

# Annual Report 2007



Ain o Salish Kendra (ASK)

# **Annual Report 2007**

Ain o Salish Kedra (ASK)

## **Annual Report 2007**

Photography : ASK  
Cover : Manan Morshed  
Published by : Ain o Salish Kendra (ASK)  
26/3 Purana Paltan Line  
Dhaka  
Printed by : ARKA, Eastern Plaza, Dhaka.

© ASK

Any material published in this report may be reproduced with acknowledgements to ASK.

## **Acknowledgements**

This consolidated report draws upon individual reports provided by each unit. The activities of several units are included under three parts and annexure which design ASK's broad based strategies for creating awareness of human rights , providing legal aid and other forms of support and advocating for reform.

Annual reports are a process of making sense out of a million different activities and experiences that form ASK's contribution to promoting a culture of rights and responsibilities of all citizens. The contribution of all the staff and members in preparing this report and commenting upon it needs to be recognized.

The final product of composing, formatting and lay out of the report was the responsibility of Anil Mandel. Other computer operators, who composed the first draft, were Mohsin Ali, Abedul Mowla, Mosharaf Hossain and Rehana Sultana. The Administration and Publication Units assisted with its production.

Md. Asaduzzaman  
Secretary General

## **Contents**

---

<b>Acronyms</b>	4
<b>Glossary</b>	5
<b>ASK at a Glance</b>	6
<b>Foreword</b>	9
<b>Part One</b>	
Programme and Activities	10
<b>Part Two</b>	
Collective Actions Taken by Different Units and Result of Campaigns and Advocacy	21
<b>Part Three</b>	
Challenges Faced by ASK: in carrying Different Programmes	23
<b>Annexures</b>	
<b>Annex-I:</b> Key Activities of ASK Units in 2007	25
<b>Annex-II:</b> Ain o Salish Kendra (ASK) Balance Sheet	31
<b>Annex-III:</b> ASK Members/ Executive Committee	32
<b>Annex-IV:</b> ASK Personnel	33
<b>Annex-V:</b> Sponsors of Working Children '07	34

## Acronyms

ADMIN : Administration Unit	OUT : Outreach Unit
ADR : Alternative Dispute Resolution	PIL : Public Interest Litigation
ADV : Advocacy Unit	PNGOs : Partner Non-Governmental Organizations
AM : Area Manager	PO : Program Organiser
ASC : Ain Shohayota Committee	PP : Project Proposal
ASK : Ain o Salish Kendra	PSH : Psycho-Social Help Unit
BARD : Bangladesh Academy for Rural Development	PT : Popular Theatre Unit
BRAC : Bangladesh Rural Advancement Committee	PWC : Protection of Working Children Unit
CAT : Convention Against Torture	PME : Planning, Monitoring and Evaluation unit
CEDAW : Convention on the Elimination of All forms of Discrimination Against Women.	RES : Research Unit
CHT : Chittagong Hill Tracts	RM : Regional Manager
CO : Community Organiser	RSS : Regional Sector Specialist
COMM : Communication Unit	S : Shalish
CRC : Convention on the Rights of Children	SAF : Staff Appraisal Format
DD : Deputy Director	SC : Study Circles
DIC : Drop-In Centres	SDA : Senior Documentation Assistant
DOC : Documentation Unit	SOL : Social Opinion Leader
EC : Executive Committee	SR : Service Rule
ED : Executive Director	SSHH : Support Services and Halfway Home Unit
FC : Foundation Course	STT : School Theatre Team
FGD : Focus Group Discussion	TA : Theatre Activist
FIN : Finance Unit	TOR : Terms of Reference
FO : Field Organiser	TOT : Training of Trainers
FW : Field Worker	TRNG : Training Unit
GA : Gender Awareness	ULTT : Union Level Theatre Team
GJHR : Gender Justice and Human Rights	UN : United Nations
GSJ : Gender and Social Justice Unit	UZLTT : Upazilla Level Theatre Team
HR : Human Rights	VAW : Violence Against Women
HRD : Human Resources Development	WLUML : Women Living Under Muslim Laws
HRV : Human Rights Violation	
HURIDOCS : Human Rights Information & Documentation System	
HRDF : Human Rights Defenders Forum	
IBDP : Issue-based Drama Presentation	
ICC : International Criminal Court	
INV : Investigation Unit	
JDA : Junior Documentation Assistant	
LEB : Local Elected Body	
LIT : Litigation Unit	
LL : Literacy Learning	
MND : Manabadhikar Natya Dal	
MNP : Manabadhikar Natya Parishad	
MSP : Manabadhikar Sangrakkhan Parishad	
MNS : Manabadhikar Nari Samaj	
MAP : Manobadhikar Ainjibi Parishad	
MIS : Management Information System	
MPTT : Mobile Popular Theatre Team	
MRR : Mediation and Rapid Response Unit	
NGO : Non-Governmental Organisation	
OCD : Orientation Course on Democracy	

## Glossary

**Fatwa:** Arabic for opinion of a person knowledgeable in *Shariah*. In Bangladesh villages, it is decreed by people who have no legal authority; they do not clarify an ambiguous legal situation but weigh up evidence which traditionally was never a function of a *fatwa* giver. Increasingly, *fatwas* are being used to bolster the authority of the *shalish* system. Some punitive *fatwas* have been issued against women, who were divorced, for working with NGOs or just working outside the home. Some punishments are inhuman, such as, flogging, buried up to waist and stoned to death, beating with shoes, etc.

**Government Legal Aid:** *Ainoto Shahayata Prodan Ain, 2000* (Legal Support Fund) is authorised to provide financial support (to the extent of taka 300,000 in each district) for legal aid for insolvent persons. The Fund covers lawyer's fees, expenses during trials and additional charges. The District Legal Aid Committee allocates funds and cases to lawyers. The District Judge is the President and Secretary of the Bar Association is the secretary of the Committee that includes District Magistrate, Police Super, Public Prosecutor, Representative of Department of Women and Child Affairs, Department of Social Welfare, Local NGOs and others. Lawyers have to submit quarterly reports on their cases to the Committee.

**Hilla:** Intervening marriage often imposed in cases where the husband - on an impulse - verbally divorces the wife, repents later and wants to take her back. Although practiced in some places, it has no legal foundation in Bangladesh.

**HRDF:** Human Rights Defenders' Forums are district level groups formed in 15 districts with local lawyers, journalists, NGO representatives, members of elected bodies. They investigate HRVs, monitor human rights situation and take necessary follow up steps. ASK provides necessary technical support (orientation, training) and forms are to send investigation reports to ASK.

**MND :** Manabadhikar Natya Dals are union based voluntary, theatre groups trained by the Popular Theatre Unit to stage social plays on local human rights and legal issues. The members also include women.

**MNP:** Manabadhikar Natya Parishads are Upazilla federations of union based theatre groups.

**MSP:**Manabadhikar Sangrakkhan Parishads are voluntary, human rights monitors formed under the Gender and Social Justice Programme at the union and Upazilla levels. Includes men and women.

**MNS:**Manabadhikar Nari Samaj was formed with women members of MSP.

**MAP:**Manobadhikar Ainjibi Parishad, is a lawyers' group which voluntarily provides advice to CBOs at legal camps, availing Government free of charge Legal Aid Fund. Sometimes they conduct cases. Besides this they try to enhance human rights culture in Court.

**PNGOs:** NGOs who partner with ASK in defence of human rights. ASK trains organisation staff and group members in family law, human rights, women's rights, etc., to enable them to promote and protect human rights.

**Shalish:** An informal, traditional system of mediation used to settle marital and land disputes outside the court.

**Shalishkar:** Mediators who conduct *shalish*. Generally, local elected representatives, village elders, schoolteachers, NGO workers, religious leaders, etc.

**Village Court:** A court constituted under the provisions of the Village Court Ordinance, 1976. Any party in a dispute may in the prescribed manner and paying the prescribed fee, apply to the village court. The Chairman of the Union Parishad constitutes a village court for the trial of a case. Apart from the chairman, each party nominates two members. It has no power of imprisonment, but may order the accused to compensate the aggrieved, to an amount not exceeding taka Tk. 25,000.

## ASK at a Glance

### Registration

Registrar of Joint Stock Companies and firms under Societies Registration Act, 1860 since September 20, 1986

NGO Affairs Bureau under Foreign Donation Regulation Ordinance, 1978 on June 28, 1993.

In special consultative status with UNECOSOC since July 31, 1998.

### Members

Founding members: 9 (4 women and 5 men, 3 deceased)

General members: 25 (16 women and 9 men)

Executive Committee members: 9 (5 women and 4 men, 2 Founder Members and 7 General Members).

### Staff

**Total:** 174 (including regular, under contract, full time and part-time), Women: 113, Men: 61

### Geographic Coverage

ASK activities cover all over Bangladesh. Its public interest litigation and its media campaigns make a national impact. It carries out specific programmes at the grass roots in partnership with NGOs in 40 unions of 10 districts (4 unions of Sadar Upazilla of each district) to promote community activism for gender equity, social justice and human rights. ASK offers legal aid services in six legal aid clinics in Dhaka and in its office, while the principles and methodology of its legal aid has been replicated in 61 in rural clinics, which have been set up by BRAC with assistance from ASK.

Under the BRAC-ASK Joint Legal Aid Programme ASK has trained BRAC staff in para-legal work, basic family laws, so that they could address complaints of their women members, or refer these to a panel of lawyers. ASK monitors and supervises the cases.

ASK's Investigation programme covers all of Bangladesh. It has formed a human rights defenders forum to carry out local investigations in 10 districts.

### Legal Aid Clinics in Dhaka: 6

(1) Shah Ali Bagh, Mirpur; (2) Johnson Road; (3) Goran; (4) Kamrangchar; (5) Keraniganj and (6) Mohammadpur.

### Drop-in Centres for Working Children: 7

Mohammadpur: 1

Goran: 1

Bashabo: 1

Mirpur: 2 (1 part time)

Shantbag: 1

Ekota (Johnson Road): 1

### Drop-in Centres for full time Child Domestic

#### Workers: 9

Kalabagan : 1 (Full time)

Dhanmondi : 2 (Part time)

Kalyanpur : 4 (Part time)

Mohammadpur : 2 (Part time)

### Partner NGOs: (10)

Adarsha Shapla Unnayan Sangstha (ASUS),

#### Naogaon Sadar

Bandhan Society, **Kishoreganj Sadar**

Gana Unnayan Kendra (GUK), **Gaibandha Sadar**

Mukti Nari o Shishu Unnayan Shangstha, **Kushtia Sadar.**

Pabna Prostistruti (PP), **Pabna Sadar**

Shabolomby Unnayan Samity (SUS), **Netrakona Sadar**

Social Association For Rural Advancement (SARA),

#### Mymensingh Sadar

National Development Council (NDC), **Joypurhat**

#### Sadar

Welfare Efforts (WE), **Jhenaidah Sadar**

Sirajganj Uttaran Mohila Shangstha (SUMS),

#### Sirajganj Sadar

### Schools : 30

Khanjanpur Mission Girls High School, Joypurhat Girls High School, Teghor High School, **Joypurhat**

Central Girls High School, P.M. Girls High School,

Chok Enayet High School, **Noagaon**

Sadhinotar Rojot Joyonti Girls High School, Nijamuddin High School, Tulshighat Kashinath

High School, **Gaibandha**

Victoria High School, Sobuj Kanon High School, Koumi

Jute Mill High School, **Sirajganj**

Kolokakoli Secondary School, Mohini Mohon

Biddyapith, Milpara Secondary School, **Kushtia**

Arjot Atorjan High School, Ajimuddin High School,

Kishorganj Girls High School, **Kishorganj**

Shisukunja School & College, Fojor Ali High School,

Jhinaidah S.P. Secondary School, **Jhinaidah**

Mymensing Laboratory High School, Premier Ideal

School, The Edward Institution, **Mymensing**

Jahanara Smrity Girls High School, Rajur Bazar Col-

legiate School, Krisnogobindo High School,

#### Netrokona

Jannat Bibi Jubily Girls High School, Central Girls High

School, Selim Najir High School, **Pabna.**

### MNPs Manobadhikar Nattaya Parishad (MNP):10

Joypurhat, Noagaon, Gaibandha, Sirajganj, Kushtia,

Kishorganj, Jhinaidah, Mymensing, Netrokona, and

Pabna.

