



BLAST

Bangladesh
Legal
Aid and
Services
Trust





Legal Aid Camp, 2017
Photo: Mollika

Our Story

BLAST is one of the largest legal services organisations in Bangladesh, operating in 25 districts, through dedicated paralegals, lawyers, researchers and advocates, and a pro bono network of 2500+ lawyers. It provides information, advice, and assistance in and outside courts, on family, labour, land and criminal law, and constitutional rights. It is the only NGO able to provide access to legal aid across the spectrum from the frontlines of the formal justice system to the apex court.

Cover photos from
'My Life, My Rights' Photo
Competition 2017

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Rolling out services to communities

FAIR ON PEOPLE WITH DISABILITIES

BLAST added a new dimension to its annual rights fairs, by taking part in a Disabilities Development Fair; over 500 people visited seeking legal information, and our lawyers gave individual legal assistance.

Al Amin and Firoj Uddin, Research Assistants, BLAST, providing legal advice and information on disability rights to visitors at the fair. ▶



Photo: Sahab Uddin Ahmed, BLAST

MOBILE LEGAL CLINIC



Photo: Lata Rani Das, BLAST

Our mobile legal clinic has been operating in three urban slums in Dhaka, providing legal information and advice to women, men and children who are hours from the closest government or non-governmental legal aid offices. Paralegals who run the mobile clinic have conducted legal awareness sessions for women in these areas, to increase their capacity to demand legal rights, remedies and services. This year, we also held Legal Aid Camps, to provide on the spot advice and information mainly on family disputes.

◀ Women queuing up outside the mobile legal clinic to receive free legal advice from BLAST paralegal.

PRISON REFORM

BLAST's paralegals have been operating in 17 districts across the country, as part of a project on the Improvement of the Real Situation of Overcrowding in Prisons (IRSOP) in Bangladesh, implemented by the Ministry of Home Affairs and the Ministry of Law, Justice and Parliamentary Affairs, to offer frontline legal support through paralegals to men, women and children in conflict with the law, in the form of free legal advice, assistance and referrals in prisons and at the police station, including securing release for prisoners and making referrals for treatment and rehabilitation of prisoners taking drugs, and legal awareness sessions through paralegal aid clinics. In 2017, 81 paralegals undertook 147,656 interventions in prisons, which included legal assistance, collecting case documents, assisting 'safe custody' inmates, referring cases to District Legal Aid Committees or panel/staff lawyers of BLAST, providing services regarding



Photo: Paralegal Team, BLAST Chattogram

bail, and contacting family members. They also assisted 52,134 people in court and 4,060 people in police stations, referred 1654 prisoners for treatment for drug abuse, and identified 1,772 prisoners for skill development programmes, to prevent them from potentially reoffending and to reintegrate them into society. Through paralegal aid clinics in the prisons, paralegals also conducted 1,475 awareness sessions, reaching 34,742 prisoners.

Paralegals conduct a Paralegal Aid Clinic session with prison inmates, imparting information on the criminal justice system and relevant court and legal procedures.

Paralegals sitting down at the Case desk with prison authorities and newly admitted inmates.



Photo: Paralegal Team, BLAST Chattogram

CHILD PROTECTION - NHRC COMPLAINTS

We filed 24 complaints to the National Human Rights Commission, pressing them to take action and often triggering the start of official investigations. Most of these dealt with seeking investigations into allegations of corporal punishment of children by school teachers or other staff.

The complaints involved both boys and girls studying in the 4th to 9th grades and also in madrasas, aged six years and above, being subjected to corporal punishment such as:



- Physical and/or verbal abuse, forcible cutting of hair/shaving of head
- Being forced to take their pants off in class as punishment
- Loss of eyesight on account of being hit in the eye by a duster
- Eye injury due to being hit in the eye by a ruler
- Being mentally abused to the point of committing suicide
- Being forced to drink dirty pond water as punishment
- Being tied to a pole and beaten
- Beaten due to not sitting according to the seating plan during exams
- On one occasion, a school cleaner/janitor grabbing a student by the hair and beating her.

