
1998	41	31	10
1999	45	31	14
TOTAL	211	113	98

This is consistent with the Trusts policy of engaging increasingly larger number of committed lawyers in legal aid activities.

7.2. Unit Offices

As indicated, BLAST began by opening Unit Offices in the Divisional headquarters of the country and five Unit Offices were established by the end of 1994. The sixth Divisional Office in Sylhet was established in 1995. Thereafter, one ‘old’ district was added to each Division for establishment of District Unit Offices which was completed by the beginning of 1997.

Subsequently, the Trust decided to establish Unit Offices in all the 19 ‘old’ districts of the country. By the end of this reporting year (1999) Unit Offices in all ‘old’ district except Dinajpur, Faridpur and Rangamati ? 16 in all ? have been established.

However, it needs mentioning that the most recently established unit office at Kushtia could not begin it’s activities in full earnest by the end of the year and, hence, it’s activities could not be detailed in this Report. Usually it takes about three months for a new Unit Office to become known, accepted and taped for services offered. This period is necessary for the

formation of the Management Committee according to our guideline, to complete the recruitment process, renting of suitable premises, procurement of office equipment and furniture, etc. and finalising an initial list of panel of lawyers. These processes for our latest Unit Office was initiated in the last quarter of the year, preceded by a number of exploratory visits by Head Office personnel, as is the practice before establishing a Unit Office, to liaise and explain the goals and objectives of the Trust, it's nature of activities and the institutional framework to the leaders of local Bar. Finally, it is only by the initiative of the local Bar, with the support of the Head Office of the Trust, that a Unit Office is established and becomes operational.

In the following we elaborate the legal aid and services activities of the 15 Unit Offices of the Trust.

7.2.i. Barisal Divisional Unit

A total of two hundred and ninety two (292) complaints were received during 1999 and seventeen (17) complaints were carried over from the previous year, making a total of three hundred and nine (309) complaints dealt with by the Barisal Unit. Out of these 292 complaints, only 13 (4%) complainants were male while an overwhelming majority of 279 (96%) were female.

Of the 309 complaints, two hundred and fifty (250) cases were filed in 1999. Out of the 250 cases women litigants comprised 97% (242) of the total. Another three hundred and two (302) cases were carried over from previous years in the Districts & Subordinate Courts of Barisal. Out of this total of five hundred and fifty two (552) cases handled during the reporting year, a total of one hundred sixty seven (167) cases were settled in 1997. Of these, in

? thirty two (32) cases court verdicts were in favour of our clients;

? eighteen against

? forty

42 cases the and 1 due to client;

? seventy settled clients.

Of these were filed in cases in 32 cases in Eight (08) through disputes are the Barisal complaints cases and two pending for of the

MUNNI PAID HER DOWER

Nasreen Sultana Munni, a H.S.C passed orphan girl of Barisal was married on 19.8.96 by a registered *Kabinnama* with S.M. Nehal Hossain, a Senior Officer of Krishi Bank. She was once severely beaten by her husband who wanted her to procure dowry of Tk. 1,50,000 from her elder brother. She was eventually forced to leave her husband's house and finding no other alternative, Munni came to BLAST, Barisal Unit Office.

Barisal Unit took up the matter and filed a case (C.R. 8/97) under the Dowry Prohibition Act. Barisal Unit also filed another case (6/97) in the Family Court for her maintenance and dower money. While Munni was residing with her brother S.M. Nehal Hossain got married for the 2nd time without the necessary permission of arbitration council.

As all attempts for a settlement of this marital dispute failed, the Head Office brought the matter to the notice of the Krishi Bank who took departmental action against him and placed him under suspension. Subsequently, he came to the Barisal Unit Office where a mediation was arranged. After detailed deliberation with participation of all the parties, Munni refused to return to her husband's house because of his second marriage. Munni opted for a divorce and received Tk. 70,000 as her dower. The Unit Office helped Munni to open a saving account in a local bank and the money was deposited to her account.

(18) cases went our client;

three (43) cases were dismissed for default; were dismissed due to absence of our clients case was dismissed the death of our and

four (74) cases were or withdrawn by the

167 settled cases, 8 cases 1995, 9 cases in 1996, 28 1997, 90 cases in 1998 and 1999.

complaints were settled mediation and eight (08) pending for mediation at Unit. Another eleven (11) were pending for filing (02) complaints were necessary papers at the end reporting year. Because of

the lack of appropriate documents and other related causes twenty three (23) complaints could not be proceeded with. Seven (07) were sent to the Head Office for filing cases in the High Court Division of the Supreme Court of Bangladesh.

A total of nine hundred and nine (909) cases were filed and 524 cases settled in the period of 1994 to 1999 by the Barisal Unit of BLAST. Of these,

- ? two (02) cases were settled in 1994;
- ? thirty four (34) cases in 1995;
- ? sixty three (63) cases in 1996;
- ? eighty one (81) cases in 1997;
- ? one hundred and seventy seven (177) cases in 1998; and
- ? one hundred and sixty seven (167) cases were settled in 1999.

The above figures clearly reflect an increasing rate of disposal of cases.

By the end of 1999, three hundred and eighty five (385) cases remained pending at the Barisal District and Subordinate Courts. Of these 385 pending cases, 7 cases were filed in 1994, 15 cases 1995, 16 cases 1996, 37 cases 1997, 92 cases 1998 and 218 cases 1999.

During the period of 1994 to 1999 the Barisal Unit Office engaged a total of one hundred and seventy five (175) lawyers for the nine hundred and nine (909) cases filed by the Unit.

It has been the policy of BLAST to continuously increase the number of panel lawyers engaged to provide legal aid to the poor and the disadvantaged. This policy is premised on the goal of including a larger number of lawyers of the local District Bar with the activities of BLAST and gradually prepare a pool of lawyers who would be imbued for public welfare services. Needless to say, as the quality of services rendered to our clients and partners are the primary criteria for selection of lawyers, all engaged lawyers must have a practising experience of 5 years or more. However, to encourage involvement of women lawyers, we have recently reduced the threshold requirement to 3 years for them.

Table 25

Number of Lawyers engaged by the Barisal Unit Office for legal aid cases

Year	Total engaged lawyer	Engaged lawyer from previous year	Newly engaged lawyers in the year
1994	35		35
1995	62	27	35
1996	51	37	14
1997	64	35	29
1998	79	54	25
1999	105	68	37
TOTAL	396	221	175

The above substantial number of lawyers engaged in litigations filed by BLAST is surely an encouraging dimension of our activities.

7.2.ii. Bogura District Unit

Due to paucity of space, Bogura is one of the few Unit offices which could not yet be located in the Bar Association Building. However, owing to increased demand of the services, the Unit had to relocate to a larger premise during the year, a few yards away from the older premise in the vicinity of the court premises.

Bogura unit received four hundred and two (402) complaints during January to December, 1999 and forty six (46) complaints were carried over from previous year, making a total of four hundred and forty eight (448) complaints dealt with by the Bogura Unit Office. Out of these 402 complaints received during the year, 104 (26%) complainant were male and 298 (74%) were female.

Out of 448 complaints received, two hundred and seventy four (274) cases were filed in different Courts in Bogura. Of these 274 cases, 52 (19%) clients were male and 222 (81%) were female. Another 95 cases carried over from previous years. Thus, the Bogura Unit dealt with a total of three hundred and sixty nine (369) cases during the year. Out of these cases thirty nine (39) cases have been settled in 1999. Of these, in

- ? thirty three (33) cases court verdicts were in favour of our clients;
- ? two (02) case went against our client;
- ? one (01) cases as defaulted; and
- ? three (03) cases were withdrawn by the clients.

Out of these 39 settled cases, 2 cases were filed in 1997, 17 cases in 1998 and 20 cases were filed in 1999.