### National Networks

**Bangladesh Shishu Adhikar Forum (BSAF)** was formed

by 170 member organisations to campaign for the

implementation of the Child Rights Convention.

**Beijing plus Five for Women's Rights** was formed by a

large coalition of women's organisations to implement

the Beijing Platform for Action, adopted by the

Government of Bangladesh.

**Coalition for the Urban Poor (CUP)** coordinates

campaigns for the right to shelter of slum dwellers

and mobilises them to demand their rights.



**Citizen's Initiative on CEDAW, Bangladesh** is a network of 38 organisations which was formed in 2007 to prepare an alternative report to be submitted to the CEDAW committee in 2009. It also campaigns for implementation of CEDAW.

**Citizen's Initiatives to Address Domestic Violence** is a network of about 40 organisations formed in 2007.

**Sramik Nirapotta Forum** is a network of 14 organisations concerned with workers' safety at the workplace. Formed after the collapse of the Spectrum Sweater Industries building in Polashbari, Savar it has campaigned for workers' safety through the media, and filed PILs to establish corporate responsibility for workers' deaths and injuries.

**Samajik Protirodh Committee** is a network of 52 women's groups in Bangladesh formed to resist violence against women by both state and non-state actors, to campaign for participation of women in public decision-making and to resist the rise of religious extremism. The Secretariat is located in the Bangladesh Mahila Parishad.

**We Can End Violence against Women** an international campaign against domestic violence. Holds meetings, seminars, workshops and publishes materials on violence against women and personal and collective measures to prevent gender-based violence. ASK is currently Chair of the national campaign committee.

### **International Networks**

**Asia Pacific Forum for Women, Law and Development (APWLD)** was formed after the Nairobi Conference. Based in Chiang Mai, Thailand, APWLD networks with legal and women's rights organisations across Asia and the Pacific to campaign for women's rights, to create awareness of rights and to draft recommendations for legal reform.

**End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes - ECPAT International**, based in Bangkok is the world's largest NGO dedicated to fighting the commercial sexual exploitation of children. It has member NGOs in 70 countries around the world.

**Forum Asia (FA)** based in Bangkok, Thailand promotes human rights through training, education and awareness of international standards for different constituencies.

**International Women's Rights Action Watch (IWRAW)** based in Kuala Lumpur, Malaysia promotes women's rights under CEDAW and other UN Conventions. It supports and trains organizations to prepare shadow reports for treaty bodies.

**Migrants' Forum in Asia (MFA)** based in Manila, raises awareness about migrant workers' rights and fair working conditions and creates structures of support. ASK has submitted a report on conditions of migrant workers from Bangladesh.

**South Asians for Human Rights (SAHR)** is a network of human rights defenders and organizations based in South Asia. The secretariat is in Colombo.

**Women Living under Muslim Laws (WLUML)** is an international solidarity network that has engaged with problems faced by women in contending with Islamic laws. ASK has prepared several documents on how such laws affect women's lives in Bangladesh.

## **ASK's Development**

### **Political Background**

Bangladesh emerged as an independent state in 1971 after a nine-month long war of liberation during which the Pakistan army, abetted by their local collaborators, perpetrated genocide, rape and crimes against humanity. The war was preceded by many years of popular struggle for socio-economic, political and cultural freedom. Popular movements had resisted fundamentalism, communalism and military autocracy and promoted the ideals of a democratic, secular, pluralistic and tolerant society.

Three years after independence, the country came under a long spell of rule by the military, supported by forces that had worked against the independence of Bangladesh. They promoted sectarian politics. The Constitution has been amended several times. The negative changes included the introduction of a one party state in 1974, replacement of the principle of secularism with "faith in Allah" in 1977 and declaring Islam the State religion in 1987. The State's commitment to secularism and parliamentary democracy was omitted. By 1990, a popular movement brought down the military government and reverted the country to a parliamentary system. Three governments were formed after elections. During this period, political confrontation has made democratic institutions dysfunctional and political patronage has encouraged a lack of accountability, corruption and misuse of power.

Bangladesh as a party to the core UN treaties and conventions is obligated to ensure civil, political, social, economic and cultural rights of its citizens. The Constitution too has guaranteed fundamental rights. However, access to justice has been persistently denied through a culture of impunity either by ignoring the constitutional directives, or by perverting the laws and the Constitution. Its most ominous consequences are evidenced in a deliberate demonstration of the lack of accountability on the part of those in power; and increasing sense of insecurity amongst citizens. Justice has been denied because of impunity of violators and protests against violations are not tolerated. Even extra-judicial killings by both state and non-state actors are justified as receiving popular support. In this environment citizens appear to withdraw from collective action; they remain apathetic to wrongs or are unable to stand up for values. Instead, they narrow their concerns to the "self" and are not forthcoming in support of others who are subject to human rights abuses. Thus, human rights defenders and their organizations become isolated as they face the challenge to protect and promote human rights.

The State often tends to act against the 'whistle blowers' rather than on the perpetrators. Human rights defenders are often accused of tarnishing the image of the

country. Therefore, the need to strengthen and protect human rights defenders has emerged as an important issue at this juncture. This has put the work of human rights defenders, including ASK and other human rights organizations under serious challenge, as the political environment undermines rule of law and becomes hostile to human rights defenders. Within and outside the law courts, ASK faces challenges in promoting values of human rights and pluralism in an atmosphere of increasing political confrontation, intolerance and marginalisation. ASK has traced the root causes of human rights violations in Bangladesh to confrontational politics, gender discrimination, communalism, ethnic and class inequality, poverty and unemployment, corruption, lack of good governance and accountability. ASK realizes that there is no quick remedy to establishing human rights and good governance, and that these values need to be affirmed in relations within the family, and in the community and institutional structures of state need to promote human rights.

**Organizational Structure**

Ain o Salish Kendra (ASK), (literally, *Law and Mediation Centre*), a legal aid and human rights organisation, was started in 1986 with the purpose of providing free legal aid, particularly to women, workers and working children, and to promote and protect human rights. Founded by nine individuals, including lawyers, professionals, social workers, development workers, it began life in a small garage, loaned by a supporter. In 1989, ASK moved to a more central location. It has consultative status with UNECOSOC and continues its commitment to promoting human rights within a democratic framework. Its goal is to create a society based on equality, social justice and the rule of law with a special focus on gender equality.

**Strategies**

ASK's strategies for the promotion and protection of rights and justice have evolved dynamically in response to its experiences and aim to strengthen the defence of human rights at the grass roots and by state institutions. These strategies can be identified as:

- Generating human rights awareness and activating responses against human rights violations (HRVs)
- Promoting community activism for gender equity and social justice
- Ensuring access to justice through legal aid
- Providing emergency support service
- Campaigning and advocacy for law and policy reforms
- Ensuring transparency and accountability in public institutions
- Enhancing capacity of human right defenders
- Ensuring an effective institutional system

These strategies are implemented by 17 units and one component. Independent programmes for awareness raising, legal aid, social support and so on are carried out by each unit, but the outcome of one programme leads to activism or enables participants to take further steps. For example, knowledge of human rights awareness leads participants to seek legal aid or to build the capacity of human rights defenders. The experience gained through legal aid or with community voluntary groups, enables ASK to identify issues for research, media campaigns and advocacy. Similarly monitoring of human rights and documentation is useful in checking human rights violations. Several units are clustered with the aim of promoting particular strategies. Two units for Human Rights Awareness and Gender and Social Justice carry out activities to create community consciousness and facilitate activism, five units provide access to justice and protection of rights. These are Mediation and Rapid Response, Litigation, Outreach, Child Rights, Support Service and Half Way Home Unit. Psycho-social help is not yet an independent Unit, but is a component of the Social Support Unit. Campaigns and advocacy within the country and internationally are carried out by three units e.g. Research, Communication, Legal Advocacy and Policy Reform, whereas the situation of human rights is monitored and documented by two units, Investigation and Documentation Units. The Training unit offers courses on human rights, legal rights, gender equality, etc. Administration, Finance, Planning, Monitoring and Evaluation provide structural support to all units and evaluate their results and outcomes.



## Foreword

---

The state of Emergency that was declared by the new caretaker government taking over charge of the country on January 11, 2007 in the face of challenges thrown by the escalating confrontational political situation and the declaration of war by the government against corruption, terrorism, confrontational politics, use of violence in order to create a level playing field for all political parties and alliances was hailed by everyone concerned, but it put a halt to all political and social activism including human rights. As a matter of fact, people were very happy to see some of the institutions like the EC, the ACC, the PSC reformed, separation of the judiciary from the executive and the announcement of the establishment of the National Human Rights Commission. But suspension of all fundamental human rights under the prolonged emergency rule created problems in the justice delivery system. The processes, open and behind the scene, followed by the Government to cleanse the political atmosphere, which unfortunately can not be said to have been absolutely transparent, raised serious questions in the minds of the people as to the intention of the army backed Government. Many of the arrests made were arbitrary without following the due process, some were rather unnecessary as it seems today and some of the arrests made and suppressive actions and torture in custody were seen as clearly a violation of human rights. The arrests and torture of the university teachers can be cited as clear examples. It soon seemed as if the present caretaker government have merely replaced the political governments who were mainly discredited for their lack of sense of accountability and transparency in dealing with crimes related to corruption, abuse of power and human rights, nepotism and extortionist culture by abusing power. Not only that, the very actions against corruption and violence taken by the Caretaker Government itself reversed recklessly and whimsically giving people enough reason to feel that the Government has lost its direction. Some of the genuinely accused, taking advantage of the situation are complaining of political victimization. Even though people appreciated the initiatives taken by the Government to offer the nation a free and fair election, its moves to make compromises with certain quarters resulted in sliding down of the popularity and trust it had enjoyed

in the beginning. It also contributed in the creation of an atmosphere of uncertainty and fear of returning to the same culture of impunity that had existed before 11th January. Needless to say, this situation led to a feeling of disappointment in the minds of the religious minorities, the CHT hill people, the ethnic minorities of the plain who were hoping to see some improvement in their life as far as their land and property rights are concerned. Women e waiting to get equal rights in their private life and an end to violence against them failed to recover the women's development policy. The prospect of the Domestic Violence Act seems rather bleak. The police reform did not take place in time for the people to find a friendly force in them nor did the office of the Ombudsman see daylight. Treatment of the religious fundamentalists and the war criminals was far from what was expected, extra-judicial killing did not stop, slum dwellers and hawkers were evicted defying court orders, jute mills were closed down one after the other without paying the due compensation to the workers and as has been said earlier arbitrary arrests and torture in custody was practiced as usual. The only silver lining perhaps is to be seen in the increased consciousness of the citizens about the political situation, which hopefully they will use judiciously in the next election. Amidst all these, ASK, as reflected in this report, continued with its planned programmes and carried out its representational responsibilities with vigour and tireless efforts to create an enabling environment for the disenfranchised to claim rights. It contributed and gave inputs to keep up the spirit of all ASK's colleagues in human rights and access to justice activism to look forward and create a better future for all. I thank all my colleagues in ASK, in the networks, honourable Executive Committee and General Members and the Consortium Partners for being with each other and the solidarity and support given to ASK to accomplish a meaningful year in meeting the challenges in a condition of hope, expectation, fear and disappointment accentuated by the state of emergency.

Sultana Kamal  
Executive Director

# Part One

## Programmes and Activities

### Human rights awareness

One of ASK's major strategies has been to create awareness of human rights, in order to generate a demand for rights and entitlements within the community and to make state institutions and duty bearers responsible for promotion, protection and prevention of human rights. A wide range of persons from the grass roots to state level institutions is included in ASK's awareness raising programmes.

Theatre is an important medium for creating awareness, stirring public conscience and encouraging a discourse on human rights concerns. The HR Unit works intensively in local communities with youth, students and cultural activists. The Unit mobilizes local volunteer groups to form human rights theatre teams; they perform issue based plays on human rights violations in their area of work, and take action to promote and protect human rights. This has resulted in the formation of volunteer groups amongst secondary school students known as Biddaloy Nattya Dol (BNAD) and amongst the youth such as Manabadhikar Nattya Parishad.