CHILD PROTECTION - RIGHT TO INFORMATION (RTI) APPLICATIONS ON CORPORAL PUNISHMENT OF CHILDREN

18 RTIs on action for ending corporal punishment of children in schools

12 RTIs on action for implementation of the Circular on Ending Corporal Punishment of Students in Educational Institutions, issued by the Ministry of Education

6 On number and nature of cases filed in 2 years

WHERE?

Barishal . Dhaka . Gazipur . Mymensingh
Natore . Narayanganj . Rangamati . Satkhira

WHO ARE THE VICTIMS?

14 Boys | 10 Girls
7 - 18 years
3rd grade | 9th grade | SSC | HSC

WHAT ARE THE 'CAUSES'?

Going out of classroom without permission/ cheating / not completing lessons/ not cutting hair

PUBLIC INTEREST LITIGATION

Protection of Slum Dwellers from Forced Eviction:

A new case was filed, and the High Court issued a rule on the City Corporation and other relevant government authorities directing them to ensure that people living in the Bijli Bosti in Mohammadpur area of Dhaka are not to be evicted without prior resettlement.

Eviction of Korail Bosti Residents:

BLAST filed a petition against the arbitrary and forceful eviction of the arbitrary and forceful eviction of Korail Bosti residents in 2012, which resulted in the displacement of people and destruction of 2,000 structures. In 2017, the Ministry of Housing informed the Court that it will reserve five acres of land outside Dhaka for the rehabilitation of slum dwellers once evicted, and the Bangladesh Hi-Tech Park Authority informed that it will provide housing to evicted slum dwellers on seven acres of land. However, neither authority specified an exact location for the rehabilitation, the groups of people to be rehabilitated, the number of flats/houses that will accommodate these people, or submitted any housing plans. BLAST responded by requesting all relevant documents relating to relocation and related costs. Both authorities were directed to respond by November 2017, but failed. We are still awaiting a final decision from the High Court.

Activating Emergency Medical Services:

The High Court directed the Ministry of Health to provide guidelines for ensuring emergency medical services and for protection of 'good samaritans'. Draft guidelines were submitted by the Ministry in 2017, after the Court directed it to indicate the progress made in respect of preparing the guidelines. BLAST had filed this case following the death of a young man who had been turned away by three private hospitals after being hit by a bus.



Challenge to Two Finger Test (TFT):

In 2013, BLAST with other human rights organisations and health experts, challenged the legal validity of the TFT, an unscientific and demeaning test used on victims/survivors of rape. In 2017, forensic experts gave evidence before the courts, and we also submitted information on changing practices in neighbouring countries.



Workers' Rights in Jashore and Khulna: Different jute mills breached their duty as employers by publicising permanent work position offers while having over 600 workers already appointed to those positions on a temporary basis. The High Court granted the workers right to be reabsorbed in the respective companies.

Extrajudicial Punishment by Local Government Official:

A video showing the Laxmipur UP Chairman beating a man and a woman who had been brought before a local shalish went viral. BLAST filed a writ petition challenging this action as a failure to comply with the Court's earlier prohibition on such extra-judicial punishments. The High Court issued a suo motu order and after hearings, the Chairman ultimately sought unconditional apology in person before the Court.

Handcuffing by the Police:

The High Court issued a Suo Motu Order following arrest and handcuffing by the police of a Jahangirnagar University student to a hospital bed. BLAST initially brought this to the Court's attention, and joined as an intervenor after the Order was issued. The handcuffs were removed immediately after the Court Order, and four police personnel involved in the incident appeared before Court to seek an unconditional apology.

LANDMARK JUDGMENT: BLAST won a landmark judgment in the Dhaka District court awarding compensation of Taka 17.1 million to the families of the 100 persons killed when the MV Nasrin-1, a launch, capsized after overloading in 2004. The Bangladesh Inland Water Transport Authority sought to overturn this on a procedural ground, but BLAST contested the matter and the High Court upheld the judgment.