A total of three hundred and eighty six (386) cases were filed and fifty six (56) cases were settled in the period of 1997 to 1999 by the Bogura Unit of BLAST. Of these,

- ? seventeen (17) cases were settled in 1998; and
- ? thirty nine (39) in 1999.

Three hundred and thirty (330) cases are now pending for disposal with the Unit Office at the end of 1999. Of these 330 cases, 10 cases were filed in 1997, 66 cases in 1998 and 254 cases 1999.

Table 26

Number of Lawyers engaged by Bogura Unit Office for legal aid cases

Year	Total engaged lawyer	Engaged lawyer from previous year	Newly engaged lawyer in the year
1997	8		8
1998	52	8	44
1999	52	39	13
TOTAL	112	47	65

7.2.iii. Chittagong Divisional Unit

Chittagong Unit has been one of the most active Unit Offices of BLAST. Due to the increased demand for the services rendered, the office of the Unit had to be shifted to a larger premise. Owing to the hard work of the Management Committee, a spacious premise for the Unit Office was secured in the Zilla Parishad Bhavan of Chittagong, at the foothill of the District Court Buildings.

As already indicated, the Chittagong Unit received the highest number of complaints. A total of five hundred and twenty four (524) complaints were received during the year. Another one hundred and thirty nine (139) complaints were carried over from the previous year, making a total of six hundred and sixty three (663) complaints dealt with by the Chittagong Unit Office. Out of the 524 complaints received in 1999, 90 (17%) complainants were male and 434 (83%) were female.

Of the 524 complaints dealt with during 1999, two hundred and forty five (245) cases were filed in 1999. Another six hundred and forty one (641) cases were carried over from the previous years Subordinate of the 245 reporting Unit Office, of the clients and man 20

Thus, the a total of eight (886) cases these, one (173) cases the settled

- ? sixty two verdicts clients;
- ? twenty against
- ? sixty two dismissed 62 cases, dismissed our client locally

- ? twenty six (26) cases were compromised/withdrawn by the clients.

Of these 173 settled cases in 1999, 15 cases were filed in 1994, 27 cases in 1995, 15 cases in 1996, 39 cases in 1997, 65 cases in 1998 and 12 cases in 1999.

Twenty nine (29) complaints were settled through mediation and ninety four (94) disputes are now pending for mediation at the Chittagong Unit Office. One hundred and nine (109) complaints are pending for filing, and another two (02) complaints are being enquired into for necessary details. Because of the lack of appropriate documents one hundred and sixty two (162) complaints could not be proceeded with. Twenty two (22) complaints were sent to the Head Office for filing cases in the High Court Division of the Supreme Court of Bangladesh.

The Chittagong Unit filed as many as one thousand two hundred and twenty (1220) cases in the period between 1994 to 1999. Of these,

- ? two (02) cases were decided in 1994;
- ? twenty three (23) cases in 1995;
- ? fifty eight (58) cases in 1996;
- ? one hundred and eleven (111) cases in 1997;
- ? one hundred and forty (140) cases in 1998; and
- ? one hundred and seventy three (173) cases were decided in 1999.

At the end of 1999, seven hundred and thirteen (713) cases remained pending at the Chittagong District and Subordinate Courts. Of these 713 pending cases, 19 cases were filed in 1994, 29 cases in 1995, 72 cases in 1996, 125 cases in 1997, 235 cases in 1998 and 233 cases in 1999.

In the period of 1994 to 1999 the Chittagong Unit Office engaged a total of four hundred and forty (340) lawyers for the one thousand two hundred and twenty (1220) cases. In 1999

RUKHSANA RECEIVED TK.175000 AS DOWER

Rukhsana and Eusuf got married each other on 15 January 1996 by registered a *Kabinnama* at dower of Tk.200,000. It was mentioned in the *Kabinnama* that 25,000 taka had been paid by the husband. A boy was born. Rukhsana's happiness did not last long. She was tortured by her husband and other members of his families. It was 16 March 1999 that Rukhsana came to BLAST Chittagong Unit Office with her complaint.

In order to mediate the matter the Unit Office requested the parties to set for a mediation on 05.04.1999. Both the parties attended the mediation meeting. Rukhsana argued that as she had been continuously tortured by her husband it was not possible for her to live with him any longer. As a result, a compromise was reached under which Eusuf would pay TK.100,000.00 to Rukhsana as her dower, in ten equal installment. Their marriage would be treated as dissolved forthwith and they would register their divorce and their minor son would live with the mother until her remarriage.

in the Districts and Courts of Chittagong. Out cases filed during the period by the Chittagong the women and man ratio was: women 225 (92%) (8%).

Chittagong Unit dealt with hundred and eighty six during the year. Out of hundred and seventy three were settled in 1999. Of cases, in

(62) cases the court were in favour of our

three (23) cases went our client;

(62) cases were for default. Of these 57 cases were due to the absence of and 5 cases were compromised; and

Chittagong Unit Office engaged sixty (60) lawyers, out of whom fifty five (55) lawyers were already engaged in previous years and five (05) panel lawyers were newly engaged in this year. Due to the large number of complaints and cases handled by the Chittagong Unit, and consequent need for space for clients and lawyers, the office (as already mentioned) was shifted to a larger premise and a part time lawyer was engaged to assist the Co-ordinator. During the second half of the reporting year a female lawyer, as in 7 other Unit Offices, was also employed at the Chittagong Unit Office.

The large volume of cases handled by the Chittagong Unit necessitated the support of a larger number of panel lawyers, as indicated in the following table.

Table 27

Number of Lawyers engaged by the Chittagong Unit Office for legal aid cases

Year	Total engaged lawyers	Engaged lawyers from previous year	Newly engaged lawyers in this year
1994	26	-	26
1995	62	20	42
1996	79	34	45
1997	84	55	29
1998	84	56	28
1999	60	55	5
TOTAL	395	220	175

7.2. iv. Comilla District Unit

A total of one hundred and eighty two (182) complaints were received during the year by the Comilla Unit Office of BLAST. Another twenty eight (28) complaints were carried over from the previous year, making a total of two hundred and ten (210) complaints dealt with by the Comilla Unit Office. Out of the 182 complaints received in 1999, 12 (7%) complainants were male and 170 (93%) were female.

During the reporting year, one hundred and twelve (112) cases were filed in the Districts and Subordinate Court of Comilla. Out of the 112 cases filed during the year, the women and man ratio in the litigation was: women 106 (95%) and man 06 (5%).

Another One hundred and thirteen (113) cases were carried over from previous year. So Comilla Unit dealt with a total of two hundred and twenty five (225) cases during the year. Out of these, seventy four (74) cases were settled. Of the settled cases in 1999. Of these cases, in

- ? thirty four (34) cases the court verdicts were in favour of our clients;
- ? three (03) case went against our client;
- ? eleven (11) cases were dismissed for default; and
- ? twenty five (25) cases were compromised/withdrawn by the clients.

Of these 74 settled cases, 6 were filed in 1997, 50 in 1998 and 18 cases were filed in 1999.

Ten (10) complaints were settled through mediation, and another thirty six (36) complaints are pending for mediation. Twenty six (26) complaints are pending for necessary papers. Twenty Four (24) complaints could not be proceeded with. One (01) was not processed and rejected while another one (01) was sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

A total of two hundred and sixty eight (268) cases were filed and 117 cases were settled by the Comilla Unit Office in the period between 1997 to 1999. Out of these,

- ? ten (10) case was settled in 1997;
- ? thirty three (33) cases in 1998; and

? seventy four (74) cases were settled in 1999.

At the end of the year one hundred and fifty one (151) cases remained pending at Comilla District and Subordinate courts. Out of these 152 pending cases, 11 cases were filed in 1997, 47 cases in 1998 and 94 cases in 1999.

