Introduction

This meeting will bring together scholars and practitioners who have experience in working on issues of rights and justice affecting marginalized and excluded communities in Bangladesh, to discuss issues and themes as well as approaches for further work on this issues.

The meeting is being convened by BLAST and RIB which both have a long standing engagement on these issues, and are currently working jointly in a consortium on the Community Legal Services Project in order to enable the expansion and strengthening of legal services to enable greater outreach across the country and in particular to marginalized, excluded and hard to reach communities.

Background

There have been a number of pioneering initiatives in Bangladesh to set up systems and processes for claiming rights or resolving disputes. These include engaging lawyers and development organisations in legal aid provision, developing and delivering free legal services which go beyond legal representation in courts to advice, and dispute resolution through various forms of the shalish, and legal education and advocacy.

At the same time, side by side with development and legal services organisations involved in undertaking legal cases and campaigns for law and policy reform, there has been greater mobilization among and within certain communities to claim rights and justice. These have resulted in of recognition of rights (for example laws on disability rights) availability of new remedies (eg laws on vested property, proposed laws on discrimination against dalits), or establishing new mechanisms and processes for seeking remedies (such as the national legal services organization, national human rights commission, village courts). Significant developments have also occurred in relation to children and women’s rights (laws on punishment of and protection against violence, recognition of domestic violence, juvenile justice), though these have not always integrated a perspective on how they can reach excluded communities.

There has however been relatively little research on these issues or to understand the scope and impact of existing legal services.

Aims of the Meeting

- To identify research ideas relating to existing obstacles and remedies for ensuring access to justice for marginalized, excluded and hard to reach communities
- To identify research ideas and approaches for assessing the impact of community legal services (legal aid/education/ advocacy) on the economic and social life of women, men and children, from marginalized and excluded communities
To discuss the scope for establishing a research advisory group to serve as a platform for engagement on key issues reflecting on rights and justice affecting poor, marginalized and hard to reach communities, to:

- identify issues for research relating to rights and justice from the perspectives and priorities of marginalized communities and those working on their behalf e.g. discrimination, exclusion, land grabbing, fair trial etc.
- lead and engage with student groups in their research.
- address methodological issues with regard to researching marginalized communities
- provide advice and feedback of ongoing cases and campaigns on justice for marginalized communities.

Expected Outcomes

- Establish a Pro Bono Research Network of academics and professionals on community legal services.
- Maintain a local and national network of academics and researchers focused on access to justice/CLS.
- Establish a knowledge portal on relevant studies and information on community legal services.
- Conduct research to assess the impact of CLS activities on economic and social life of women men and children from poor, marginalized and socially excluded or hard to reach communities.
- Produce and disseminate analytical papers on legal issues relevant to marginalized communities to inform ongoing advocacy campaigns on law and policy reform related to CLS.
- Create a pool of young researchers who can pursue further research and/or activism on/with marginalized communities through participatory processes to further a research agenda on CLS.

About the Community Legal Services Project

The Community Legal Services project is supported by the Department for International Development (DFID) of the UK Government and is being implemented in Bangladesh by a consortium consisting of Maxwell Stamp PLC, as principal contractor, and the British Council and the Centre for Effective Dispute Resolution (UK), as partners.

The project is working for the legal empowerment of marginalized and underprivileged communities in Bangladesh with an implementation period from August 2012 to August 2017. The main modality of the CLS is to provide grants to eligible NGOs in order to deliver community legal services.

As a grantee, the Bangladesh Legal Aid and Services Trust (BLAST) is implementing the project through partnership with Research Initiatives, Bangladesh (RIB),(an organization with long-standing experience in generating demand-driven participatory research among marginalized communities) in order to provide greater access to justice to the poor, marginalized and socially excluded communities in Bangladesh. As part of this work, they are also seeking to develop research capacities and networks on issues of local level justice, and developing evidence based research to support community legal services. A research advisory group involving academics, lawyers and other professionals has been proposed to guide this initiative to work on community justice and public interest law.
About Bangladesh Legal Aid and Services Trust (BLAST)

BLAST is the largest specialized non-governmental legal services organization in Bangladesh. It provides access to the informal and formal justice systems (FJS), from the frontlines of the latter up to the highest court, through its unique relationship with the legal profession and bar associations. It provides a full range of services mainly to the poor, largely women, through alternative dispute resolution and litigation. It operates district offices and legal aid clinics in 19 districts across the country. Significant changes in laws and policies have been made through sustained advocacy in the justice sector including through landmark judgments achieved through Public Interest Litigation.

About Research Initiatives, Bangladesh (RIB)

RIB is an action-research organization with deep and longstanding relationships and networks with marginalized and excluded communities across the country. Since its inception in 2002, RIB has been working with a mission to humanize the poverty discourse by enabling participatory research and developing participatory knowledge-building tools of poverty alleviation. RIB’s vision is of a secular, democratic inclusive society, where people from all walks of life irrespective of race, religion, ethnicity, caste and class can actively, collectively and creatively make contributions in planning and practice.