Biddalaya Nattya Dol (BNAD) has been formed with students in 30 secondary schools after a six-day residential course on human rights and gender relations conducted by the HRA Unit. The Unit staff consulted with teachers and students in ten working areas to select these teams. They learnt to perform dramas, publish wall magazines, participate in debates

and cultural competition, celebrate significant days and attend study circles. One Guide Teacher (GT) was selected in each school to supervise the work of the BNAD. The Guide Teachers were trained in performing theatre, human rights, gender and family laws. Thirty BNADs have been performing issue-based dramas regularly on human rights and gender issues amongst secondary school students.

### ***Manabadhikar Nattya Parishad***

A unit staff with the help of local cultural activists identifies volunteer activist groups interested in forming an UMNP and trains them in performing action theatre. They also learn about legal and human rights and gender discrimination. Local activists learn about practical steps to deter human rights violations, and participate in village *shalishes*. In 2007, five new MNPs were formed and 45 MNPs were reconstituted at their council meetings. They performed issue-based dramas regularly in their working areas. Each year at least 25 people were trained at a residential training programme. Local Facilitators were selected from amongst the groups who then trained more theatre activists independently in the working area.

As the union level theatre groups increased in number, they decided to federate into UzMNP at the upazilla and district level. The formation of Upazila MNP has made the UMNP's activities more visible at the district level, involved youth in social activism, and in

many places were able to generate some local funds. The UzMNP organized events on a large scale and published printed literature and calendars. They also supervised union level MNPs and participated in lobbying for human rights cases with the local police officers, lawyers and journalists.

All UzMNPs were functioning more independently and the MNPs have interacted with local cultural organizations as well as with the BNAD in secondary schools; this has enhanced their acceptance as theatre organisations in the locality. In some places, theatre workers use their own funds to continue and expand their programme. Progress is monitored at monthly meetings held between UzMNP, LCO and an ASK representative. The HRA Unit Coordinator/Deputy Director monitors the process by attending some of the meetings.

#### **Formation of local theatre teams**

A series of steps are followed in the preparation of theatre teams, production of plays and building public awareness.

The Unit holds workshops with local volunteer groups to discuss legal/human rights and gender relations. The participants develop leadership skills, learn to perform issue-based dramas, and gain practical information on how to file complaints, obtain medical reports as supplementary evidence, to assist survivors during their trial, where and how to access legal aid and funding for legal aid. The Unit has also organised Drama Production workshops in cooperation with Local Cultural Organisations (LCOs) and cooperated with similar local initiatives.

#### **Theatre Production**

ASK's theatre activists show theatre groups how to identify human rights concerns in the community, how to develop a story line that illustrates the social, economic, political causes of discrimination. The plays provoke discussions on how power dynamics affect law and human rights. Each Theatre Activist conducts 2-4 workshops every year.

#### **Workshop on Issue-based Drama Production by Local Facilitator (LF)**

A panel of Local Facilitators is formed from amongst the UMNP jointly by ASK and UzMNP so that they can train others in performing issue based plays. This is to reduce the dependency of the MNPs on ASK. Approximately 15-20 members from each UMNP participated in a workshop supervised by ASK and UzMNP. In 2007, 30 MNP members trained as Local Facilitators conducted 86 workshops for 50 UMNPs and produced 160 plays on different issues like political terrorism, police torture, rape, dowry, etc.

The group dramatizes a specific case and leaves it open ended for the audience to discuss human

rights implications and alternative solutions. Sometimes the drama triggers debates that last for hours in local tea stalls, bazaars and other gatherings. Each team usually performs two issue-based dramas per month.

#### **Cultural Events**

MNPs hold cultural events to commemorate significant national and international days related to human rights, which attract a large number of people. The purpose is to create tolerance for cultural and political diversity and to enhance commitments to human rights and democratic values.

#### **Annual HR Theatre Festivals**

UzMNPs organize Annual Human Rights Theatre Festivals at the district level every year to mark Human Rights' Day. The UMNPs and other local cultural organizations take part in festivals of drama, songs, dance etc. The MNPs organized 10 district level Annual Human Rights Theatre festivals in 2007. These activities have served to widen the human rights constituency and deepen the capacity of the participants to promote human rights and democratic practice. The performances as well as other cultural events were attended by a wide section of villagers who then engaged in lengthy discussions on the themes projected in the village communities.

#### **National conference of HR Theatre Activists**

80 theatre activists attended the National Human Rights Theatre Activists' Conference in Dhaka, which was addressed by eminent Writers, Journalists, Lawyers, HR defenders, Economists, Cultural Activists and Gender specialists. Grass root level Theatre Activists got the latest information on socio- economic and political issues and at the same time, they used the opportunity to elicit and exchange their working experiences in the national level.



## Community Activism for Gender Equity and Social Justice

Gender and Social Justice (GSJ) Unit promotes concepts of gender equality and human rights in the family, community and state institutions by holding workshops with elected representatives, officials, and members of the community, both men and women. The purpose is to mobilize community activism for gender and social justice.

**MSP, MNS and MAP** :The Unit has been instrumental in developing and sustaining Community Based Organisations (CBOs) that promote and protect human rights. Significant among these are Manobadhikar Sangrakkhan Parishad (MSP) and Manobadhikar Nari Samaj (MNS) both operating at the union level. The Unit has assisted in the formation of Manobadhikar Ainjibi Parishad (MAP), a federation of lawyers in the district, who offer legal advice and voluntary services to the disenfranchised. These CBOs monitor incidents of domestic violence, *fatwa*-instigated violence, child marriage, custodial violence and other violations and demand deterrent action by concerned authorities. As a result, members of the community have raised demands for justice, good governance and elimination of discrimination. At least 40,000 members of CBOs, PNGOs, MNS and MAP (almost 23,000 women and 17,000 men) participated in meetings on elimination of discrimination against women. One CBO of Sirajganj was registered with the Department of Social Welfare.

In 40 Unions almost 2600 MSP and MNS members are playing proactive role to protest and prevent HRV; they collect information on rights violations, take the victims to thana, hospitals, lawyers, court, organize rally, submit memoranda and issue press releases whenever any violation of human rights occurs and conduct/ attend shalish on the issues which can be handled through shalish . From January to December 2007, 259 incidents were reported by CBOS, 91 victims were taken to thana, hospital and courts; MSP and MSN members attended 243 shalishes, held 6 workshops with the Department of Social Welfare, 10 workshops with UNO, 20 workshops with UP for the purpose of registration of CBOs, at pressured government to activate Village Court, set in motion the Arbitration Council, organized 90 Legal camps for the poor where 1092 men and 1433 women received legal assistance in different complaints and helped to file 64 cases under Government Legal Aid Funds. Women's Group held 10 workshops with the Shalishkers in the union.

MNS members held ten workshops with *shalishkers* in 40 unions to sensitize them to women's rights and gender justice. 40 MNS groups participated in or observed *shalishes*, and met with the Directorate of Women Affairs. They took action in 48 cases of do-

mestic violence, by escorting victims to police thanas, hospitals and lawyers, etc. Participation of women has increased substantially as a result of these activities.

When MSP receive a compliant its members arrange shalish after sending notices, arranging the place etc. The MSP members try to settle the matter amicably. They keep all the documents and record the decision in a stamped matter which is signed by both parties. They follow up the cases.

MAP member lawyers have enhanced their skills by participating in meetings, workshops and trainings. They have extended their voluntary support in cases of violence against women to those who cannot afford court expenses. MAP is now functioning as an independent organization giving voluntary support to the community. MAP organized nine workshops with members of the Government Legal Aid Committee. They attended 90 Legal Aid Camps organised by the MSP and MNS, where they were able to give legal advice to 1092 men and 1433 women. MAP lawyers filed 64 cases under GLAF on behalf of 5 men and 59 women. PNGOs documented and followed up HRVs and other crimes every month; they also monitored and reported on actions taken by MSP, MNP and MAP; they held 20 workshops, eleven meetings, 21 network meetings and organised one training on Human Rights, Rights Based Approach, Good Governance, Women's Rights and current political concerns such as Emergency Powers Ordinance, Independence of Judiciary, etc.

### Case Study

#### A GSJ participant becomes a shalisker

A *shalish* is a common form of mediation in rural Bangladesh, particularly in conflicts relating to land and family disputes. It is preferred because of its low cost, and proximity. However, *shalish* is not without problems. First, members of the local elite such as UP Chairmen and Imams usually dominate it. The poor and especially women have practically no say at a *shalish*. Often the *shalishkers* do not seek mediation between the two parties but take arbitrary decisions. These decisions are not always fair and decisions do not always conform to Bangladeshi law. That means, traditional *shalish* may decide to inflict physical punishment in a complaint of extra marital relationship, *hilla* marriage, ostracising of women, etc.

Shamsuzzaman, or Zaman Bhai as everyone calls him, is now a well-known *shalishkar* in Kushtia. Twice a month, Zaman conducts *shalish* at his house. It is to be mentioned that he gives one room to MSP for official purpose. Zaman used to be a construction worker. He joined an elementary course run by the Gender and Social Justice Unit in family law and human rights in Kushtia. In his office, he is available seven days a week. At each *shalish* he settles three to five cases. Usually, it takes two to three sittings to settle a case. Since 2004, he has kept a record of all cases. Zaman is often heavily criticised for his work. People think that he receives money from NGOs or even bribes. Sometimes he faces threats. The JMB once wrote to him that they appreciate his work for the poor, but that he should stop women from speaking in public. "One bomb will be enough for me," Zaman quotes the letter, laughing uncomfortably. Nevertheless, threats do not deter him. Zaman continues offering justice to the poor.



## Access to Justice

Four units (Mediation and Rapid Response, Litigation, Outreach and Child Rights Units) have adopted an interconnected and coordinated approach to provide access to justice. This extends from legal support to socio-economic support and counselling. ASK's legal support system set up in Dhaka is replicated now in villages by ASK's partner NGOs such as BRAC. Women, workers and working children have gained access to both the formal (court) and informal (shalish) systems of justice.

### Mediation and Rapid Response

In Bangladesh, women prefer to settle family disputes through mediation, because the formal judicial system is time-consuming, expensive, and reported to be corrupt and biased particularly when it concerns women's issues. Since 1992, legal aid services have been provided at the ASK office and at six on-site clinics in Mirpur, Goran, Johnson Road, Kamrangirchar, Mohammadpur, and Keraniganj in Dhaka and sometimes outside Dhaka. Mediation and Rapid Response Unit (MRRU), as the name suggests, negotiates settlements amongst disputants and addresses emergencies. Complaints are brought by clients physically to ASK lawyers, who provide legal advice or mediate family disputes. After the terms of the settlement are agreed upon by both parties, they are recorded and signed by the parties concerned. The woman client is visited by the Unit's field workers to ensure that the settlement is not broken. If the complaint refers to a cognizable offence, the matter is sent to the Litigation Unit.

From September 2006, the Mediation Unit has started giving legal assistance to women inmates in the Government Shelter Home. The Social Welfare Department in response to an appeal from ASK has made the client release procedure at government shelters more flexible and friendly to women and children. It has circulated a notification on release procedures, which is being practiced now. This can be the first step towards repeal of the Vagrancy Act.

The Unit's Rapid Response to emergencies has been an effective method to rescue victims of HR violations. Sometimes the Unit responds to incidents of violence on women reports that are reported in daily newspapers and at other times to requests from clients or different organisations.

- 2,406 requests for legal advice/assistance were submitted by clients physically or by telephone, email and letters. This was 60% higher than in previous years. ASK responded to 69% of these requests.
- By December 2007, ASK dealt with 2,892 complaints in which 1,510 were registered in 2007 and

1,382 complaints carried over from the previous years. After taking proper steps 863 complaints were closed. Efforts were made to solve about 97% complaints by mediation out of court and only 3% were brought to court in cases of violence.

- The Unit responded to 337 requests for urgent help against HRV at district level.
- In 2007, a total number of 350 inmates were released from the Government Shelter home in Mirpur under a partnership project between ASK and Concern World Wide. ASK's responsibility was to provide legal representation for the inmates arrested under the Vagrancy Act and for proper implementation of the Vagrancy Act.