From 1997 to 1999, the Comilla Unit Office engaged a total of fifty eight (58) lawyers for the two hundred and sixty eight (268) cases conducted by the Unit.

Table 28

Number of Lawyers engaged by the Comilla Unit Office for legal aid cases

Year	Total engaged lawyers	Engaged lawyers from previous year	Newly engaged lawyers in the year
1997	26	-	26
1998	37	16	21
1999	37	26	11
TOTAL	100	42	58

Comilla, traditionally, has been one of the districts with a large number of practising lawyers in the District Bar. There are increasing interest among the local Bar for enrolling as panel lawyers of the Trust and we expect, with increasing work load, to engaged more lawyers in the activities of this Unit Office.

7.2. v. Dhaka Divisional Unit

Dhaka Divisional Unit has been one of the first Units established by BLAST in 1994. With the continuously increasing number of case load, Dhaka Unit Office, housed in a comparatively small room at the Court House Building within the premises of Dhaka District court, faced perennial shortage of space. In addition to space for the personnel, clients and lawyers, increased case load also meant need for increased space for preservation of briefs, documents and records. Renting premises, understandably, is an expensive affair in Dhaka. Besides, suitable premise in and around the Dhaka District Court area is hard to come by. It was only towards the end of this reporting year that arrangements were being finalised for a larger office premise for the Dhaka Unit. Considering the workload of this Unit Office, it was the first of the Unit Offices in which an additional (i.e., in addition to the Unit Co-ordinator), lawyer was engaged in 1998.

A total of four hundred and forty seven (447) complaints were received and another forty two (42) complaints were carried over from the previous years, totalling four hundred and eighty nine (489) complaints dealt with by the Dhaka Unit Office. Of the 447 complaints received in 1999, 108 (24%) complainants were male and 339 (76%) were female.

A total of three hundred and seven (307) cases were filed in 1999. Out of the 307 cases filed in 1999, the women and man ratio in the litigation was women 212 (69%) and man 95 (31%). Four hundred and thirty two (432) cases were carried over from the previous years. Hence, seven hundred and thirty nine (739) cases in the District and Subordinate Courts of Dhaka were dealt with by the Dhaka Unit Office during the reporting year.

One hundred and fifty three (153) cases were settled in 1999. In

- ? sixty eight (68) cases court verdicts were in favour of our clients;
- ? seventeen (17) case went against our client;
- ? twenty seven (27) cases were dismissed for default due to the absence of our client; and
- ? forty one (41) cases were compromised/withdrawn by the clients.

Out of these 153 cases settled, 4 cases were filed in 1995, 13 cases in 1996, 32 cases in 1997, 62 cases in 1998 and 42 cases were filed in 1999.

During the year, fifteen (15) complaints were settled through mediation and thirty eight (38) more disputes are pending for mediation. Fifty four (54) complaints are pending for filing as court cases. As the necessary papers were not available, seventy three (73) complaints could not be proceeded with and another two (02) case were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

A total of nine hundred and ninety seven (997) cases were filed and 411 cases were settled by the Dhaka Unit Office in the period between 1994 to 1999. Out of these,

- ? one (01) case was settled in 1994;
- ? thirty six (36) cases in 1995;
- ? forty two (42) cases in 1996;
- ? seventy two (72) cases in 1997;
- ? one hundred and seven (107) cases in 1998; and
- ? one hundred and fifty three (153) cases were settled in 1999.

At the end of 1999, five hundred and eighty six (586) cases remained pending at the Dhaka District and Subordinate Courts. Out of this 586 pending cases, 22 cases were filed in 1994, 38 cases in 1995, 58 cases in 1996, 57 cases in 1997, 146 cases in 1998 and 265 cases in 1999.

During 1994 to 1999, the Dhaka Unit Office engaged one hundred and thirteen (113) lawyers for the nine hundred and ninety seven (997) cases dealt with by it.

Table 29

Number of Lawyers engaged by Dhaka Unit Office for legal aid cases

Year	Total engaged lawyer	Engaged lawyers from previous year	Newly engaged lawyers in the year
1994	32	-	32
1995	49	27	22
1996	40	16	24
1997	43	31	12
1998	48	36	12
1999	57	46	11
TOTAL	269	156	113

Dhaka being the largest Bar Association of the country, understandably the number of lawyers interested to undertake BLAST's legal aid cases is rather high. However, due to the limited number of cases that BLAST can afford to undertake, our ability to engage advocates who want to work for us is also limited.

7.2. vi Jessore District Unit

The Jessore Unit Office of BLAST received a total of three hundred and thirty (330) complaints in 1999. Another 19 complaints were carried over from the previous year, totalling three hundred and forty nine (349) complaints dealt by the Unit in 1999. Of the 330 complaints received in 1999, 131 (40%) complainants were male and 199 (60%) were female.

One hundred and sixty six (166) cases were filed during the year. Of the 166 cases filed during 1999, the women and man ratio was women 133 (80%) and man 33 (20%). Another one hundred and twenty three (123) cases were carried over from 1998, making a total of two hundred and eighty nine (289) cases dealt with in the Districts and Subordinate Courts of Jessore by the Jessore Unit Office in 1999. Out of these eighty one (81) cases were settled. Of these settled cases, in

- ✍ twenty six (26) cases court verdicts were in favour of our clients;
- ✍ six (06) case went against our client;

- ✍ twenty one (21) cases were dismissed for default due to absence of our clients; and
- ✍ twenty eight (28) cases were withdrawn by the clients.

Of these eighty one (81) settled cases;

- ✍ 4 cases were filed in 1996,
- ✍ 9 cases in 1997,
- ✍ 35 cases in 1998 and
- ✍ 33 cases were filed in 1999.

Twenty eight (28) complaints were settled through mediation and eleven (11) cases are pending for mediation. Another eighteen (18) complaints are pending for filing and eight (08) could not be resolved. Due to different reasons thirty five (35) complaints could not be proceeded with and as many as eighty three (83) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh. It may be mentioned that most of these 83 cases send by Jessore Unit to the Head Office concerned detainees under the Special Powers Act, 1974 and BLAST filed habeas corpus writs in all these instances.

A total of four hundred and one (401) cases were filed and 193 cases were settled in the period of 1996 to 1999 by the Jessore Unit Office. Of these,

- ✍ thirty four (34) cases were settled in 1997;
- ✍ seventy eight (78) cases were settled in 1998; and
- ✍ eighty one (81) cases were settled in 1999.

At the end of 1999, two hundred and eight (208) cases remained pending at the Jessore District and Subordinate Courts. Of these 208 pending cases 6 cases were filed in 1996, 18 cases in 1997, 51 cases in 1998 and 133 cases in 1999.

The Jessore Unit engaged forty six (46) lawyers for the four hundred and one (401) cases.

Table 30

Number of Lawyers engaged by Jessore Unit Office for legal aid cases:

Year	Total engaged lawyer	Engaged lawyer from previous year	Newly engaged lawyers in the year
1996	14	-	14
1997	28	16	12
1998	47	31	16
1999	45	41	4
TOTAL	134	88	46

Again, like Units, Jessore Unit Office has also engaged a good number of lawyers over the years to litigate BLAST's legal aid cases.

7.2. vii KHULNA DIVISIONAL UNIT

A total of two hundred and thirty two (232) complaints were received during 1999 and four (04) complaints were carried over from the previous year, making a total of two hundred and thirty six (236) complaints dealt with by the Khulna Unit Office of BLAST in 1999. Of the 232 complaints received during the year, 11 (5%) complainants were male and 221 (95%) were female.

