

Policy and guidelines of the Advocacy and PIL Cell of BLAST

The Advocacy and Public Interest Litigation (PIL) Cell of BLAST was conceived with the objective of effecting systemic pro-poor changes in legislative policy and practice through advocacy as well as litigating in the interest of the poor and the marginalized. BLAST, through its unit offices, has effective presence in 18 districts across the country. It also has a very close-knit network with all bar associations, leading human rights organizations, civil society and the media. BLAST has the advantage of having a very knowledgeable and illustrious Board of Trustees comprising eminent jurists and legal luminaries, retired and experienced Supreme Court Judges and prominent journalists of the country. Since its inception in April 2003, the Advocacy and PIL Cell is endeavoring to ensure increased safety and security and access to justice for the poor and the disadvantaged who are deprived of their basic human rights owing to resource and knowledge constraints. BLAST believes that a 'just society' governed by the Rule of Law can best ensure and protect the fundamental and human rights of the people and the activities of the Advocacy and PIL Cell of BLAST are geared to achieve these objectives.

As a matter of policy and basic mandate, BLAST engages all its strength to ensure an equitable, fair and accessible legal system through which the economically disadvantaged and vulnerable segments of the society, especially women, men and children, can establish and enforce their fundamental rights to life, liberty and property. Simultaneously, the organization is committed to the protection of other fundamental as well as social and economic rights of the indigent people in particular. BLAST strives to empower the poor, women and disadvantaged people through legal aid; legal rights awareness campaigns, mediation and public interest litigation in the establishment of their rights. It also aims to create an enabling legal environment through reviewing and proposing changes to impugned and repressive laws and policies those are discriminatory and oppressive against the poor and the marginalised. The Advocacy and PIL cell is meant to supplement BLAST to achieve its above-noted objectives. To this effect, issues under the following categories will, as a matter of general policy, be prioritized and taken up for advocacy and PIL:

- Legal problems encountered by the hardcore poor;
- Reduction of inequality;
- Fundamental human rights violations of the poor in particular;
- Legal issues having vast implication on the overwhelming majority of the impoverished population of Bangladesh;
- All forms of discriminations (particularly against women);
- Burning issues that have a direct linkage to poverty alleviation;
- Laws those are repressive, discriminatory against the poor and women in particular;
- Legal issues concerning safety and human security; and
- Regulatory reform.

To this end, the documentation and research wing of the Cell is focussed on a screening process with a view to enabling BLAST to address issues of high public importance from its sources, namely, news papers, unit offices, as well as referrals from other organizations and beneficiaries.

The following measures are being undertaken by BLAST as a part of its **planning process** for the purpose of realizing the goals of access to justice and empowerment of the poor and women:

- Maintaining close communication with its unit offices to formulate a realistic implementation plan and identifying the challenges in pursuance of its goals;
- Organizing in-house meetings for enabling the staff of the head office and unit offices to interact and communicate on a regular basis;
- Organizing meetings with the panel lawyers of BLAST to review the status of the pending PIL cases, identifying intervention strategies and future course of action;

- Experience sharing, exchange of ideas on how to pursue advocacy with relevant stakeholders for effective change in policies and laws;
- Networking with like-minded human rights organizations, civil society, media as well as individuals and groups representing the interests of the poor people; and
- Sensitizing law enforcing agents and government representatives with a view to fostering better relationship between lawyers, judges, police, administration and the beneficiaries of BLAST.

To translate its policies into reality the Cell intends to draw an **implementation plan** as described below:

Identification and screening of issues:

At first, the Cell will identify issues for advocacy and public interest litigation. Issues will be identified from news and articles published in the news papers/journals; through BLAST unit offices and referrals made by other organizations or beneficiaries; and from the researches and studies conducted by its researchers. Once identified, the next step will be to prioritize these issues for advocacy and/or litigation.

Initiation of advocacy and/or legal proceedings:

If adequate legal remedies are available for the issues identified, the Cell will initiate legal proceedings in the High Court Division of the Supreme Court as PIL cases, or in the lower courts in the form of representatives suits. Normally, most of the cases will be filed in the Supreme Court with other leading legal aid NGOs as co-petitioners. Before filing a PIL case, BLAST will arrange joint meeting and discussion with its litigation partners, lawyers, technical experts, stakeholders and the media to figure out a work plan. On certain occasions, informally negotiated settlements will also be encouraged and entertained. If informal settlement is not reached, the Cell along with other co-petitioners will pursue the case until it is finally determined.

Initiation of PIL cases will not be the only activity of the Cell. It will continue to pursue legislative and media advocacy on selected legal issues. Besides, the Cell will also file new cases for interpretation as well as lobby for enactment of new laws and amendments in the existing laws. As tools for advocacy, the cell will arrange discussions, roundtables, and consultation meetings; organize seminars, workshops and symposiums; conduct rights awareness campaigns; publish articles, journals, leaflets and pamphlets; and use the print and electronic media for mobilizing public opinion.

The Cell will organize meetings with senior government officials, law enforcement agencies and lawmakers with a view to sensitizing and motivating them to formulate policies and laws for the protection of the fundamental human rights of the poor. It will also invite renowned judges, professionals, academics, rights activists, technical experts and media personnel etc. in the seminars and symposiums for sharing of experiences and ideas.

The Cell will maintain close communication with BLAST staff, unit offices and bar associations so that a realistic and achievable work plan can be drawn. The Cell will also use the local experiences of the bars and unit offices in identification of advocacy and PIL issues. The NGOs working closely with the poor and disadvantaged people of the country will be the strategic partners of the Cell. The Cell will maintain close network with those organizations and routinely share experiences and ideas for the pursuance of effective advocacy works. In addition, the researchers and investigators of the Cell will play a significant role in identification and screening of issues as well as for the follow-up and monitoring of the impact of its advocacy and PIL interventions.

Follow-up and monitoring:

The Cell emphasizes on the follow-up and monitoring of the PIL cases initiated and the directives passed thereon by the relevant courts. Routine follow-up will be carried out to review the status of pending cases.

At the same time, close monitoring will be conducted to ascertain whether a decision of the court is being implemented or not. In such cases, the Cell will undertake necessary action to ensure that the court verdict is properly executed. The researchers of the Cell shall conduct periodic researches on the impact of its advocacy and PIL activities on the target groups as well as the society. The reports prepared by the researchers will be published for wider dissemination.