Advocating for fairer laws and effective remedies

Housing Rights Conference and Policy Dialogue

Aiming to identify gaps in the legal framework of housing law, BLAST held a national conference on “Making an Inclusive City: Securing Housing and Shelter Rights”, including representatives of slum dwellers’ associations, the National Housing Authority, architects, urban planners, lawyers, and government bodies such as RAJUK and the National Housing Authority. We also held a dialogue with the then Mayor of Dhaka North City Corporation, Annisul Huq. Concerned with the lack of legislative protection against eviction for residents of slums and informal settlements, BLAST continues to advocate for changes to the law, reflecting Supreme Court directions, to ensure alternative resettlements prior to eviction.



Dr. Kamal Hossain, Senior Advocate, Supreme Court of Bangladesh, Chairperson, BLAST and Mayor Annisul Huq attending Prothom Alo round table on housing rights held on 28 March 2017

Public Hearing on Ending Corporal Punishment



L-R: Professor Kazi Farook Ahmed, President, Human Development Initiative; Advocate ZI Khan, Member, Board of Trustees, BLAST; Rasheda K Chowdhury, Executive Director of Gonosakkhorota Obhijan and Justice Nizamul Hoque, Ex Justice, Appellate Division, Supreme Court, at a Public Hearing on Ending Corporal Punishment.

BLAST held a public hearing with judges, lawyers, teachers, human rights activists, members of the NHRC and civil society to highlight limits of the existing laws to protect children from physical or humiliating punishment in schools and madrasas, and urged amendments to the law to improve the situation.

ADVOCATING FOR FAIRER LAWS AND EFFECTIVE REMEDIES

Women Workers' Rights

A study analysing the gender specific provisions in the Labour Act, and their conformity with International Labour Organisation standards and recommendations made in tripartite reviews, was recently completed. It concentrated on women working in the formal sector, and issues such as protection against violence and harassment in the workplace, maternity leave and benefits, and equal pay.



Photo: Istiak Karim
'My Life, My Rights' Photo Competition 2017

Labour Laws

Advocates, NGO representatives, domestic workers, and a member of the Standing Committee on Ministry of Labour and Employment, BLAST and SRS (Safety and Rights Society) formulated and sent a series of proposed amendments to the current Labour Law - focusing on alternative dispute resolution and the insurance of minimum compensation and workplace safety, to the Ministry of Labour and Employment.



L-R: Khushi Kabir, Coordinator, Nijera Kori; Israfil Alam, M.P, Member, Standing Committee on Ministry of Labour and Employment and Justice Nizamul Huq, Former Justice, Appellate Division, Supreme Court of Bangladesh at an Advocacy Meeting regarding amending the Bangladesh Labour Act

Land Rights

We completed a study on the lack of application of the State Acquisition and Tenancy Act, 1950, which regulates the sale and purchase of indigenous land, and contains measures which, if activated, would protect plains Adibashis from dispossession. Based on this, we framed and presented recommendations on how to reactivate the institutional structure to ensure effective application of this to the Ministry of Law and Parliamentary Affairs.

Road Safety

As part of the Safe Road and Transport Alliance (SROTA), BLAST proposed changes to the Road and Transport Act, urging the incorporation of provisions for remedies in case of deaths and injuries in road crashes. We recommended including specific criteria for assessing compensation and a fast-track process for recognising and enforcing compensation claims.



Mental Health

Najrul Khosru, a Mental Health Tribunal judge in the UK led a seminar on "Mental Health Law: English Experiences and Bangladeshi Perspectives". BLAST then hosted expert consultation on the Mental Health Bill, 2016, to identify the gaps in the current draft and make recommendations for inclusion and reform.



Khondoker Shahriar Shakir, Advocate, Supreme Court of Bangladesh; Barrister Najrul Khasru, a British-Bangladeshi Tribunal Judge from the UK; Sara Hossain, HED, BLAST and Dr. Md Faruk Alam, Director and Professor of National Institute of Mental Health and Hospital, at a Law in Practice Seminar on 'Mental Health Law' English Experiences and Bangladeshi Perspectives'.