JUSTICE FOR ASIYA

Asiya is a 8-year old minor daughter of Md. Abdus Salam Sheikh in the district of Khulna. One day she was brutally rapped by one Abdul Jalil Molla. An FIR was lodged with the Tero Khada Police Station. On the basis of the FIR police filed GR case No. 63 of 1996 in the Court of Magistrate, 1st Class, Khulna. This case was transferred to the Court of Women and Children.

Victim Asiya's father Abdus Salam was not confident that the prosecution would conduct the case properly. He appealed to BLAST, Khulna Unit Office on 05.02.1997 for advice. The Unit Office appointed a panel Lawyer to assist the prosecution.

The accused was convicted under sections 6(1) and 14 of the *Nari O Shishu Nirjatan Daman* (Bishesh Bidhan) Ain 1995 (XII of 1995). On 29 September 1999, the judgement was delivered, sentencing the accused to life imprisonment.

One hundred and eighty five (185) cases were filed in 1999. Of the 185 cases the women and man ratio was: women 175 (95%) and man 10 (5%). Two hundred and forty one (241) cases were carried over from the previous year, making a total of four hundred and twenty six (426) cases dealt with in the Districts and Subordinate Courts by the Khulna Unit Office. Out of these one hundred and twenty nine (129) cases were settled. Of the settled cases, in

- ✍ fifty two (52) the court verdicts were in favour of our clients;
- ✍ ten (10) cases went against our clients;
- ✍ thirty (30) cases were dismissed for default due to absent of our client and
- ✍ thirty seven (37) cases was withdrawn by the clients.

Of these one hundred twenty nine (129) settled cases, 4 cases were filed in 1994, 5 cases in 1995, 6 cases in 1996, 24 cases in 1997, 67 cases in 1998 and 23 cases in 1999.

Twelve (12) complaints were settled by the Khulna Unit through mediation and eight (08) complaints was pending for mediation. Nine (09) complaints are pending for filing as a court cases. Due to different reasons nineteen (19) complaints could not be proceeded with and three (03) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Courts of Bangladesh.

A total of seven hundred and seventy three (773) cases were filed and 476 cases were settled in the period of 1994 to 1999 by the Khulna Unit Office. Of these,

- ✍ nine (09) cases were settled in 1994;
- ✍ eighty seven (87) in 1995;
- ✍ seventy nine (79) in 1996;
- ✍ sixty five (65) in 1997;
- ✍ one hundred and seven (107) in 1998; and
- ✍ one hundred twenty nine (129) cases were settled during the year 1999.

Like most other units, the record of Khula Unit indicates an increasing number of settled cases per year. Despite frequent complaints about long delays in disposing old cases, the fact that Kulna Unit succeeded in disposing as many as 129 cases during the reporting year thus offer grounds for certain amount of confidence in the functioning of the judiciary. At the same time however it needs to be pointed out the many of these settled cases were filed quite sometime ago, and not necessarily in 1997 or 1998. Of the settled cases during 1999, 23 were filed during the same year.

At the end of 1999, two hundred and ninety seven (297) cases remained pending at the Khulna District and Subordinate Courts. Out of these two hundred and ninety seven (297) pending cases 8 cases were filed in 1994, 14 cases in 1995, 16 cases in 1996, 25 cases in 1997, 72 cases in 1998 and 162 cases in 1999.

In the period of 1994 to 1999 the Khulna Unit Office had engaged one hundred and ten (110) lawyers for the seven hundred and seventy three (773) cases litigated.

Table 31

Number of Lawyers engaged by Khulna Unit Office for legal aid cases:

Year	Total engaged lawyer	Engaged lawyer from previous year	Newly engaged lawyer in the year
1994	23	-	23
1995	37	17	20
1996	30	26	4
1997	32	24	8
1998	49	26	23
1999	71	39	32
Total	242	132	110

7.2.viii MYMENSINGH DISTRICT UNIT

Among the Unit Offices of BLAST, the Mymensingh Unit received the third highest number of complaints. A total of four hundred and eighteen (418) complaints were received by the Mymensingh Unit during 1999. Another one hundred and twenty seven (127) complaints were carried over from previous years, making a total of five hundred and forty five (545) complaints handled by the Unit Office during the reporting year. Out of these 418 complaints received during the year, 18 (5%) complainants were male and 400 (95%) were female.

Two hundred and sixty eight (268) cases were filed in 1999. Out of the 268 cases the women and man ratio in the litigation was: women 253 (94%) and man 15 (5%). Another three hundred and fifty four (354) cases were carried over from previous years making a total of six hundred and twenty two (622) cases dealt with in the Districts and Subordinate Courts by the Mymensingh Unit Office. Of these cases, One hundred and sixty three (163) were settled. Of the settled cases, in

- ? eighty nine (89) cases the court verdicts were in favour of our clients;
- ? twelve (12) cases went against our clients;
- ? twenty three (23) cases were dismissed default due to absent of the client and
- ? thirty nine (39) cases were withdrawn by the clients due to compromise, and other reasons.

Out of these one hundred sixty three (163) settled cases 2 cases were filed in 1996, 17 cases in 1997, 92 cases in 1998 and 52 cases in 1999.

As many as fifty two (52) complaints were settled by the Mymensingh Unit through mediation and seventy eight (78) disputes are pending for mediation. Another seventy eight (78) complaints are pending for filing and three (3) complaints pending for necessary papers. Due to different reasons sixty (60) complaints could not be proceeded with and six (06) complaints were sent to the Head Office for filing cases in the High Court Division of the Supreme Court of Bangladesh.

A total of eight hundred and thirty six (836) cases were filed and 377 cases were settled by the Mymensingh Unit in the period of 1995 to 1999. Of these,

- ? two (02) cases were decided in 1995;
- ? twenty three (23) in 1996;
- ? eighty nine (89) cases in 1997;
- ? one hundred (100) cases in 1998; and
- ? one hundred and sixty three (163) cases were settled in 1999.

The rate of settlement of cases by Mymensingh Unit clearly reflects a pattern of increasing number of cases in each succeeding year.

By the end of 1999 four hundred and fifty nine (459) cases remained pending at the Mymensingh District and Subordinate Courts. Of these 459 pending cases 1 were filed in 1995, 33 cases in 1996, 71 cases in 1997, 138 cases in 1998 and 216 cases in 1999.

In the period of 1995 to 1999, the Mymensingh Unit Office engaged ninety three (93) lawyers for the eight hundred and thirty six (836) cases filed during the period.

Table 32

Number of Lawyers engaged by Mymensingh Unit Office for legal aid cases:

Year	Total engaged lawyers	Engaged lawyers from previous year	New engaged lawyers during this year
1995	9	-	9
1996	32	9	23
1997	40	21	19
1998	64	32	32
1999	66	56	10
TOTAL	211	118	93

Over the years the Mymensingh Unit, as the above figures indicate, has been one of our most effective units. However, our own evaluation and monitoring could not indicate a pattern or reason for the high number of clients for this unit, nor any comparative dimension for somewhat lesser number of applicants for legal aid in some other units. For the fact that we are able to handle only a few hundred cases for a population of millions in a district, it is next to impossible to find causes of variations in numbers, positing a number of few hundred applicants for legal aid to the total population of the district.

7.2. ix NOAKHALI DISTRICT UNIT

A total of one hundred and forty seven (147) complaints were received during the year and two (02) complaints were carried over from the previous year, making a total of one hundred and forty nine (149) complaints dealt with by the Noakhali Unit Office of BLAST. Out of these 147 complaints received in 1999, 25 (17%) complainants were male and 122 (83%) were female.