### Case Study

#### Legal Action against Punishment of Women

After reading a report in the *Ittefaq* ASK sent a three-member team from the MMRU and Investigation Units to investigate and collect information about a *punishment* of a woman in Panchbibi of Jaipurhat district. The victim, her family and the secretary of the community police told ASK that an order had been issued against Salma Begum (not her real name) and her brother-in-law because the husband saw the latter talking to her in the yard and saw the brother-in-law touching Salma's hand. He became angry, abused her and submitted a written complaint to the community police. At a mediation arranged with UP members, they decided to beat Salma's brother-in-law and that Salma should not be allowed to go back to her husband's house until the Principal of a Madrassa issued a *fatwa*. They said it was a sin for the brother-in-law to touch Salma's hand and only the principal could decide whether Salma's conjugal life should continue.

MRRU contracted the SP, IGP and urged them to take legal initiative. The High Court Division of the Supreme Court in 2000 had given a rule declaring that *fatwas*, instigating violence or ordering *hilla* marriage were illegal. After ASK's intervention, the local Thana investigated the matter and took praiseworthy action. Salma went back to her husband and ASK has continued to monitor that she is not mistreated.

### Litigation

The Litigation Unit receives complaints of cognizable offences such as rape, murder, torture, acid-burns, dowry, polygamy, detention, civil revision, criminal appeal, or of human rights violations. Unit staff lawyers and panel lawyers have conducted these cases in courts both in and outside Dhaka. The Litigation Unit has facilitated women's access to the courts, especially in family disputes relating to dower, maintenance, guardianship, divorce, etc. Many of its cases have succeeded in providing protection and security to a number of women and children. The recovery of dower and maintenance money through the courts has enabled the women to invest in self-employment schemes that have made them self-reliant. The Unit has filed workers' rights cases in court.

- The Unit filed 200 cases during the year and the

lawyers conducted 404 (125% of target) cases from previous year. Besides, this year they filed five cases outside Dhaka;

- By December 2007, the organization disposed 118 cases (76% disposed in favour of clients, 15% cases in default of clients and 9% cases not in favour of clients); a total number of 164 persons were freed from jail and safe custody which was an increase of 37% over the previous year.;
- Lawyers recovered taka 1,572,728.0 as dower and maintenance on behalf of clients through the court. Of these, 76% were disposed in favour of clients, 15% cases disposed in default of clients and 9% cases disposed against clients.
- Litigation Unit filed 3% serious human rights violation matters in court, 97% of which were received from the MRRU;
- It provided shelter to six clients in ASKs HWH;

#### *Case Study*

#### ***Lawyers assist prosecution in an election vendetta violence case***

Arnab Das alias Babu (9 years), was the only son of Bimol Das, of village Saihiti, PS- Kaliganj, District- Satkhira. His father was a candidate in the local School Managing Committee Election and his paternal uncle contested in the election for Union Parishad Chairman. The accused party competed in both elections. They lost to Arnab's father in the election of the school managing committee and were looking for a chance to take revenge.

On 18 June 2000 accused number 1 kidnapped Arnab and after three days Arnab's corpse was found in a canal, 200 yards away from his home. Arnab's paternal uncle lodged an FIR at Kaliganj thana on 21 June, 2000. ASK learnt about the incident through its Investigation Unit and newspaper report. The Litigation Unit lawyers went to Satkhira to assist the prosecution during the hearings. Charge was framed under section 34/120(B)/201/302/364 of Penal Code 1860. The investigation officer submitted the charge sheet on 2 July 2001 against eight accused. The judgment given on 28 November 2007 sentenced the two accused to death by hanging, four were sentenced for life and two others were acquitted.



#### *Case study*

#### ***Lawyers Appeal to Court for release of Juvenile arrested on suspicion***

Md. Arif (17 years), son of Nurul Haque, residing in Hazaribag, Dhaka was arrested by the police without any specific complaint against him and only on apprehension of a future offence. Initially, his arrest was recorded in General Diary (no 479) of Police Station. Later on, he was shown arrested under several charges. After hearing the case, he was sent to jail. Arif's father sought legal assistance from ASK on the ground that his son was falsely accused and was unable to bear court expenses. The Litigation Unit filed an appeal in the Court to ensure juvenile justice for Arif. He was then released on bail and his case is pending.

#### ***Outreach***

The Outreach Unit has been able to extend its legal aid activities to districts through partnership with like-minded local NGOs. The ASK-BRAC joint legal aid programme has provided access to justice for marginalised rural people; it has created greater public awareness on human rights, and persuaded decision makers, such as elected local representatives, journalists, professionals and community leaders to support legal and human rights.

The methodology of ASK's legal aid services offered in Dhaka have been replicated through its Outreach Programme (BRAC-ASK Joint Legal Aid Programme) in 61 districts. ASK has developed the capacity of BRAC's staff through training, workshops on laws, human rights, gender, mediation and advocacy to sensitize them to human rights lawyering. Outreach unit has also interacted with local Bar Association members and judges about legal aid programme and procedures, and to motivate them for speedy and effective remedies. The Unit has established a strong working relationship with local administration, police officials, DCs, Magistrates, assistant and public prosecutors, media, NGOs, etc. through a series of dialogues on the issues of gender discrimination, lack of justice, class discrimination, lack of education, poverty, drug addiction, misinterpretation of religious rules.

In 2007, the Unit arranged

- Three workshops on Gender, Legal Aid and Human Rights for 113 (Women: 25 & Male: 88) of BRAC panel lawyers;
- Two training courses to upgrade the capacity of all BRAC staff lawyers on Gender Relation Analysis, Human Rights, Law and Policy Reform, Effective Communication and Investigation;
- Twenty four workshops with local bar associations members and judges on issues relevant to the BRAC Legal Aid programme;
- Twenty four workshops to increase coordination with members of the local administration i.e. police offi-



cial, D.C, Magistrates, public prosecutors, media and local NGOs;

- The Unit responded to 337 requests for urgent help against HRV in districts.

#### *Case Study*

##### **Rapid response in complaint of attempted rape**

In Kabirajpara, Khutamara Union, Jaldhaka Thana, Nilphamari district on March 23, 2008 Popy went to a *waaz mahfil* (religious gathering) with her mother and grandmother. She was lured by Hobibur Rahman (Hobi) (35 years) to the riverside; he attempted to rape her, and threw her on the ground. As she injured her right leg, Popy fainted and Hobi fled the scene. The Outreach Unit, after hearing the report at ASK's Daily Action Meeting informed the Nilphamari BRAC staff, who rescued Popy and filed a case at the thana [case no-19. Sec: 9(4) under the Nari o Shishu Narjaton Domon Ain, 2000 (amended in 2003). Popy was admitted to a hospital and her medical test report was collected. Counselling was provided to Popy and her family. The Unit also instructed a panel lawyer to assist the public prosecutors under the BRAC Legal Aid Programme.

#### **Child Rights**

Given the preponderance of child labour in Bangladesh, ASK in the nineties documented the lives of children working in nine different occupations and published the findings in a volume titled *Where Children are Adults*. The needs identified in the research were translated into an action programme called HELP (which stood for health, education and legal protection to working children). The Child Rights Unit has developed a flexible system of non-formal education in drop-in-centres to enable working children to access their rights. The Child Rights Unit provided health and legal support to 1600 working children. Access of working children to services and opportunities for health and education was expanded.

#### *Case Study*

##### **Protection of domestic workers**

Lily Akter (12) and Rubina Akter (13) started working as domestic help at the age of 5 years. They worked 4/5 hours daily, and shared a room in a slum with their village neighbours. During field work ASK's community liaison officer registered them at ASK's Drop in Centre, which they attended regularly. After completion of the one-year literacy course, they were admitted to a mainstream school. They were doing very well at the school, but they faced other problems. On their way to school, they were teased and harassed by teenage boys. When they refused to marry the slum gangs, the latter threatened them. Lily and Rubina stopped going to school. After learning about their situation, the Child Rights' educator-liaison officer consulted the Legal Aid Unit, who talked to the gang and tried to explain to them that this would be an offence and they would be liable to punishment. Although the gang promised the lawyers not to disturb the girls, they continued to harass them after a few days. The Legal Aid Unit filed a General Diary (GD) at the police station against them, and took the girls to the Half Way Home for temporary shelter. They were then admitted to the Sufia Kamal Girls Home where they could continue their studies up to SSC level free of cost.

ASK sensitized many communities to the need for protection of the rights of the child. It also made them aware about negative consequences of child labour. It arranged 40 meetings with local representatives and community members, where discussions were held on community responsibilities for working children. This led to formation of active employers and parents groups in the community. Child rights unit also introduced a programme for full time child domestic workers. For the past 5 years, we have been working to protect them from abuse and exploitation. Many other NGOs are also doing the same work.

In response to demands from the local Government and families with poor resources, the unit has started a new programme in Mymensingh Sadar to provide support to children under risk through education, vocational training and advocacy with local Government. The purpose is to create opportunities for them locally so that they do not migrate to cities and enter into risky occupation such domestic work.

The Child Rights Unit participated in the Government's consultation on formulation of a National Child Labour Policy. A Code of Conduct to be observed by employers of children in the informal labour sector was included in the Policy.

#### **Emergency support service system established**

ASK established an emergency support system to provide shelter and protection to survivors of violence, particularly women and children during court proceedings. Clients who are unable to return to their own community because of fear of recurrent violence or social stigma, need long-term shelter and psycho-social counselling. They also need to develop their skills to cope with the new reality. In ASK's Half Way Home clients usually can stay for 10-15 days and in the meantime ASK arranges long term shelter for them and refers them to other networking partners for further development and follow up them regularly. But if a client's security cannot be ensured in any other networking organization or shelter home, ASK allows them stay up to six months to one year with special permission.

ASK has invited a number of social workers to form a voluntary committee in support of the ASK Half-way Home. The Committee members have visited the Home regularly in 2007. At these visits, members discussed clients' concerns and problems, so that they could suggest remedial action. One member also arranged an in-house picnic for the residents of Halfway Home this year. At least 30 per cent of legal aid seekers are provided with shelter, medical help and counselling. ASK maintains liaison with clients even after a shalish to ensure that the agreement is observed by both parties.

Support Service and Half Way Home arrange orientation for ASK's clients and staff of partner NGOs on family laws, women's rights, violence against women. This is to help them understand their right under the law, reasons to develop due to legal procedures and ASK's mediation and litigation process.

Through its psycho-social help component, ASK has broken new ground in demonstrating survivor assistance and rehabilitation that mental well being is just as important as physical health. Psycho-social counselling was provided by certified/trained ASK staff to 127 clients during the year.

If the clients are able to continue the counselling, they are able to retrieve their emotional stress and to cope with her situation. Since 1998, ASK has arranged courses in Certified Professional Development in Counselling and created a team of professional counsellors in the country. Qualified experts from other countries were invited to conduct the courses. 59 professionals participated this year. ASK also organised Basic Counselling training/orientation for 196 participants for its own staff and staff from different organisations, including ASD, Rajarbag High School, BRAC, Polli Sree, Care Bangladesh, etc. Five organisations (ACD, Rajarbag High School, BRAC, Care Bangladesh, Palli Sree) requested ASK for training on "Basic counselling".

The Unit holds awareness raising programmes for the clients, community & NGO group members on family law, violence against women and child rights. It meets with clients every month to inform them of the progress on their cases and reasons for delay. Clients are encouraged to seek psycho-social help from ASK's counsellors.

In 2007,

- Direct support was provided to 546 clients among the registered legal aid seekers.
- Awareness raising courses and client workshops were arranged for 533 clients, and liaison was maintained with them.
- Counselling help was given to 127 clients and 28 clients got relief from mental and emotional distress.
- 59 participants received training in counselling given by local and foreign experts.
- 196 (ASK staff and staff from other organizations) were given basic orientation in counselling.
- There were 40 regular members of ASK's counsellors/ helpers' association.