Domestic Workers Rights:



As part of the Domestic Workers' Rights Network (DWRN), we participated in a month long campaign alongside domestic workers, with Trade Union Federations, human rights and labour rights organisations, to create awareness on the new Domestic Workers' Protection and Welfare Policy 2015, design recommendations on how to activate it, and strategise on ensuring its implementation. We also held consultations on the implementation of the Policy, with domestic workers, NGOs and trade unions affiliated with DWRN, media persons and representatives of the Central Monitoring Cell formed under the Policy, in Gazipur and Mymensingh.



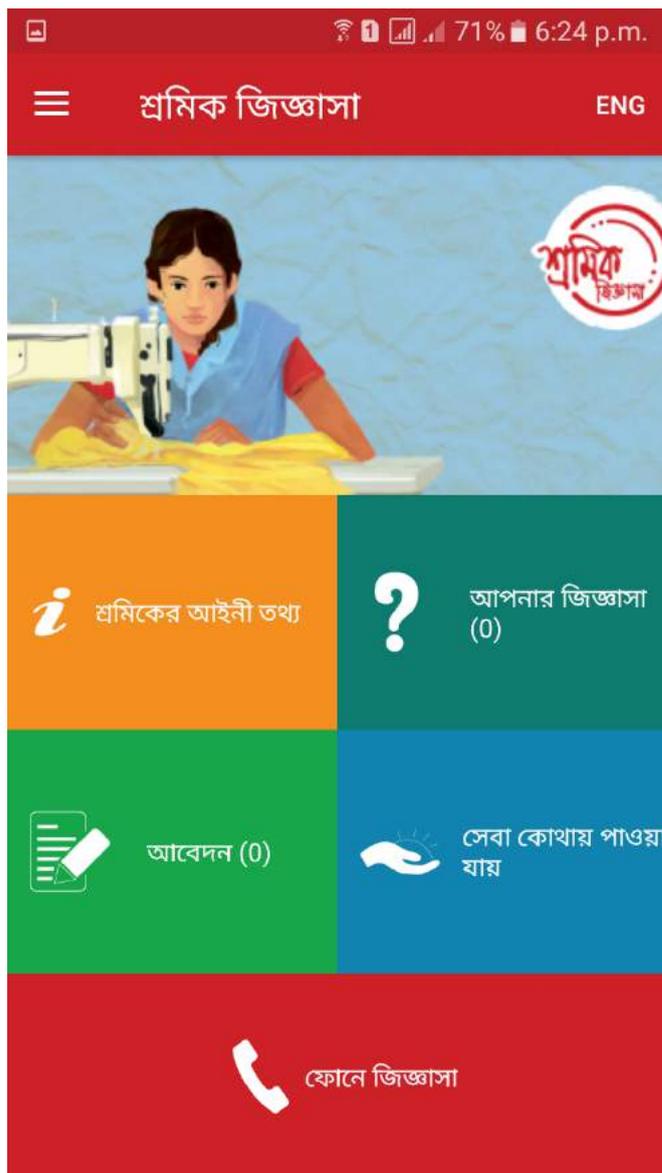
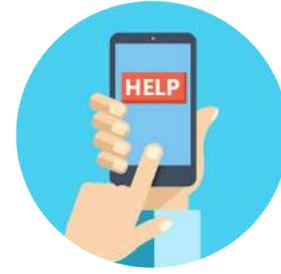
Photo: Ahmad Asif Sami
'My Life, My Rights' Photo Competition 2017

ADVOCATING FOR FAIRER LAWS AND EFFECTIVE REMEDIES

Rights of Persons with Disabilities

In 2017, BLAST continued to monitor the development of a Shadow Report on the Convention of the Rights of Persons with Disabilities, collaborating with two disability rights organisations, the National Grassroots Disability Organisation and the National Council of Disabled Women, to engage the government in recognising the rights of people with disabilities and improving their situation.

