



Measures to Abolish Existing Discriminatory Laws Applied against Marginalized Communities and Adoption of Inclusive Laws & Policies is Essential

On 30th July 2023 at the conference room of Tourism Corporation in Agargaon, Dhaka, research launching ceremony entitled "Towards Equality and Inclusion: A Review of Laws and Policies in Bangladesh" highlighted the need to formulate laws and policies in coherence with the Constitution. In collaboration with Christian Aid Bangladesh, Bangladesh Legal Aid and Services Trust (BLAST) conducted a comprehensive analysis of laws and policies that exhibit discriminatory inclinations against marginalized people. The speakers, of the event, assessed the compatibility of laws and policies in ensuring equal rights for all, regardless of gender, religion, caste or race, place of birth, in the light of the Constitution of Bangladesh. Marginalized populations, such as Dalits, plain land ethnic minority groups, persons with disabilities, hijras & transgender communities, experience greater marginalization as a result of discriminatory attitudes and unequal protection systems. In providing equal protection of law to marginalized community, the existing law of Bangladesh should identify the discrepancies and ensure their accessibility and priority in government services, especially in education, health, housing, employment, social security and legal assistance.

State Minister for Foreign Affairs Mr. Md. Shahriar Alam spoke as the chief guest of this programme. In his speech, the Chief Guest stated that the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman, had a vision for a country free from discrimination. Bangladesh has made significant progress in elevating the status and representation of marginalized communities, in comparison to many other countries. He highly commend the researchers for conducting such in-depth research on marginalized communities and producing such an extensive report. In his word, the current government is taking measures for ensuring the rights and dignity of all marginalized communities. Bangladesh has an eons-long history of coexistence with members of all communities. And so we are working with the conviction to ensure all the benefits of Dalit, Hijra or Transgender and plain land ethnic minority communities.

Special guest Maurizio Chian, in his speech, praised the Government of Bangladesh for initiative to enact timely laws and policy reforms. The European Union supports all anti-discrimination efforts.

Dr. Meghna Guthakurta, co-editor of the research paper, referring to the received recommendations, she stated that the issues raised regarding the birth registration of Dalit, Hijra, and Transgender individuals must be resolved expeditiously so that passport medical emergency services are not impeded. In each of these cases, the laws should be revised to reduce the prevalence of these unconventional terms and enhance their well-being. Concurrently, we must alter the mentality of all citizens. Until then, it will be impossible to combat discrimination.

Honorable member of National Human Rights Commission, Md. Aminul Islam said, many people with disabilities in Bangladesh do not get the opportunity to apply for jobs due to legal restrictions. We have to get out of this mindset.



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Saleh Ahmed, Executive Director of the Bandhu Social Welfare Society (BANDHU) and a panelist at the event, stated that the proposed Transgender Bill provides protection on a variety of issues, including a discrete definition of this community, the right to vote, rape laws, property issues, and workplace discrimination. In addition, the Ministry of ICT has taken multiple measures to transform them into expert labor. Many of today's discussions will only be productive if the new law is enacted.

Another panel discussant Saimi Wadud, a lecturer in the Department of Law, University of Dhaka, said that the groups we want to protect through anti-discrimination laws or policies are not monolithic - so it is important to analyze them through interlinkages. Laws that address sexual violence or sexual harassment should think beyond women and include transgender people within their ambit.

Panelist Rubayet Ferdous, Assistant Director, (Administration) Senior Assistant Judge, and National Legal Aid Agency, stated; of the nearly 9 lakh persons who have received legal aid from the government, only 44 are transgender.

Sara Hossain, co-editor of the research paper, honorary executive director of Blast, and senior counsel of the Supreme Court, stated that the preamble of the constitution mentioned fundamental human rights in 1972. In other words, it is necessary to comprehend the scope of the right to equality alongside the other constitutionally protected fundamental rights. In order to eliminate equality and discrimination, we can therefore use not only the interpretation of the Constitution, but also international law. Constructive dialogue is needed between representatives of marginalized communities, representatives of human rights organizations, and government stakeholders. The state must protect fundamental liberties of its citizen. Any form of hate speech directed at a marginalized group is reprehensible, and action should be taken against it. On the other hand, our experience indicates that marginalized and impoverished people, as well as adolescents, must endure digital security laws.

Zakir Hossain, the chief executive officer of Nagrik Udyog, gave the concluding remarks and stated, "Through today's extraordinary research report, we hope to strengthen the law." We have seen political parties talk about these minorities in their election manifestos. Although some progress has been made, more participation of these marginalized groups is needed.

Dr. Cynthia Farid and Ahmed Ibrahim presented the key findings of the research report on the alignment between the constitutional framework and the law and policy pertaining to Dalits, Plain Land Ethnic Minority, Person with Disabilities, Hijra, and Transgender communities. Under the moderation of Dr. Khandkar Golam Moazzem, Interim Country Director of Christian Aid Bangladesh, Nuzhat Zebin, gave a welcome speech on the occasion.

"Towards Equality and Inclusion: A Review of Laws and Policies in Bangladesh" was edited by Dr. Meghna Guhthakurta, Sara Hossain and Dr. Veena de Costa. This report was prepared by Abdullah Titier, Ahmed Ibrahim, Cynthia Farid, Rezaul Karim Siddiqui and Tajul Islam. The research was conducted under the project 'Empowerment of Backward Communities and Participation in Development Process' jointly implemented by Christian Aid Bangladesh, Bangladesh Legal Aid and Services Trust (BLAST), Bandhu Social Welfare Society, Nagiri Udyog and Web Foundation with the support of European Union (EU) was carried out on four minority communities - Dalit, Plain Land Ethnic Minority, Person with Disabilities (PwD), Hijra, and Transgender communities analyzing laws and policies. The compatibility of the



current legal framework is closely scrutinized in the light of the rights enshrined in the constitutions for the four communities.