## Advocacy for Law and Policy Reform

ASK's campaigns and advocacy for law and policy reform to promote, prevent and protect human rights of all irrespective of class, caste, sex, religion, language, age, marital orientation have been carried out through:

(a) Research to identify the gaps between the law and its implementation (*Research Unit*)

(b) Publications, periodicals and commissioned articles in the print media to mobilise public opinion and stimulate discussions on the need for new laws, amendments or policy reform (*Publication and Communication Unit*)

(c) Legal advocacy through public interest litigation or lobbying with policy makers (*Legal Advocacy and Policy Reform Unit*)

(d) Advocacy initiatives using the mass media (print and electronic), alternative media (website, blogs) and engaging with international forums (*Media and International Advocacy Unit*)

### Research

#### Human Rights in Bangladesh 2006 published

**Chapters on** Legislative and Institutional Developments, Judicial Developments on Fundamental Rights, Right to Life, Right to Freedom from Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Right to Liberty, Freedom of the Press and Information, Right to Prisoners, Right to Food, Right to Shelter, Workers' Rights, The Status of Religious Minorities, Women's Rights, Rights of the Adibashis, Rights of the Socially Excluded, Child Protection and Child Rights, Current Status and Challenges and Rights of the Differently Abled. Based on information collected from official documents, court judgments and newspapers, each chapter identifies the nature of violations and interventions by the state and society as well as the state's obligations in protecting and promoting respective rights.

**Research papers on "Assessment of needs for an Adoption Law"**: The Research Unit prepared a position paper to clarify the legal position regarding adoption. In Bangladesh the absence of a law on adoption has created complications since there is now a degree of interest in adoption.

Other ongoing Research Initiatives included a review of existing laws, rules, regulations and practices regarding HIV/AIDS with the purpose of making specific recommendations for inclusion into the National HIV Policy. Research Unit a project with UNAIDS and a compilation of judgments on fundamental rights prepared for a joint Project with D.Net.

**Book Launching:** The Research Unit organized two book launching programmes on two different publications which were, *Human Development in South Asia*

2005 by Mahbub-Ul-Haque, Human Development Centre, Pakistan and *Summary Human Rights Report 2006*.

**Study Circles on issues related to policy advocacy or of current concern:** During the reporting period, the Research Unit arranged and facilitated five study circles to share research findings on pure drinking water, HIV/AIDS, Medical Negligence and Adoption Law, etc. It also facilitated a study circle on the critical human rights situation in Sudan.

The research findings were shared at study circles, through write-ups in ASK *Bulletin* and articles in national newspapers.

**Human Rights Report:** ASK has published an annual report on the situation of human rights in Bangladesh since 1996. It has been an important source of information for researchers, academics, policy makers and activists. This year a summary report was published (*Human Rights in Bangladesh 2006*) with contribution from different units and individual writers.

### **Publications and Communication**

ASK's publications have raised issues of public interest, particularly relating to rule of law, democracy and human rights. Through its publications, ASK has raised discussions on good governance, non-discrimination and social justice.

*Bulletin* is a regular publication that focuses on contemporary law and policy issues. Four issues were published during the year, the total print number being 23,000 copies. Cover story of the *March* issue was on the trial of war criminals in the liberation war of Bangladesh in 1971. Other issues covered included separation of the judiciary, slum eviction, constructing Ecopark in Madhupur, Tangail forest areas, women human rights defenders etc. In the *June* issue, the cover story was on political reforms in Bangladesh. Other issues were electoral reforms, bail under emergency ordinance, analysis on some proposed laws, regulations for public and autonomous universities, police reform, Anti-corruption Commission, jute sector and workers agitation in Khalishpur jute mill area, *hilla* marriage, translation of an open letter of American anti-war spokesperson Cindy Sheehan, universal periodic review system of HRC, convention on persons with disabilities and forced disappearance. In the *September* issue, the cover story was on jute sector of Bangladesh. Other issues covered were proposed legislation for public universities, Bangobondhu Sheikh Mujibur Rahman murder case, proposed coal policy, floods in 2007, CEDAW, Pakistan crisis etc. In the *December* issue the lead story was on *Gono Adalat*, 1992 (People's tribunal for the trial of the war criminals of 1971). Other issues included separation of the judiciary, proposed domestic violence act, refugee laws, SIDR, Nandigram crisis in West Bengal, India, etc.

**Publications:** *Juddhaporadh (war crimes)* a compilation of analytical papers, investigation reports, testimonies was a useful addition to the literature on war crimes committed in 1971. In response to demand, the second edition of *Bangladeshe Jongi Totporota o Tar Bichar* (An account of Militancy in Bangladesh and the trial) was also published.

**Newspaper articles:** Twenty articles written by ASK staff on legal analysis, policy reform, women's concerns, war crimes, separation of judiciary, jute sector, women human rights defenders, UPR, farmers' rights, National Human Rights Commission, garment workers' rights, convention on disabilities and political reforms, were published in national newspapers.

**Discussion:** Meetings/study circles were held with journalists/bulletin readers/law students/lawyers in Dhaka and outside to get a feed back on issues raised in the *Bulletin*, and to identify potential contributors. Three meetings were held one each with members of Law Review - forum of the law students of Dhaka University, the second in Netrakona and the third in Chittagong. The last two meetings were attended by law students, journalists and NGO staff, lawyers and members of local community organizations.

### **Media & International Advocacy**

Media advocacy is a very important tool to generate opinion regarding the need for law and policy reform. Campaigns include press releases, press conferences, dissemination on the website. This year media advocacy included:

**Issuing Press releases:** Thirty-three press releases were issued on diverse issues, such as extra judicial killings, death in military custody, trial of war criminals, communalism and fundamentalism, excessive use of executive power, workers' rights, arbitrary arrests, unlawful eviction, international human rights day, etc.

**Press Conference** on the draft ordinance of the national human rights commission 2007 at which a specific recommendations were put forward to make the Human Rights Commission an independent and effective institution.

**Website:** The existing ASK website was redesigned, the outline drafted and information updated.

**International Advocacy:** ASK used consultative status with UNECOSOC to disseminate information relating to rights in Bangladesh, liaising with the UN Mission in Geneva and endorsing different memorandums addressed to UN bodies. It arranged a meeting with Dr Debopriya Bhattacharjya, the Permanent Representative at the UN Mission in Geneva to which many human rights organisations were invited to discuss modalities of communication between the Mission and human rights groups in Bangladesh.

The Unit prepared background papers to enable ASK to endorse the Joint Statement of Asian Human

Rights Defenders on Darfur to the Fourth Session of the UN Human Rights Council meeting on 27 March, 2007, the joint oral statement on VAW to the Fourth Session of the UN Human Rights Council on 22 March 2008, and the Asian NGO position paper on institution building, for the UN Human Rights Council on 16 March, 2008.

### **Advocacy for Law and Policy Reform**

Multi-faceted advocacy is carried out through filing of public interest litigation, policy campaigns, and memorandums to national and international agencies. This is based on material and data collection and research. **Law and policy review:** Legal Advocacy and Policy Reform Unit reviewed the proposed draft on Bangladesh Police Ordinance 2007 and provided the concerned authority with recommendations. The Unit reviewed the proposed draft on a Domestic Violence Bill and submitted its recommendations.

**Material and Data Collection:** Legal Advocacy and Policy Reform Unit accompanied Investigation Unit to collect information and relevant papers on the following incidents:

Pronouncement of *fatwa* on a woman forced into *hilla* marriage in Noongola village, Bogra district. During investigation, it was found that many women were forced into *hilla* marriage in that area.

The case of Jahangir Alam Sarker detained in Comilla jail due to a mistaken identity.

Death of 22 newborn children in incubators due to insufficient supply of electricity in Jessore General Hospital.

**International campaigns:** Letters to the High Commissioner of India to request repatriation of Bangladeshi nationals from different jails in India who are detained without charge and to the Consulate of Spain for repatriation of Bangladeshi nationals from detention camps in Melilia and Ceuta (Sebta) Cities of Spain. Letter to inform the High Commissions of India, Pakistan, and Consulates of Myanmar, Nepal and Philippines of their citizens detained in Bangladeshi jails despite serving their sentences and requesting steps for their release.

The Legal Advocacy and Policy Reform Unit sent urgent appeal to the UN Special Rapporteur on Housing on Bangladesh Government's attempt to cancel the contract for rehabilitation of Bhasantek slum dwellers.

**Protection of rights of the Foreigners in Bangladesh Jails:** To obtain the release of 241 foreign prisoners in various jails of Bangladesh who had overstayed their sentence the Advocacy Unit prepared a public interest petition for direction to provide particulars of the foreign prisoners to ASK and to take steps for their repatriation. As part case procedure ASK served legal notice to the jail authority. The authority responded the

letter by providing the particulars of the foreign prisoners and also permitting ASK representatives to visit jails and interview the foreign prisoners. ASK then refrained from filing the case as the main purpose of the case had been served.

Previous experience shows that particulars of foreign prisoners are not recorded correctly in case records and as a result, the concerned embassies do not accept them as their citizens. A team is working to conduct interviews of the foreign prisoners. After collecting the particulars, it will be submitted to the concerned embassies as well as other international organizations for repatriation of those prisoners.

**Right to Property (Writ Petition No- 5412/2007):** Forcible forestation by the Department of Forest in Anterpur village under the PS, Dharmopasha, District Sunamgonj violating the lease agreement given by the Deputy Commissioner, Sunamganj to 570 Garo and Bangali families who had been in use of the lands for generations. The Advocacy Unit, along with the members of the affected community, filed a writ petition in the High Court Division as to why the forestation should not be declared to be without lawful authority and why the Forest Department should not be directed to stop the forestation on the above mentioned land. The Court directed to the forest department not to disturb the said Garo and Bangali families on the scheduled land mentioned in the writ petition till disposal of the case. While the case is pending, 570 Garo and Bangali families possess the lands peacefully.

**Right to equal protection of law (Writ Petition No- 6373/2007):** ASK and BLAST filed a writ petition in the High Court as to why the detention of children in various jails instead of in the Juvenile Development Centres violating the Children Act 1974 should not be declared illegal. The Court issued *Rule Nisi* upon the government and directed to transfer the juveniles to the Juvenile Development Centres from the jails. The Court also directed the government to submit the list of the juveniles detained in jails. The Juveniles were transferred to the Juvenile Development Centre from jails.

**Judgments Obtained in petitions filed by the Advocacy Unit:** *Administrative Tribunal Case No.120/2005: Refusal of pension benefit for Srimoti Romana after 20 years service.*

Srimoti Romana was employed as a sweeper in the Telephone Board. At the time of joining, she was 34 years old. Her department condoned her overage in their Board Meeting, as they could not find a suitable candidate. After her retirement, the Telephone Board refused to pay her pension benefit as the maximum age for joining service was 27 years. The Court, in a petition filed by the Advocacy Unit, directed the Telephone Board to pay all benefits to Srimoti Romana.

## Transparency and Accountability in Public Institutions

The Investigation and Documentation Units, through field investigations and compilation of data from the print media on human rights violations draw attention to the role of public institutions in preventing and promoting human rights. Fact finding reports were used by the Legal Aid Unit for legal action, they were published in ASK's *Bulletin* or in national newspapers.

The importance of social mobilization has prompted ASK to build links with human rights defenders in different regions so that they can respond locally and build pressure on public institutions for action against perpetrators of Human Rights Violations (HRV). As accountability and transparency in public institutions are important preconditions for good governance and for redressing discrimination and social injustice, these two units monitor HR violations, document and disseminate information, maintain a Resource Centre; and provide fact-finding training to networking organizations and human rights defenders.

Fact-finding investigations and documentation help to create an indirect pressure for accountability and transparency of public institutions. Information also encourages a demand for recognition of rights amongst the survivors and the local community. The district level HRD Forum monitors hr situation and mobilises community pressure for action by the authority.

\* Training in investigation methodology has increased capacity of human rights defenders to conduct fact-finding investigation. 51 participants from 16 districts attended the training, during which they made fact-finding visits in 64 incidents. Local investigations were an effective means of alerting the administration and in procuring legal remedy for the victim's family.

\* In 2007, the Unit sent letters and memorandums in 114 incidents (including 41 investigation reports), to relevant authorities including the Advisors, Secretaries, Directors/Asst. Secretaries, IGP, Police Superintendent, Officers in Charge and other government officers to know what action had been taken.