One hundred and twenty seven (127) cases were filed in 1999 by the Noakhali Unit. Of the 127 cases filed during 1999, the women and man ratio of the Trust's clients was: women 105 (83%) and man 22 (17%). Another one hundred and twenty one (121) cases were carried over from the previous year. Thus, two hundred and forty eight (248) cases in the Districts and Subordinate Court of Noakhali were handled by the Unit Office. Out of these, ninety six (96) cases were settled. Of these settled cases, in

- ? forty two (42) cases court verdicts were in favour of our clients;
- ? twelve (12) cases were against our client;
- ? twelve (12) case was defaulted due to absent of our client;
- ? thirty (30) cases were withdrawn as compromised; and for other reasons .

Of these ninety six (96) settled cases 1 case was settled in 1995, 9 cases in 1996, 17 cases in 1997, 42 cases in 1998 and 27 cases were settled in 1999.

A total of three hundred and twenty one (321) cases were filed and one hundred and sixty nine (169) cases were settled in the period of 1995 to 1999 by the Noakhali Unit. Of these,

- ✍ four (04) cases were settled in 1995;
- ✍ twenty (20) cases in 1996;
- ✍ forty nine (49) cases in 1998; and
- ✍ ninety six (96) cases were settled in 1999.

At the end of 1999, one hundred and fifty two (152) cases remained pending at the Noakhali District and Subordinate Courts. Out of these 152 pending cases 7 cases were filed in 1996, 15 cases in 1997, 30 cases in 1998 and 100 cases in 1999.

During the period of 1995 to 1999, the Noakhali Unit Office engaged sixty nine (69) lawyers for the three hundred and twenty one (321) cases filed during the period by the unit.

Table 33

Number of Lawyers engaged by Noakhali Unit Office for legal aid cases:

Year	Total engaged lawyers	Engaged lawyers from previous year	New engaged lawyer during this year
1995	2	-	2
1996	28	0	28
1997	38	26	12
1998	53	31	22
1999	51	46	5
Total	172	103	69

Noakhali Unit, compared to other units, has been somewhat conservative in terms of engaging lawyers. The fact that these unit has filed comparatively fewer number of cases, obviously, is the major reason for engagement of fewer number of advocates by the units.

7.2. x RAJSHAHI DIVISIONAL UNIT

Rajshahi Unit received the second highest number of complaints. A total of five hundred and seven (507) complaints were received during the year and one hundred and four (104) complaints were carried over from the previous year. Thus, a total of six hundred and eleven (611) complaints were dealt with by the Rajshahi Unit Office of BLAST during 1999. Out of the 507 complaints received in 1999, 37 (7%) complainants were male and 470 (93 %) were female.

Two hundred and forty five (245) cases were filed in 1999 by Rajshahi Unit of BLAST. Of the 245 cases the women and man ratio of the Trust' s clients was: women 221 (90%) and man 24 (10%). Another two hundred and forty seven (247) cases were carried over from previous years; totalling a work load of four hundred and ninety two (492) cases in the Districts and Subordinate Court of Rajshahi during the reporting year.

One hundred thirty six (136) cases were settled in the District and Subordinate Courts of Rajshahi during the reporting year. Of these, in

- ? ninety (90) cases court verdicts were in favour of our clients;
- ? nine (09) cases went against our client;
- ? twelve (12) cases were dismissed for default due to absent of our client; and
- ? twenty five (25) cases were withdrawn by the clients following compromise; and other reasons.

Of these one hundred thirty six (136) settled cases 6 cases were filed in 1995, 9 cases in 1996, 21 cases in 1997, 71 cases in 1998 and 29 cases in 1999.

The number of settled cases for 1999 is rather low and the reasons for such a small number is being looked into. One hundred and three (103) complaints were settled through mediation and another one hundred and thirteen (113) complaints are pending for mediation. Twenty four (24) complaints are pending for filing and six (06) complaints are pending due to the lack of documents. For the same reason one hundred and twelve (112) complaints could not be proceeded with and another eight (08) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

The Rajshahi Unit similar to the Mymensing Unit, has succeeded in setting a large number of disputes through mediation whether mediating a dispute is possible or not depends on a number of factors, including the nature of dispute. Hence, the fact that some units have dissolved only a few disputes through mediation may not necessarily indicate a lack of effort

but the fact that the nature of disputes may not have been amenable to mediation, reducing the possibility and scope for mediation.

A total of nine hundred and nineteen (919) cases were filed and five hundred and sixty three (563) cases were settled in the period of 1994 to 1999 by the Rajshahi Unit. Of these,

- ✍ one (01) case was settled in 1994;
- ✍ fifty six (56) cases in 1995;
- ✍ seventy four (74) cases in 1996;
- ✍ one hundred and thirty nine (139) cases in 1997;
- ✍ one hundred and fifty seven (157) cases were settled in 1998; and
- ✍ one hundred and thirty six (136) cases were settled in 1999.

At the end of 1999, three hundred and fifty six (356) cases remained pending at the Rajshahi District and Subordinate Courts. Out of these 356 pending cases 6 cases were filed in 1994, 7 cases in 1995, 10 cases in 1996, 24 cases in 1997, 93 cases in 1998 and 216 cases in 1999. In terms of disposal of cases, Rajshahi Unit clearly indicates a fast rate of disposal as reflected in the small number of pending cases from 1994, 1995, 1996 and 1997

In the period of 1994 to 1999 the Rajshahi Unit Office engaged a total of one hundred fourteen (114) lawyers for the nine hundred and nineteen (919) cases conducted during the period.

Table 34

Number of Lawyers engaged by Rajshahi Unit Office for legal aid cases:

Year	Total engaged lawyers	Engaged lawyers from previous year	New engaged lawyer during this year
1994	32	-	32
1995	69	28	41
1996	55	47	8
1997	59	48	11
1998	73	59	14
1999	82	74	8
TOTAL	370	256	114

Commensurate with the number of cases filed by the Rajshahi Unit during the last few years it is not surprising that this Unit has engaged a substantial number of local advocates for the legal aid cases of BLAST.

7.2. xi RANGPUR DISTRICT UNIT

A total of two hundred and four (204) complaints were received during the year by the Rangpur Unit Office of the Trust and eighty eight (88) complaints were carried over from the previous year. Thus, a total of two hundred and ninety two (292) complaints were dealt with by the Rangpur Unit Office of BLAST during 1999. Out of these 204 complaints, 22 (11%) complainants were male and 182 (89%) were female.

One hundred and thirty one (131) cases were filed in 1999 in the Districts and Subordinate Court of Rangpur and one hundred and thirty nine (139) cases were carried over from the previous year. Therefore, a total of two hundred and seventy (270) cases were dealt with by the Rangpur Unit Office of BLAST during 1999.

Forty (40) cases were settled in 1999, in which

- ✍ sixteen (16) cases court verdicts were in favour of our clients;
- ✍ four (04) cases went against our client;
- ✍ eight (08) cases were defaulted due to absent of our client;

✍ twelve (12) cases were withdrawn by the clients following compromise; and other causes and reasons.

Of these forty (40) settled cases 14 cases were filed in 1997, 15 cases in 1998 and 11 cases in 1999. *The rate of settled cases could be better for this Unit and efforts are underway to enhance the rate of settlement of cases by this unit.*

Five (05) complaints were settled through mediation and thirty (30) complaints were pending for mediation at the end of the reporting year. Another twenty (20) complaints are pending for filing and twenty one (21) complaints remained under active consideration, awaiting final determination regarding the appropriate course of action. Four (04) complaints were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh. *As many as eighty one (81) complaints could not be proceeded with in this Unit, a figure much large than other Units.*

A total of three hundred and nineteen (319) cases were filed and eighty nine(89) cases were settled during this period of 1997 to 1999 by the Rangpur Unit. Of these,

✍ sixteen (16) cases in 1997;

✍ thirty three (33) cases in 1998; and another

✍ forty (40) cases were settled in 1999.