Innovations: Using tech for access to justice



The Shokhi Mobile App was developed for internal use of staff involved in Shokhi

- a project aimed at promoting women empowerment and preventing gender-based violence, active in 15 hubs across urban slums of Dhaka. With this new technology, the staff can monitor real time progress in achieving the project's targets and goals, and better coordinate the provision of service to the local population.

Mobile App for RMG workers, 'Shromik Jigyasa'

was developed by BLAST under our project on Worker Empowerment and Advocacy in the RMG Sector (WEARS), aimed at building the capacity of workers, particularly women, on their rights with respect to working conditions, available remedies and services. The app provides comprehensive, easily accessible information on labour laws, workers' rights and responsibilities, details of legal and healthcare service providers, and the option for workers to seek legal advice and remedies by calling a hotline number, sending a text message or directly filing an application through the app.

Action for building an accountable justice system

RTI Applications:

BLAST filed requests for information to 26 different authorities under the Right to Information Act, receiving timely replies from 21. They related to ongoing public interest campaigns, including ending physical and humiliating punishment of children in schools and madrasas, securing housing rights for the urban poor, ensuring the right to employment of Adibashis, or the implementation of the Supreme Court guidelines on preventing sexual harassment of women at workplaces.

RTI Conference:

In October, BLAST with RIB and The Social Architects, hosted a regional experts' meeting on Assessing the Use of Right to Information Laws in South Asia and Africa to further South-South cooperation. Information Commissioners from Bangladesh, Nepal, Sri Lanka, as well as experts from Bangladesh, Kenya and South Africa reflected and strategised on strengthening processes to ensure the right to information of all persons.



Sherine Xavier, Director, The Social Architects (Sri Lanka); Krishna Hari Baskota, Chief Information Commissioner (Nepal), Prof. Dr. Md. Golam Rahman, Chief Information Commissioner, (Bangladesh) and Chantal Kisoan, Chief Operations Officer, South African Human Rights Commission, (South Africa), at the Regional RTI Experts' Meeting 2017



Lucy Talbot from Oxford University and Yalda Battori from Asia Women's University with Lady Justice, Supreme Court premises, Dhaka.

Women's Representation in the Law

BLAST held several experience sharing sessions in public universities, such as the Islamic University, Kushtia and Khulna University, to encourage women law students to pursue careers as lawyers or judges, and to provide them with a better understanding of the dynamics and challenges of legal practice.