- Qualitative Investigative reporting and documentation of at least 65 events of HRVs were made available to HR activists, and GO/NGO institutions for legal action, litigation, research and advocacy so as to protect or promote human rights.
- At least 30% of reports on HRV incidents (620) were shared with ASK units, amongst Forum members and sent to relevant government authorities.
- As planned, seven Human Rights Defenders Forums were working in seven districts. The Investigation Unit formed nine HRD forums in nine districts, which were able to monitor, investigate and respond to HR issues at the local level.
- The HR Resource Centre has a collection of law books, reports, human rights literature and newspaper clippings in both English and Bangla. Newspaper clippings filed subject wise by the Documenta-

tion Unit were used during the year in filing 1054 complaints. ASK's collection of 7500 books and reports is maintained in a COS/ISIS database.

- Fact-finding, HR monitoring, social mobilization by local HRDF as well as dissemination of information, etc., has increased people's demand for transparency and accountability of public institutions on HR issues at local and national levels.

### Case Study

#### Protecting an underprivileged community against forced eviction

On the morning of 5 June 2007, a posse of army personnel led by a Captain, arrived at the Durga Temple at Chakulia village close to the Mirpur Cantonment under Pallabi PS in Dhaka. They came in 11/12 army vans along with two bulldozers to demolish all structures including houses and the temple, because they claimed that the area belonged to the Cantonment authority. About 350 village families mostly Hindu, objected to this forced eviction on the grounds of a Court Stay Order in four petitions (for approx. 26.5 acres of land) which had been filed earlier by the villagers. Within a short while, reporters from print and electronic media reached the spot to cover the incident. Local police also arrived at the spot. The army officers told the villagers that they must remove all existing structures and leave the area within a few days.

Seeing the report in the newspapers the next day, ASK Investigation unit visited the area several times, talked to the villagers and collected information/documents relating to ownership of the disputed land. ASK also discussed the issue with the army higher authority and with the Army Chief of Staff. ASK understood the legal claim of the villagers who had been living there for over a hundred years but since the land was within the military Cantonment it would have been difficult for the villagers to stay there. ASK therefore tried to protect their right to shelter by suggesting their rehabilitation elsewhere. ASK appealed to the Head of the Caretaker Government and the army authority to allow the villagers time to arrange alternative shelter, on land to be made available to them. It was reported that most of villagers were still living there, though 15 families were evicted by the army after three months.

## Enhancing Capacity of Human Rights Actors

ASK used to conduct courses to generate awareness by disseminating information. Today its focus has shifted to imparting knowledge on legal and human rights that can strengthen community activism and enhance the capacity of human rights defenders to prevent violations. Several training courses were conducted for different PNGOs.

Course evaluations and follow-up reports showed changes in pre and post training attitude and activities of participants. ASK's training programmes have significantly raised amongst participants (a) consciousness of human rights and justice; (b) enhanced their activism in movements for a fair justice system and (c) increased intervention in incidence of domestic violence, torture, etc. The courses have succeeded in clearing misconceptions about legal issues, encour-



aged peaceful means of dispute resolution, emphasised importance of networking, etc. The training modules and materials are user-friendly and have been replicated by several other organisations.

In 2007, the Training Unit worked on the following projects:

Eight training courses were conducted for staff lawyers of BRAC to sensitize them to human rights and gender equality.

A training of trainers on Organizational Development was conducted for ASK staff.

Training staff participated in several short training courses and workshops at home and abroad. These increased their capacity and developed professional efficiency.

'Legal Empowerment for Women and Disadvantaged Groups' was started as a pilot project in Mymensingh under an agreement with ADB and Asia Foundation. This project was to identify and test legal empowerment (LE) strategies that increase access to basic social services, productive resources and opportunities for women and disadvantaged groups; and to promote increased incorporation of effective legal empowerment initiatives within a mainstream development project. The project is a unique example of promoting community activism beyond ASK's working area.

Building Capacity of Human Rights Organisations in Bangladesh with HURIDOCS. One of the purposes of this two-year project was to develop common vocabularies to describe violations for a more comprehensive analysis of the human rights situation in Bangladesh. This task will be strengthened through building a documentation support network of human rights organizations. Besides, it will lead to an international and national trainers' pool selected from participating organizations.

## Institutional Support

The Administration Unit provided administrative and logistic back up, information, human resources development for implementation of ASK's programmes. The Finance and Accounts Unit was responsible for all organizational and programme finances. The Unit monitored programme expenditure and provided orientation to staff on budgeting and financial management. The Planning, Monitoring and Evaluation (PME) Unit was established in September 2007 to prepare project proposals; coordinate activity plans; maintain liaison with donors; compile and prepare reports; analyze data to monitor progress/trends; provide monitoring feedback, develop tools and format for programme monitoring and develop/update management information system. The Unit will also monitor progress and organize external evaluation and impact assessment studies.

In 2007, institutional system was improved by the following:

- Amendment and implementation of Service Rules, Accounts Manual and staff appraisal format.
- Consultation on finalisation of Gender Policy.
- Submission of revised work plan and budget for the period January 2008 - December 2011 to Consortium Partners and NGOAB.
- ASK project proposal submitted to the Australian High Commission in October 2007.
- Monitoring by PMEU of different programmes in working areas.

Automation of financial management systems with appropriate computer software to ensure accuracy and speed.

Participation of staff in 77 national and 9 international trainings/workshops/seminars/meetings/study circles, etc.

Budget preparation by Accounts Unit in consultation with all unit heads and monitoring of expenditures. The Accounts Unit sent timely report to the Donors, NGO Bureau, DCs, Bangladesh Bank and others.



# Part Two

## Collective Actions taken by different units and result of campaigns and advocacy

### **Right to life**

**Death of Cholesh Richil in military custody:** The media reported on 18 March 2006 that Cholesh Richil, a Garo leader active in the protection of forest land, had been arrested by army officers and died in their custody. ASK investigation team joined other organisations to investigate the causes of his death. Several organisations including ASK (through its communication unit) issued a press release and held a press conference to call upon the government to hold an impartial enquiry into his death. Legal Advocacy unit led the advocacy and campaign activities with other organizations. Subsequently the Government formed a one member Judicial Inquiry Commission, at which ASK's executive director submitted the findings of the Investigation Unit's Fact Finding Report. The Legal Advocacy and Policy Reform Unit sent several letters requesting the Ministry of Home Affairs to publish the inquiry report.

### **Right to Liberty**

A newspaper item reported that Javed Hossain Titu (18 years) was trafficked to Pakistan ten years ago. Identified as an Indian citizen, he was arrested. The Legal Advocacy & Policy Reform unit collected relevant information and documents and contacted his family and the Government. Finally through ASK's efforts he was repatriated.

**Right to equal protection of law (Writ Petition No- 6373/2007):** Detention of juvenile prisoners in different jails of Bangladesh with adult prisoners instead of Juvenile Development Centre violating the Children Act 1974. ASK and BLAST filed a writ petition in the High Court as to why the detention of children in various jails instead of in the Juvenile Development Centres violating the Children Act 1974 should not be declared illegal. The Court issued *Rule Nisi* upon the Government and directed to transfer the juveniles to Juvenile Development Centres from the jails. The Court also directed the Government to submit the list of juveniles detained in jails. The Juveniles were transferred to the Juvenile Development Centre from jails.

### **Right to Shelter and Protection from Eviction**

In February 2007, the Government conducted a demolition drive in slums in Dhaka City, which left 27,235 families homeless and caused a massive monetary loss. The Investigation Unit conducted a fact-finding investigation, reports were published in the *Bulletin* and the Legal Advocacy and Policy Reform Unit submitted a memorandum to the Adviser for Law for their rehabilitation. Because of a campaign conducted collectively with several groups, the Government formed a high power committee to identify land for their rehabilitation. Five acres were finally allocated to the Coalition for the Urban Poor for construction according to designs to be

made by architects and urban planners in consultation with the slum dwellers to assess their needs. The Legal Advocacy and Policy Reform Unit sent urgent appeal to the UN Special Rapporteur on Housing on Bangladesh Government's attempt to cancel the contract for rehabilitation of Bhasantek slum dwellers.

**Eviction of Chakoli residents:** A large Hindu community of approximately 300 families who had been living in Chakoli village, abutting the military cantonment in Dhaka were threatened with eviction and given a notice by the Mirpur Cantonment Authority to vacate their homes by 30 August 2007. ASK Litigation and Advocacy Units assisted with the court case, the Investigation Unit conducted a fact finding in the area, and the Advocacy Unit prepared a concept paper for rehabilitation of the villagers, which was submitted, to the Chief Advisor and Army Chief of Staff. Following this campaign, the eviction notice was not acted upon.

### **Right to Livelihood**

The Legal Advocacy and Policy Reform Unit arranged and facilitated a press conference for Non-Matriculated and Non-Trained primary school teachers and sent memoranda to the concerned authorities to consider their pension benefits. About 450 teachers have been deprived of their pension benefit after retirement.

### **Rights of Jute Workers**

Memorandums/Appeals were submitted to the Adviser Ministry of Labour and Employment to withdraw cases against workers in Khalishpur, to pay their dues following the closure of the jute mills.

ASK submitted several memoranda to the concerned authorities on different issues. Lawyers also filed petitions for release of workers. This was preceded by the Investigation Unit doing fact-finding investigations. ASK joined the Sromik Nirapotta Forum in campaigning against the closure of jute mills and demanding payment of compensation and all dues to the workers.

### **Women's Rights**

Different units of ASK worked together with the women's groups to press upon Government to amend the policy for the advancement of women which had been approved by the Government in 2004 without consultation with women's groups and to announce a policy in keeping with Bangladesh's commitments under CEDAW, the Constitution, MDG and PRSP. ASK as a member of the Social Action Committee (a coalition of women's rights groups) submitted recommendations that would promote equality and justice for women. All the units were involved in formulating the recommendations

### **Domestic Violence**

Reports from the Investigation and Documentation Units, cases filed by the Litigation Unit and work of the Advocacy Unit enabled ASK to contribute to the discussions on a proposed bill on domestic violence and to submit recommendations to the Committee formed by a large number of non-government organisations. The final recommendations were to be submitted to the Ministry of Law.

### **Human Rights Report**

ASK has published an annual report on the situation of human rights in Bangladesh since 1996. It has been an important source of information for researchers, academics, policy makers and activists. This year a summary report was published (*Human Rights in Bangladesh 2007*) with contributions from different units and individual writers.

### **International Campaigns**

ASK endorsed the following statements to the Fourth Session of the UN Human Rights Council:

- Joint statement of Asian Human Rights Defenders on Darfur on 29 March 2007.
- Joint oral statement on VAW in Darfur on 22 March 2007
- Signed Asian NGOs position paper on institution building issues on 16 March 2007.

Letters to the High Commission of India, to request repatriation of Bangladeshi nationals from different jails in India who are detained without charge and to the Consul of Spain for repatriation of Bangladeshi nationals in detention. Letter to inform the High Commissions of India, Pakistan, and Consulates of Myanmar, Nepal and Philippines of their citizens detained in Bangladeshi jails despite serving their sentences and requesting steps for their release.

The urgent appeal to the UN Special Rapporteur on Housing on Bangladesh Government's attempt to cancel the contract for rehabilitation of Bhasantek slum dwellers.





# Part Three

## Challenges faced by ASK in carrying out different programmes

### Human Rights Awareness Unit

The MNPs have become accepted in the locality, but they may not have acquired the expected capability or experience. MNPs invest their time and money to perform issue-based dramas but they may not be able to do sufficient research and rehearsals. Often the complex aspects of gender discrimination, state obligations, human rights, and globalization are not dramatised properly.

Some former PNGOs and other NGOs have introduced similar programmes in areas where the GSJ and HRA Units work, but they pay the theatre worker for every performance, whereas ASK has promoted volunteerism amongst MNP members. This has created a conflict of interest.

Because of the state of emergency, the community hesitated to carry on with some of the programmes, to congregate in open spaces or to use microphones, banners, etc. In some of the unions, the UP Chairmen and Members went into hiding, as they were wanted in corruption cases. This prevented their participation in different events.