At the end of 1999 two hundred and thirty (230) cases remained pending at the Rangpur District and Subordinate Courts. Of these pending cases 51 cases were filed in 1997, 59 cases in 1998 and 120 cases were filed in 1999.

During the period of 1997 to 1999 the Rangpur Unit Office engaged fifty one (51) lawyers for its three hundred and nineteen (319) cases. In 1999 the Rangpur Unit Office engaged thirty eight (38) lawyers of whom twenty eight (28) were already engaged in the previous year and the rest ten (10) were newly engaged in 1999.

Table 35

Number of Lawyers engaged by Rangpur Unit Office for legal aid cases:

Year	Total engaged lawyer	Engaged lawyer from previous year	New engaged lawyer during this year
1997	31	-	31
1998	26	16	10
1999	38	28	10
Total	95	44	51

7.2. xii SYLHET DIVISIONAL UNIT

A total of one hundred and thirty eight (138) complaints were received during 1999 by the Sylhet Unit office of BLAST and eight (08) complaints were carried over from previous year, making it a total of one hundred and forty six (146) complaints dealt with by the Unit Office. Out of these, 138 complaints, 32 (23%) complainants were male and 106 (77%) were female. Interestingly, the number and percentage of male complainants is the highest in Sylhet, the reason(s) for which has not been looked into as yet.

One hundred and fourteen (114) cases were filed in 1999 by the Sylhet Unit. For the 114 cases filed during the year, The woman: man ratio was woman 90 (79%) and man 24 (21%). Another one hundred and twenty four (124) cases were carried over from previous years, making a total of two hundred and thirty eight (238) cases death with in the Districts and Subordinate Court of Sylhet during the reporting year.

Out of these two hundred and thirty eight (238) cases, seventy five cases (75) were settled during 1999, Of the 75 settled cases, in

✍ forty three (43) cases court verdicts were in favour of our clients;

- ✍ nine (09) cases went against our clients;
- ✍ five (05) cases were defaulted;
- ✍ eighteen (18) cases were withdrawn by the clients following compromise and reasons

Of these seventy five (75) settled cases 1 case was filed in 1996, 15 cases in 1997, 40 cases in 1998 and 19 cases in 1999.

Two (02) complaints was settled through mediation and another two (02) complaint is pending for mediation. Ten (10) complaints are pending for filing and another four (04) are pending due to unavailability of documents. As necessary papers were not available another nine (09) complaints could not be proceeded with and five (05) were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

A total of three hundred and fifty eight (358) cases were filed and one hundred and ninety five(195) cases were settled in the period of 1995 to 1999. Of these:

- ✍ twenty two (22) cases were settled in 1996;
- ✍ forty one (41) in 1997;
- ✍ fifty seven (57) cases were decided in 1998; and
- ✍ seventy five (75) cases were settled in 1999.

Sylhet Unit has a good record in terms of increasing number of settled cases in each passing year.

One hundred and sixty three (163) cases remained pending at the Sylhet District and Subordinate Courts at the end of the reporting year. Of these pending cases 8 cases were filed in 1996, 16 cases in 1997, 44 cases in 1998 and 95 cases in 1999.

During the period of 1995 to 1999 the Sylhet Unit Office engaged seventy one (71) lawyers for its three hundred and fifty eight (358) cases.

Table 36

Number of Lawyers engaged by Sylhet Unit Office for legal aid cases:

Year	Total engaged lawyer	Engaged lawyer from previous year	New engaged lawyer during this year
1995	1	-	1
1996	20	1	19
1997	34	16	18
1998	45	20	25
1999	44	36	8
Total	144	73	71

As indicated earlier, the number of cases in the Sylhet Unit is comparatively less than many other Units which is reflected in the number of advocates engaged by this Unit over the years.

7.2. xiii PATUAKHALI DISTRICT UNIT

A total of one hundred and seventy eight (178) complaints were received during 1999 and ten (10) complaints were carried over from previous years, making it a total of one hundred and eighty eight (188) complaints dealt with by the Patuakhali Unit Office. Out of these, 178 complaints, 24 (13%) complainants were male and 154 (87%) were female.

One hundred and twelve (112) cases were filed in 1999 by the Patuakhali Unit office of BLAST. In these 112 cases filed during the year, the woman: man ratio was woman 98 (87%) and man 14 (13%). Another sixty two (62) cases were carried over from previous year, making total of one hundred and seventy four (174) cases dealt with the Districts and Subordinate Court of Patuakhali during the reporting year.

Sixty six (66) cases were settled during 1999, Of these 66 settled cases 34 cases were filed in 1998 and 32 cases were in 1999. Of the 66 settled cases, in

- ✍ twenty seven (27) cases court verdicts were in favour of our clients;
- ✍ two (02) cases went against our clients;
- ✍ eight (8) cases were defaulted;
- ✍ twenty seven (27) cases were withdrawn by the clients following compromise and other reasons

In the period of 1998 to 1999 this unit filed one hundred and eighty three (183) cases and 75 cases were settled. Now one hundred and eight (108) cases are pending at the various stages of the judicial process. Of these 108 pending cases 28 cases were filed in 1998 and 80 cases in 1999.

Eleven (11) complaints was settled through mediation and nine (09) complaint are pending for mediation. Six (06) complaints are pending for filing and another seven (07) are pending due to unavailability of documents. As necessary papers were not available, forty three (43) complaints could not be proceeded with.

During the period of March, 1998 to 1999 the Patuakhali Unit Office engaged thrity nine (39) lawyers for its 183 cases. It needs to be mentioned that Patuakhali Unit became operational in 1998.

Table 37

Number of Lawyers engaged by Patuakhali Unit Office for legal aid cases:

Year	Total engaged lawyer	Engaged lawyer from previous year	New engaged lawyer during this year
1998	26	-	26
1999	22	9	13
Total	48	9	39

7.2. xiv PABNA DISTRICT UNIT

Pabna Unit office is one of the newest ones of BLAST and it become operational in mid-1999. As with other units, the leadership of the local District Bar Association was conducted first; a committee according to our guidelines, consisting of the present and past president and the secretaries of the Bar along with five other members were then formatted for the unit. These were followed by advertisement in the local newspaper for personnel for the unit and selection process was duly concluded. The Bar Association allocated a room in the Bar Building for the Unit Office.

A total of eighty six (86) complaints were received during June 1999 to December 1999 by the Pabna Unit Office. Out of these, 12 (14%) complainants were male and 74 (86%) were female.

Thirty seven (37) cases were filed in 1999 by this new unit office. Out of these thirty seven (37) cases filed during the year, two (02) were already settled by the end of the year, Of the 02 settled cases, in

- ✍ one (01) case court verdicts were in favour of our clients; and
- ✍ one (01) case were withdrawn by the clients following compromise.

In the 37 cases filed during the year, the woman: man ratio was woman 32 (86%) and man 05 (14%).

As many as sixteen (16) complaints was settled through mediation and fifteen (15) complaints are pending for mediation. Two (02) complaints are pending for filing. As necessary papers were not available, twelve (12) complaints could not be proceeded with and

four (04) were sent to the Head Office for filing in the High Court Division of the Supreme Court of Bangladesh.

During the period of June to December 1999 Pabna Unit Office engaged twenty eight (28) lawyers for its thirty seven (37) cases. This reflects the policy of BLAST of engaging as many advocates of the local bar in our legal aid cases as possible.

7.2. xv TANGAIL DISTRICT UNIT

Tangail unit was opened in the autumn of 1999 with three permanent members of the staff who began work from the November of this year. The personnel were provided training, as is the practice during the initial phase of opening a new Unit, at the Head Office.