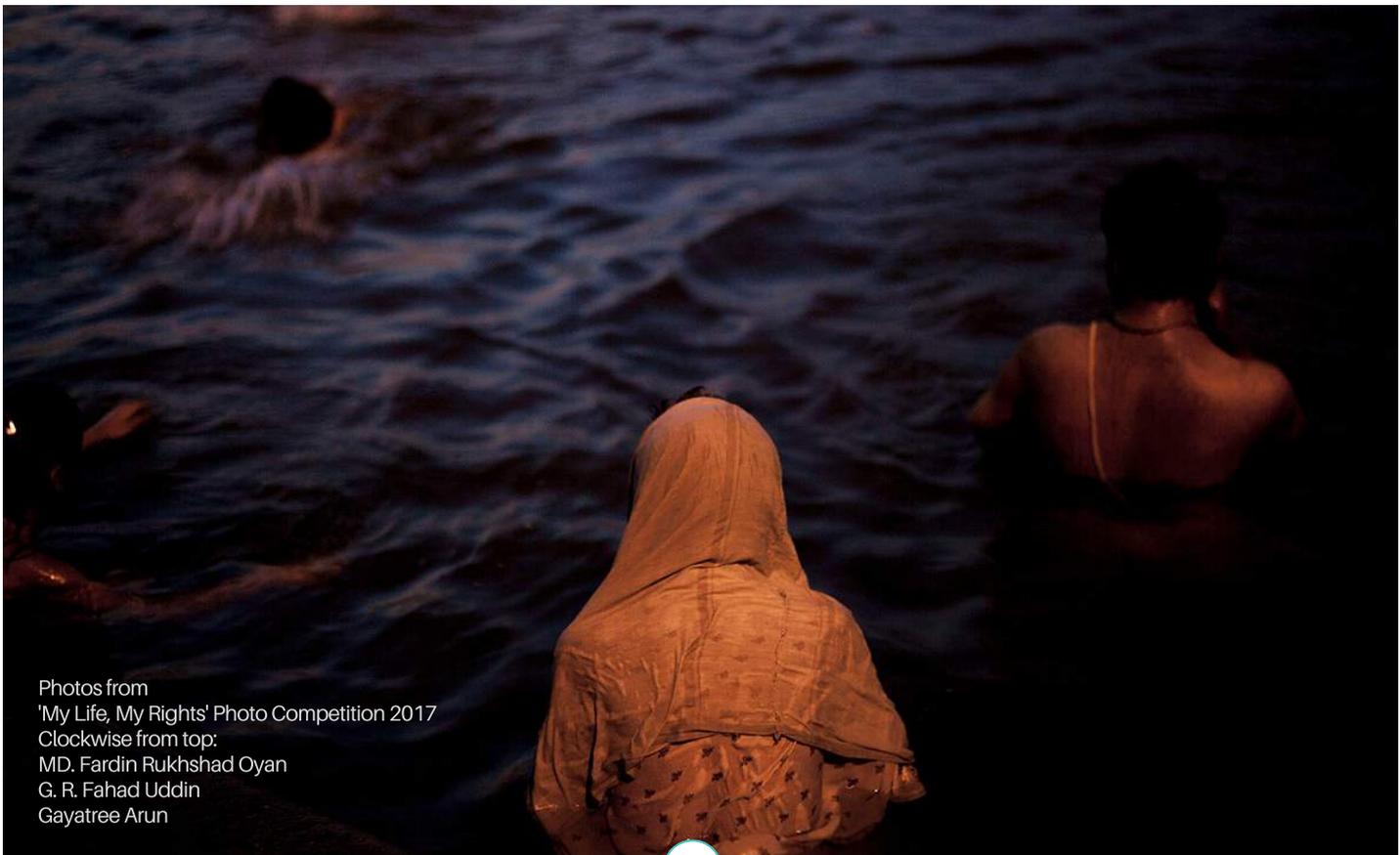
Judicial Trainings

BLAST, with the Judicial Administration Training Institute (JATI) organised sharing sessions with judges on the Children Act 2013 and the probation system, to make the justice system children-friendly, explore alternatives to custody and identify the gaps in existing legal procedures and practices.



MEDIA, CULTURE AND ACCESS TO JUSTICE

We held a photograph competition and a film competition for young people on the theme of "My Life, My Rights", to reach a wider audience focusing on issues of personal freedom, in particular rights to choice and consent, and freedom of expression, as well as restrictions posed by gender-based violence and limits on and threats to speech and association,. We received 38 short film submissions from young filmmakers, and hundreds of submissions from photographers from all over the country. The award winning photos were exhibited for a week at the Drik Gallery, and the films screened at an event at Shilpakala Academy.



Photos from
'My Life, My Rights' Photo Competition 2017
Clockwise from top:
MD. Fardin Rukhshad Oyan
G. R. Fahad Uddin
Gayatree Arun



A still from 'Shaj', a short film by Sayma Farjana, winner of the first prize in the RCC Short Film Competition 2017. The film is about the stigma, repressive norms and shame forced upon women who are widowed, which limit their personal rights and freedoms



In July, we started hosting a weekly radio show, Ain O Amra, on Colours FM to bring the debate on women's rights to a mainstream audience. Airing every Monday at 3pm, it features live calls from listeners, mainly women, looking for legal advice on gender based violence, property rights, and family disputes.



Photo: Colours FM 101.6

Faria Ahmad, Barrister, Project Coordinator, BLAST, speaking on the radio show, Ain O Amra

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