*The HR Unit* depends upon the availability of Guide Teachers, trained by the Unit in conducting HR dramas, to help further BNAD programme in high schools. If these teachers are transferred by the authority, it weakens the programme and the BNAD groups become less effective. The likelihood of conflicts between the Governing committee and the schoolteachers in some areas has also affected the programme.

### Gender and Social Justice Unit

#### **External Problem**

- During emergency some of the activities were totally stopped because the community was afraid to meet together and use mike, banner etc.
- Due to heavy rainfall and flood, regular programmes were hampered.
- Due to emergency declaration and anti-corruption drive some UP Chairmen and Members had absconded and did not take part in workshops for which their presence was essential.
- The UP was under the direct supervision of the Army to distribute VGF and VGD cards and they occupied the UP for this.

#### **Internal Problem**

- Between January to October three staff members resigned, which added workload to other staff.
- Congestion of office space is not conducive for efficiency.

### MRRU and Litigation Units

Discriminatory personal laws are the main obstacle to a woman obtaining justice and affirming equal rights. Both the MMRU and Litigation Units work in a discriminatory legal framework, which does not allow fair remedies. Threats of violence deter women from filing

cases, or make them to withdraw their cases. The judge's bias particularly in cases relating to dowry and maintenance, administrative mismanagement, lead to unfavourable judgments while the decision of ASK's lawyers not to give bribes to the court administration delay the cases. Sometimes in cases out of Dhaka proceedings are delayed due to shortage of lawyers.

### **Support Services and Halfway Home Unit**

Field workers of SS and HWH, who have to go to hostile areas to visit clients, face threats from local thugs, opposing parties and police. Persons who seek counselling support are sometimes misunderstood as being "mentally disturbed" by others, which increases their insecurity. There is a need to increase the number of field workers and counselling helpers and to enhance their capabilities.

### **Advocacy Unit**

Public Interest Litigation to protect fundamental rights could not be filed during the state of emergency. This has also affected advocacy for law and policy reform

as there was no parliament session. The State of Emergency, deployment of army, has hindered proper investigations into instances of 'death in crossfire', by the law enforcing agencies such as Joint Forces, RAB.

Restrictions imposed by the Police or courts on access to information from the Police Station and courts created difficulties in proper investigation, especially in cases of illegal arrest, custodial torture or death.

### **Training Unit**

Trainings were focused on generating awareness. Besides conducting trainings, trainers should also be equipped in other methodologies like organising and conducting workshops, seminars, etc. The success of the programme depends upon skilled trainers. The staff had limited scope for development due to lack of resources. Shortage of adequate office space created a poor working environment and did not allow proper maintenance of materials. Because of staff turnover the unit lost experienced staff.



# Annexures

## Key Activities of ASK Units in 2007

### Human Rights Awareness Unit

- Working areas: Kushtia , Jhenaidah, Pabna, Sirajganj, Naogoan, Joypurhat, Gaibandha, Mymensingh, Netrokona and Kishorgonj Sadar Upazila
- Number of Unions and Municipality: 10 Municipality in 10 working areas and 40 unions, (4 unions in each Upazila)
- Number of Union Manbadhiker Nattya Parishad (UMNP)- 51
- Members: Female -262 Male-1311 Total -1573
- Upazila Manabadhiker Nattaya Parishad (UzMNP) -10
- Members: Female-31 Male-166 Total -197
- Issue based Drama performed by MNPs: 650
- Audience (approx): Female-66810 Male-127460 Total -194270 (aprox.) Major Issues: National budget, Violence Against Women (Dowry, Divorce, Domestic Violence, Acid Violence), Police Torture, Corruption, Fundamentalism, Extra Judicial Killing, Custody, Patriotism, Inflation etc.
- Number of Schools: 30 schools, 3 in each district.
- Number of Biddaloy Nattya Dal (BNAD): 30
- Members: Girls- 490 Boys- 267 Total- 757
- Issue based Drama performed by BNAD: 191
- Audience (approx): Female-23563 Male-30259 Total -53822

### Gender and Social Justice Unit

- Working Areas: 10
- No of Unions: 40
- No. of Union level Manabadhikar Sangrakkhan Parishad (MSP): 40;
- No of members: 1400
- No. of Union level Manabadhikar Nari Samaj (MNS): 40; No. of members: 1200
- No. of Shalish conducted by MSP/ MNS : 243
- Initiatives taken by MSP/MNS to prevent HRV: 259
- No. of cases in which legal aid was provided under district level legal aid fund: 64

### Rapid Response and Mediation Unit

- No of clients given legal advice: 2406
- No. of complaints: 2892; of which 1510 were registered in 2007 and 1382 complaints carried over from previous years; 863 complaints closed
- No. of complaints registered in 2007: Total: 1510, In ASK Office 954 and clinics 556
- Number of visits by clients: 9577
- No. of visits by clients whose cases were carried over from previous years: 2103
- Total number of mediations conducted: 757 in which settled :396
- Total amount recovered through mediation: 39,71,369 among which 36,93,430/- recovered as dowry money and cost of maintenance of wife, 2,42,000/- recovered as maintenance of children, 27,200/- as borrowed money, and 8,739/- recovered as wages and money provident fund at of a client
- No. of incidents to which Rapid responses were made: 517
  - Action taken on incidents reported in national newspapers: 394
  - No. of General Diary entries made in police stations: 112 and FIRs filed: 5
- No. of children rescued from disputing party: 18
- Missing children handed over to their guardians: 30
- Victims of illegal arrest released under DMP Act: 64
- Released victims from safe custody and handed over to legal guardians (on request from Women and Children's Affairs Ministry and Social Welfare Ministry): 4
- Arranged shelter for survivors of HR violations in:
  - Halfway Home: 104
  - Nirmal Shelter Home: 27 (for long term shelter & vocational training)
  - CTRDW: 6
  - Shishu Polli: 5
  - Families for Children : 2

### Litigation Unit

Status of Cases	Total	By Staff Lawyers	By Panel Lawyers
Cases filed	200	179	21
Cases settled	118	115	3
Pending cases	404	321	83
Legal aid outside Dhaka division	5	5	0
Support to old clients	2762	x	x
Total amount recovered thru court as dowry, maintenance for client and children	1,572,728.00	x	x

### Outreach Unit

- Three workshops on Gender, Legal Aid and Human Rights for Panel Lawyers (Women: 25 & Male: 88) of Dhaka Division
- Two six day trainings on gender relations analyses, human rights, law and policy reform. 65 BRAC staff lawyers (women: 16 and Men: 49) to enhance their capacity for mediation and dispute settlement
- Two six day trainings on gender relation analysis, Human Rights, Law and policy reform 65 staff lawyers (Female 16 and Male-49).
- 24 workshops in different districts regarding issues relevant to the Legal Aid programme where 1147 Local Bar association members & 100 Judges were present.
- Increased coordination with members of the Local Administration (i.e. Police Officials, DC, Magistrates, Assistant and Public Prosecutors, Media and NGO's etc) 24 workshops in different districts. Total number of participants in the workshops: 1113 includes Government officials :140

(DC-19, ADC-8, ADM- 14, UNO- 21, Magistrate- 81 ); Police Officials: 102 (Deputy Police Commissioner- 2, Additional Police Commissioner- 1, Police Officer- 99); Doctors- 15; Journalists- 214, NGO representatives- 344 and others -298.

- 337 rapid responses to HRV at district level.

### Children's Rights Unit

Description	Event	Boys	Girls	Total
<i>Consortium Project</i>				
Children enrolled in Drop-in-Centres	-	745	513	1258
Children given lunch	-	19411	19236	38647
Workshops	102	454	339	793
Outdoor workshops	08	50	54	104
No. of Children who received Legal aid support	-	06	02	08
No. of Children enrolled in other schools		175	182	375
No of Children who received Health support	-	1246	1179	2425
No of Children sponsored for further education	-	14	06	20
Meeting with parents, employers meeting & community	40	120	737	857
Get together	01	47	73	120
Excursions	02	29	36	65
Art Class	94	1032	960	1992
Art Competitions	20	68	18	86
No. of children whose parents and employers took partial responsibility for their health and education	-	120	737	857
<i>SCSD Project</i>				
Registration of Domestic Helpers	-	118	177	295
Literacy learning using flexible approach through DICs	-	96	159	255
Indoor workshops for selected children	98	32	120	152
Outdoor workshops	6	14	72	86
Art Class	26	95	149	244
Excursion	1	23	50	73
No. of children provided first aid		118	177	295
Consultations	5	16	49	65
Parents Meetings / workshops	2	13	36	49
Employers meetings / workshops	5	10	113	123
Workshops with UP members	2	113	106	219
Art, workshop & Drama	3	5	67	72
Essay competition	1	1	15	16
Apartment owners meeting	1	23	80	104
Orientation on Effective communication skills	2	8	45	53

### Support Services and Halfway Home Unit

No. of clients attended legal clinics: 2956 persons

No. of client's follow up: 1047 persons

No. of clients accommodated in Half Way Home: 251 persons

*Clients to other organizations for further development:*

ASCR (Nirmol Asroy Kendra)	27 clients
CTRWD	6 person
Shishu Polli Plus	2 clients 3 children
Families for children	2 clients
Total	37 clients with 3 children

**Psycho-social Counselling Component**

- Help to clients: 127 (F-120, M-07)
- Counsellors/Helpers Association Meetings: 5, Participants: 97 (F: 85, M: 12)
- Training on counselling: 3, Participants: 59 (F: 44, M: 15)
- Orientation on counselling: 7, Participants: 196 (F: 84, M: 112)

**Legal Advocacy and Policy Reform Unit**

- Filed three PILs to ensure fundamental rights of citizens. About 3491 persons were benefited directly and other issues were related to government policy
- Advocacy for policies on right to shelter, custodial death and right to pension after retirement.
- Conducted legal research on Right to Shelter of slum dwellers.
- Conducted three investigations in collaboration with Investigation Unit into death of 22 new born babies in incubator, pronouncement of fatwa and illegal detention of an innocent person for mistaken identity.
- Reviewed draft of Bangladesh Police Ordinance 2007 and submitted recommendations to the concerned authority
- Attended and organised nine meetings with different organizations on the incidence of human rights violations.
- Regular liaison with different embassies, UN bodies and international NGOs regarding human rights violations.
- Monitor and follow-up positive judgments on petitions filed by ASK.

**Research Unit**

- Published Human Rights in Bangladesh 2006.
- In depth research on 'Rights to Proper Treatment and Negligence in Medical Sector'.
- Started research on Child Domestic Workers.
- Completed research on 'Assessment of Needs for an Adoption Law'
- Facilitated five Study Circles on pure drinking water, HIV/AIDS, Medical Negligence, Adoption Law, Human Rights Situation in Sudan.
- Started a project with UNAIDS in June 2007 to review existing laws, rules, regulations and practices regarding HIV/AIDS.
- Completed a project with D.Net to compile judgments on fundamental rights e.g. Rights to life, liberty etc.