As the Unit operated for only a few weeks and the fact that December is the period of annual vacation of District and Subordinate Courts, the Unit's legal aid activities could not begin in full steam during the reporting year. However, networking and dissemination of the services offered by the Unit were undertaken during the reporting year.

As for Kustia Unit Office, contacts with the Kustia District Bar Association were initiated in the second quarter of the year. Often District Bar Association are not familiar with institutional structures and operational methods of NGOs and, consequently it may involve a lengthy process of discussion and negotiation before concrete measures can be taken in terms of setting up a Unit Office. The Executive Director of BLAST made a number of trips of Kustia for discussions with the leadership of the BLAST Association for setting up of the Unit there.

Preparatory stage was completed during the fourth quarter and an advocate was temporarily selected for formalizing arrangements for setting up of the Unit. Sadly, his sudden demise could not but set back the finalization process of this Unit. We now expect the Khustis Unit to become operational during the first quarter of 2000.

7.3 LEGAL AID CLINICS

With the aim to provide legal literacy, awareness and mediation services for the local residents, two Legal Aid Clinics in Gopibag and Mahammadpur were established in Dhaka and another Legal Aid Clinic has become operational in Chittagong.

The legal aid clinics, began as pilot projects, have proved to be an effective method of serving the very poor as most of the clients of these clinics are the neighbouring slum dwellers. Another important purpose for setting up of one of these clinics (Mohammadpur) was to engage senior students of the Law Department of Dhaka University to provide them an opportunity to become familiar with the legal services required by the very poor as well as for them to gain an understanding of the functioning of the legal system at the level of the extremely marginalised segments of people.

During the reporting year, two batches of 3 senior students each worked at Mohammadpur and Hathhazari (Chittagong) clinics. It needs to be mentioned the Legal Aid Clinics at Chittagong was set up with active support and co-operation of the Faculty of Law of Chittagong University, particularly the Dean of Faculty Professor Md. Shah Alam.

The students undertook legal literacy campaign among slum dwellers and arranged mediation of their disputes. Their work is supervised by a trainee-advisor, experienced lawyer for the two clinics at Dhaka and the Assistant Professor, Law for the Chittagong Clinic. Mediations sessions are organised twice a week – on Fridays and Saturdays – and the rest of the days are spent on literacy and awareness campaign and for background work for the ensuing mediation. In instances when mediation attempts fail or are not appropriate, the

dispute is referred to the Head Office for Dhaka and the Chittagong Unit Office for the Hathazari Clinic for litigation, if necessary.

7.3.i GOPIBAGH CLINIC

The Gopibag Legal Aid Clinic started functioning from 1st August, 1994, in association with *Mohila Parisad*, a women's organisation, at 89/3-A Ramkrishna Mission Road, Dhaka.

The following table reflects the mediation activities of the Gopibagh Clinic during the year 1999

Table 38
Activities of Gopibagh Legal Aid Clinic

Nature of complaint	From last year	Received this year	Total	Mediated	To Head Office	Total
Family dispute	21	6	27	6	1	7
Maintenance	41	38	79	11	9	20
2 nd Marriage	19	15	34	5	0	5
Dowry	13	24	37	0	2	2
Cruelty to women	10	10	20	2	0	2
Miscellaneous	19	7	26	2	0	2
Total	123	100	223	26	12	38

Nature of complaint	Pending for Mediation	Pending for papers	Total pending
Family dispute	15	5	20
Maintenance	38	21	59
2 nd Marriage	20	9	29
Dowry	28	7	35
Cruelty to women	15	3	18
Miscellaneous	22	2	24
Total	138	47	185

7.2.ii MOHAMMEDPUR CLINIC

The Mahammadpur clinic at 13/11 Babar Road, Mohammadpur, Dhaka was founded in October, 1994. The following table reflects the mediation activities of the Mohammadpur Clinics during 1999.

Table 39
Activities of Mohammadpur Legal Aid Clinic

Nature of complaint	From last year	Received this year	Total	Mediated	To Head Office	Total
Family dispute	6	9	15	4	1	5
Maintenance	6	80	86	31	21	52
2 nd Marriage	2	0	2	0	0	0
Dowry	0	23	23	11	2	13
Cruelty to women	3	1	4	0	0	0
Miscellaneous	0	0	0	0	0	0
Total	17	113	130	46	24	70

Nature of complaint	Pending For Mediation	Pending for papers	Total Pending
Family dispute	5	5	10
Maintenance	25	9	34
2 nd Marriage	2		2
Dowry	7	3	10
Cruelty to women	3	1	4

Miscellaneous	0	0	0
Total	42	18	60

7.2.iii CHITTAGONG CLINIC

The Chittagong clinic at Hathazari, Chittagong was founded in May, 1999. The following table reflects the mediation activities of the Chittagong Clinics during 1999.

Table 40

Activities of Chittagong Legal Aid Clinic

Nature of complaint	From last year	Received this year	Total	Mediated	To Head Office	Total
Family dispute	0	22	22	11	1	12
Maintenance	0	0	0	0	0	0
2 nd Marriage	0	0	0	0	0	0
Dowry	0	6	6	4	2	6
Cruelty to women	0	8	8	4	0	4
Miscellaneous	0	4	6	3	0	3
Total	0	46	46	22	3	27

Nature of complaint	Pending For Mediation	Pending for papers	Total pending
Family dispute	6	4	10
Maintenance	0	0	0
2 nd Marriage	0	0	0
Dowry	7	0	0
Cruelty to women	3	1	4
Miscellaneous	1	0	11
Total	12	7	19

These three Law Clinics have undertaken substantial work. In 1999 they jointly received two hundred and fifty nine (259) complaints and one hundred and forty (140) complaints carried over from previous year making a total of three hundred and ninety nine (399) complaints dealt with by the three law clinics. Out of these, ninety four (94) disputes were settled through mediation and one hundred and ninety two (192) are pending for mediation. Thirty nine (39) complaints were sent to the Head Office for filing cases and seventy two (72) complaints are pending due to the lack of documents and necessary information. As necessary papers were not available, another two (2) complaints could not be proceeded with.

The legal awareness campaign is carried out in the local area by the clinic workers. Through discussion the residents are made aware about the work of the clinic. Basic legal issues in area of family law, laws relating dowry, maintenance, etc. are explained to them.

Table 41

The number of participants of Legal awareness activities in 1999 by three Law Clinics of the Trust.

MOHAMMADPUR CLINIC	Families	Members
Mohammadpur, B.N.P Bazar Bosti, Tikkapara Bosti, Shere-e-Bangla Bosti and Bizili Moholla	1468	2060
Gopibag Clinic		
Gopibag, Mayakanon, Sobujkanon, Kazirbug, Monirisipara, Sonar Bangla Bosti, Maniknagar and Golapbug.	1739	2418
Chittagong Clinic		
	08	105
Total	2181	3409

The clinics also have leaflets to advertise their work, but word of mouth is by far the most effective tool when dealing with the people within and around their target areas. The three clinics estimate that they have reached more than five thousand persons through literacy and awareness campaigns as well as mediation activities during the year.

As indicated in this Chapter, at one level the activities of our Unit Offices are somewhat uniform in so far as the Offices cater to similar kinds of needs through providing legal aid in court cases. As evident from the Tables, which we have used in our Reports for the previous years as well, BLAST maintains a standard format for information and reports from Unit Officers. The category of cases as listed in the Tables are also utilised for our token fees for the engaged panel lawyers. These 'fees' vary, depending on the nature of the litigation. The range, however, is between Taka 2,500 to Taka 4,000 for all expenses of a 'legal aid' case.

We have already mentioned that it is the support of the local legal communities which enable us to provide our legal aid and related services to our clients. Without the active support, manifested in the participation of the elected leaders of local Bar Associations in the Management Committees, provision of office space for BLAST in Bar Association buildings, and many other facilities and privileges offered to BLAST offices by the Bar Association, it would have been impossible to carry out our work in the districts.

Chapter 8

STAFF TRAINING, WORKSHOP, SEMINAR AND CONFERENCE

BLAST's experience indicate that we need to strengthen the training, workshop, seminar, both for its own employees as well as for the benefit of other related organizations. BLAST has organized a number of training, workshop, and seminar for the practicing lawyers, human rights activists and other during the reporting year. 1 National Workshop, 1 National Seminar, 26 Workshops, 3 Seminars, 2 Discussion, 8 Training Programmes, 3 Open Dialogues and 22 Experience Sharing Meetings were held during the year 1999 and a total 3,021 participants took part in these events.

8.1. STAFF TRAINING AND DEVELOPMENT

To enhance skill and overall working capacity of the staff, BLAST has arranged for participation of its personnel in the staff training and development activities. The following lists the courses and personnel who attended these courses.

9.1.i. In Country Course/Training

Post-Graduate Diploma in NGO Leadership and Management: Ms. Sarawat-Binte-Islam, Staff Lawyer participated in the above course, the duration of which was seven months. The course was conducted by the Global Partnership for NGO studies. Ms. Islams' s participation was funded The Asia Foundation – Bangladesh.

Socio-Legan Research Methodology Course: Ms. Shanaj Babli, Staff Lawyer, Mr. Rashed Sheikh, Jr. Monitoring and Evaluation Officer and Mr. Syed Ziaul Hasan, Jr. Monitoring and Evaluation Lawyer participated in the above course organised by the Madaripur Legal Aid Association from 6 to 10 March 10, 1999.

Office Management: Mr. Md. Ali Akber, Jr. Administrative Officer, participated in the above course conducted by the Bangladesh Institute of Management from 7 to 18 March, 1999.

Training course on Project Design and Proposal Writing: Ms. Farida Yeasmin, Sr. Assistant Director (Legal) and Ms. Shahriar Parveen, Assistant Director (Admin.) participated in the course organised by CARE-Bangladesh from 21 to 25 March, 1999.

English Language Course: Ms. Farida Yeasmin, Sr. Assistant Director (Legal) completed Upper-Intermediate 1 and Writing for Professionals Course conducted by the British Council Teaching Center, from January to June 1999.

Human Rights Training for Lawyers: Four (4) Panel Lawyers from Unit Offices took part in the above training organized by The Bangladesh Bar Council from 21 to 27 June, 1999.

Diploma Course: Mr. Md. Zakir Hossain, Accountant, Dhaka Unit enrolled in the Post Graduate Diploma in Financial Management (one year) conducted by the Bangladesh Institute of Management.

Mediation Training: 1 (one) Coordinator, 2 (two) Office Assistants, 4 (four) Staff Lawyers, 3 (three) para-legals from different Unit Offices took part in the Mediation Training at the Training and Resource Centre of Madaripur Legal Aid Association from 3 to 7 November, 1999.

Training Course on Environment and Environment Law: Ms. Tania Islam, Jr. Staff Lawyer, PIL Project and Mr. Pankaj Kumar Kundu, Staff Lawyer took part in the above training course organised by BELA from 5 to 9 December, 1999.

Business English Course: Ms. Farida Yeasmin, Senior Assistant Director (Legal) completed 45 hour Business English Course conducted by the British Council Teaching Centre from September to November 1999.

8.1.ii. Overseas Training

International Humanitarian Law and Refugee Law Course at National Law School, University, Bangalore: Mr. Pankaj Kumar Kundu, Staff Lawyer, participated in the International Humanitarian and Refugee Law organized by the National Law School of India University. Support for Mr. Kundu's participation was provided by the International Committee of the Red Cross, Regional Delegation, New Delhi and the Office of the United Nations High Commissioner for Refugees. The duration of the course was for three weeks, in May, 1999.

Public Interest Litigation (PIL) Internship: Mr. Abdul Mannan Khan, Staff Lawyer, PIL Project and Mr. Ruhul Kuddus Babu, a panel lawyer, went to India for internship under PIL Training Program for lawyers from September to November, 1999. They were attached to two prominent advocates of the Supreme Court of India and Bombay High Court, respectively. Their internship consisted of learning law and practice of PIL from experienced advocates, familiarising themselves with the emerging concepts and interpretation of fundamental rights in India and, generally, gain from the experience of the advocates under whom they worked. The duration of the internship was 4 and 3 weeks, respectively.

8.2. WORKSHOP

We define, for the purpose of this Report, Workshop as those exercises which involved imparting of training and awareness on law and law related issues.

Most of our workshops were conducted by the Rural Mediation Project. As a number of workshops, primarily for mediation workers of this Project along with Members of the Rural Mediation Committees were planned under the Rural Mediation Project. The legal aid and services project did not undertake any workshop. We report the workshop here to indicate another dimension of BLAST's law related activities. A few workshops, needless to say, by the legal aid and services (LAS) section is also reported below in the tabular form for an overview (Table 42).

It needs to be emphasised that our workshops are designed primarily for training and awareness of those not ordinarily versed in law. Among the workshops listed under Table 42, the first one on "Gender Policy", however, was organized for our Unit Co-ordinator and was also participated by the personnel of the Head Office. This workshop stemmed from our Gender Policy Review carried out by two gender consultants. Following the report of the consultants and the workshop mentioned above, eight female junior staff lawyers and para legals were appointed to Unit Offices.

8.3. SEMINAR AND CONFERENCE

As already mentioned, BLAST organized the first ever anniversary of the Constitution Day on the 4th November, 1999, the day on which in 1972 the Constituent Assembly adopted the Constitution of the People's Republic of Bangladesh.

For this celebration of the “Constitution Day” we contacted all the living members of the Constitution Drafting Committee. It may be mentioned that the Constitution was drafted by a Constitution Drafting Committee consisting of 34 members of the Constituent Assembly, chaired by Dr. Kamal Hossain. While organizing the “Constitution Day” we realised that 15 members of the Drafting Committee had passed away. Few were too fragile to attend from other districts where they are currently residing and one was living outside Bangladesh.

As many as 8 Members of the Constitution Drafting Committee joined this celebration at the Osmany Memorial Auditorium which was made available to us by the Hon’ble Minister for Law, Justice and Parliamentary Affairs, Mr. Abdul Matin Khasru.

From amongst the member of the Drafting Committee, Hon’ble Minister of State for Information Aby Sayeed Choudhury, Mr. Suranjit Sengupta, M.P., Parliamentary Affairs Adviser to the Prime Minister, Mr. Shawkat Ali Khan M.P. Mr. M. Abdur Rahim, Advocate, Mr. Dewan Abdul Abbas, Advocate, Mr. Md. Khaled, Editor, Dainik Azadi and Proj. Khurshed Alam, President, Comilla Awami League Attended the celebration along with Prof. Anisuzzaman who was one of the translator of the Constitution.

It was proposed during the anniversary that the 4th November be officially declared as the Constitution Day of Bangladesh. This event was widely covered by the print and electronic media.

A booklet on the occasion was published and widely distributed. The booklet, prepared by Mr. Md. Rafiquzzaman, a staff lawyer of the PIL Project, provided a short narrative on the making of our Constitution, along with the list of the Members of the Constitution Drafting Committee and the Members of the Constituent Assembly who signed the Constitution on the 14th and 15th December, 1972 an having done their task of giving the nation a Constitution, the Constituent Assembly was dissolved on the 16th December, 1972, paving the way for the first general election of the country in 1973.

We take this opportunity to record our gratitude to the media for the wide coverage they have provided to our activities. *In fact all the seminars and conference listed on the following table had been reported by the print media.*