**Publication and Communication Unit**

- Quarterly Bulletin published: 4 issues, 23, 000 copies in total
- Articles published in newspapers: 20
- Publications: 2

*Bangladeshe Jongi totpotota o tar bichar* (An account of militancy in Bangladesh & the trial) (2<sup>nd</sup> impression) and *Juddhaparadh* (War Crimes)

**Media and International Advocacy Unit**

- Press Release/ Reaction : 33 statements issued
- Memorandum : 02 memoranda have been submitted

- Press Conference : 01 press conference held on National Human Rights Commission
- UN Advocacy : Endorsed 2 statements that were submitted to the UN Human Rights Council regarding the HR violation in Darfur, Sudan and the reform forces of UN
- Meeting with  
Dr. Debapriya Bhattacharya : Ambassador and Permanent Representative of Bangladesh to the UN Mission in Geneva

#### Investigation Unit

- Investigations by Unit staff: 95
- Investigations by HRD forum members: 47
- Investigation into and follow up of state violence: 1
- Meeting with local HR defenders: 10
- No. of HRD Forums formed in districts: 9
- Training on Fact Finding for Forum Members: 1
- National training on Fact-Finding for HRs activists, journalists and other professionals: 1
- Appeal to authorities regarding HRV: 150
- Lobbying & Campaign (Press conference): 1
- Training on Fact finding for BRAC, Polli Shishu and MSP staff: 4

#### Action taken on Fact Finding Reports

Subject	Completed	Referred for Action			
		LAU	Adv	Appeal to Authority	Media Article
State Violence					
Custodial Death (police/RAB/joint force)	11	-	-	8	1
Physical Torture by Police & RAB	3	-	2	3	1
Mass Arrest	2	2	2	2	-
Evictions	2	1	2	2	1
Unlawful arrest	2	-	1	2	-
VAW					
Domestic Violence & Family disputes	6	3	-	-	-
Unnatural death of Domestic workers	5	3	-	-	-
Provocation to young girl to commit suicide	1	1	-	1	-
Rape	3	1	-	-	-
Fatwa	2	1	-	2	-
Attacks on Minorities					
Hindu Community	4	2	4	4	-
Adibashi People	5	2	2	4	2
Children					
Unnatural death of domestic maid	5	2	-	-	-
Physical Torture of girl/boy	5	2	-	5	-
Missing of adolescent	2	2	-	-	-
Others					
Journalists Tortured	4	1	1	3	1
Workers' deaths	11	-	-	-	-
Medical negligence	3	1	3	-2	-
Incidents in Garment Factories	2	-	2	-	1
Miscellaneous	17	7	4	11	2
<b>Total</b>	<b>95</b>	<b>31</b>	<b>23</b>	<b>49</b>	<b>9</b>

*N.B Number in breakdown differs due to duplication of action.*



**Documentation Unit**

- Statistical charts prepared : 137
- No. of users of Documentation : 491
- No. of Books accessed : 178 (Law & H.R)
- No. of Reports accessed : 160
- No. of copies sale : 1855 copies. Amount Earned: Tk. 67,6420

**Training Unit**

- No. of Courses Conducted: 105
- No. of Participants: Total: 2099, Men: 1024, Women: 1075

**Administration Unit**

- There were 22 recruitments (13 men 22 women); 30 staff resigned (20 women, 10 men)
- Recruitment tests administered 9 times
- The Service Rule and Accounts Manual had been amended and implemented Staff Appraisal format had also been amended and made effective
- A Director, Finance and Administration has been appointed
- A Deputy Director, Planning, Monitoring and evaluation has been appointed
- Staffing situation: Total staff 174

**Finance and Accounts Unit**

- Financial Reports to Donors - 42
- Financial Report to NGOAB - 21
- Financial Report to Executive Committee - 4
- Consolidated Audit - 1
- Project Wise Audit - 4
- Monthly Activity Report to NGOAB - 12
- Monthly Activity Report for ASK - 12
- Prepare Annual Budget - 1
- Project Approval for NGOAB - 5
- Project fund Released from NGOAB - 5
- For smooth bank operating signatories for bank accounts have been changed and approved by the EC





## Ain o Salish Kendra (ASK) Balance Sheet

As of 31 December 2007

Subject	Notes	Amount in Taka	
		2007	2006
<b>Sources of Fund</b>			
Capital fund (ASK Equity)	3	78,318,939	51,364,222
<b>Liabilities:</b>		6,985,484	6,379,214
Gratuity fund	4	6,985,484	6,377,263
Refundable to donor			1,951
	<b>Total</b>	<b>85,304,423</b>	<b>57,743,436</b>
<b>Application of Fund</b>			
Fixed assets at cost less accumulated depreciation	5	37,873,230	37,514,908
<b>Current assets</b>		<b>48,262,228</b>	<b>20,500,256</b>
Fund receivable	6	1,597,345	1,709,862
Security deposit	7	28,000	28,000
Receivable-membership subscription	8	4,500	5,900
Stock of stationery	9	140,085	119,605
Cash in hand & at bank balances	10	46,427,873	18,182,287
Advance salary	11		407,995
Advance tax payment	25		46,607
Advance against repair and maintenance	12	64,425	-
<b>Less: Current Liabilities</b>		<b>831,035</b>	<b>271,728</b>
Liability for expenses	13	179,047	249,265
Advance-membership subscription	14	1,300	300
Provision for tax	15	650,688	22,163
<b>Net current assets</b>		<b>47,431,193</b>	<b>20,228,528</b>
	<b>Total</b>	<b>85,304,423</b>	<b>57,743,436</b>

## ASK Members

### Founder Members

Abdul Khaleque  
Aminul Haq (Late)  
Amirul Islam  
Fazle Hasan Abed  
Hameeda Hossain  
Khursheed Erfan Ahmed  
K.M. Subhan (Late)  
Salma Sobhan (Late)  
Taherunnessa Abdullah

### Executive Committee Members

Fazle Hasan Abed (*Chairperson*)  
Md. Asaduzzaman (*Secretary General*)  
Nizamul Huq Nasim *Member*  
Md. Nur Khan, *Member*  
Nihad Kabir (*Treasurer*)  
Sara Hossain *Member*  
Shamim Akhter *Member*  
Sultana Kamal (*Ex-Officio Member*)  
Taherunnessa Abdullah *Member*

### General Members

Afsana Wahab  
Dilruba Shahana  
Faustina Pereira  
Fatema Rashid Hasan  
Isaac Robinson  
Khurshid Alam  
Karunamoy Chakma  
Meghna Guha Thakurta  
Md. Asaduzzaman  
Md. Nur Khan  
Nizamul Huq Nasim  
Nihad Kabir  
Neela Matin  
Roushan Jahan Parvin  
Roxana Khondokar  
Roushan Jahan  
Sultana Kamal  
Sara Hossain  
Syed Refaat Ahmed  
Shameem Akhter  
Syed Mahbubar Rahman  
Tahmina Rahman  
Tanzina Huq Tiru  
Z.I. Khan Panna  
Zaved Hasan Mahmood

## ASK Personnel

**Executive Director**  
Sultana Kamal

### Directors

Md. Nur Khan, Investigation and Documentation  
Syed Zafrul Islam, Finance & Administration

**Training Unit:** Arifur Rahman, Asma Khanom Ruba, Hasina Ferdous, Mamunur Rashid, Momy Monjury Chowdhury, Md. Parvez, Rafiq Ahmed Shirajee, Shaheen Akhter (Coordinator), Sadia Tasneem, Setara Yeasmin, Shimul Kumar Biswas, Sarker Kabir Uddin, Samaresh Seal, Tanvia Roseleen Sultana.

**HURIDOCs Project:** A.F.M. Nurur Rahman.

**Gender and Social Justice Unit:** Md. Abdur Rob, Md. Abu Sayed Sumon, Gulsan Ara Parvin, Mozahidul Islam, Md. Masud Parvez, Nargis Akter Khan, Sanaiyya Faheem Ansari (Deputy Director), Sitara Shamim, Taufiq Al Mannan (Coordinator), Tushar Kanti Das.

**Human Rights Awareness Unit:** Anichcha Parvin, Md. Jahedul Alam (Coordinator), Md. Jahangir Alam, Joganmoy Paul, Lucy Tripti Gomez, Motahar Uddin Akand (Deputy Director), Md. Mubnur Rahman, Shahnaz Rahman, Shamima Shawkat, Samiun Jahan.

**Mediation & Rapid Response Unit:** Dilara Momtaz, Kuheli Sultana, Mahjabin Robbani, Mosammat Monira Sultana, Nina Goswami (Sr. Coordinator), Nahid Shams, Shithi Rani Das, Selina Akhter, Shanina Ferdousi, Sumita Bagchi, Shamsun Nahar, Tania Tasnova, Umme Kulsum Akter Parvin.

**ASK-Concern Project:** Sabetun Nahar, Afrin Hoque, Rupam Talukder.

**Litigation Unit:** Abdur Rashid, Farhana Afroz, Momtaj Begum, Monira Akter, Mizanur Rahman, Nilufa Akter, Nasreen Akter, Salma Jabin (Sr. Coordinator), Snigtha Shaha, Topan Kumar Sarker, Zafrin Chowdhury.

**Outreach Unit:** Dilip Kumar Paul (Coordinator), Mirana Sabir Mirza Shammi Akter, Md. Monwar Hossain, Roushan Jahan Parvin (Deputy Director), Rehana Sultana, Rahat Uddin, Sheikh Shariful Islam, Shahinuzzaman, Taufiqul Islam.

**Support Service and Half Way Home Unit:** Ayesha Begum, Ayesha Arshad, Arpita Rani Das (Coordinator), Rijia Begum, Israt Jahan Mithila, Maleka Begum, Rokeya Begum, Syeda Parvez Khanam.

**Child Rights Unit:** Ali Akram Tarafdar, Atia Afrin Ferdousi, Geeta Chakrabarty (Deputy Director), Jahanara Parvin, Kamrunnessa, Mehraj Jahan, Moqsud Maleque (Sr. Coordinator), Mina Sanyal, Md. Assadujaman, Nargis Akter, Nazma Akter, Nargis Aktar Mafia, Rashida Khanam, Rasheda Akhter, Runa Khandakar, Rehana Parvin, Shamsunnaher, Shammi Akter Ruma, Shahana Sultana.

**Protection for full-time Child Domestic Workers from Abuse and Exploitation:** Ambika Roy, Amena Khanam, Anwara Begum, Farzana Khanam, Farhana Nasim, Fatema Hoque, Luna Sarker, Lutfun Nessa, Mizanur Rahman, Monika Rani Dey, Mabia Akter, Mohsina Begum, Mahmuda Khanam Parvin Akter Baby, Padmabati Debi, Rita Parvin, Rabeya Akhter, Reshma Akhter, Rokeya Begum, Sabila Moktader, Shaheen Mahbub, Shilpi Shaha, Shahnaz Begum, Shanaz Akter, Selina Akhter.

**Psycho-Social Help:** Abeda Sultana (Counselor), Kohinur Begum (Sr. Helper in Counseling).

**Investigation Unit:** Abu Ahmed Faijul Kabir, Anirban Saha, John Asit Das, Khorshed Alam, Mohammed Tipu Sultan (Deputy Director, Acting), Sheikh Nasir Ahmed, Shah Alam Faruk.

**Documentation Unit:** Fahmida Zaman, Fatema Zannati, Jharna Khanam, Md. Sekandar Ali, Nargis Akhter, Zafreen Sattar (Coordinator).

**Communication Unit:** Kaniz Khadija Surovy, Millat Hossain, Qumrunnessa Nazly, Shaheen Akhter (Editor), Syeed Ahmed (Coordinator).

**Research Unit:** Salma Chaudhury (Coordinator), Lovely Rani Talukdar, A.T.M. Morshed Alam.

**Legal Advocacy and Policy Reform Unit:** Abu Obaidur Rahman (Coordinator), Jannat Sultana, Abantee Nurul, Umme Wara Mishu, Tapos Bondhu Das.

**Administration Unit:** Abu Musa, Abedul Moula, Amena Begum, Anil Chandra Mandal, Fazila Begum, Fatema Begum, Laila Begum, Laily Ara Begum, Md. Haider Ali, Khokon Gomez, Mahmuda Sultana, Mariam Begum, Mintu Barua, Majeda Begum, Mahbub Alam, Mosharaf Hossain, Md. Moshin Ali, Naseema Akhter Banu (Asstt. Director), Nur E. Alam, Nurun Nahar Rekha, Rizwanul Hoque, Shamim Hossain, Shirin Aktar, Sabina Yeasmin, Tahsina Ahmed, Jahera Begum.

**Finance Unit:** Hosne Ara Begum, Md. Shahidullah (Deputy Director), Philip Arnold, Suraiya Hanam (Director Finance), Tahera Begum.

**Planning, Monitoring and Evaluation Unit:** Fatema Mahmuda (Deputy Director).

## **Sponsors of Working Children in 2007**

### **Sponsors**

Dr. Faustina Pereira  
Dr. Markus Litz  
Peter Haaze  
Waltraud Haase  
Sarah Leigh  
Mr. & Mrs. Giselher Brand  
Sanayya Faheem Ansari

### **Names of Children**

: Bikash Ghosh  
: Monir Hossain and Apu  
: Sayeda Akhter and Ashraf Hossain  
: Hosne Ara and Shameem Hossain  
: Rabeya, Al-Amin, Monir, Rashedul Islam and Asma  
: Golapi  
: Nasima Akhter